



BOARD POLICY: WIRELESS COMMUNICATION FACILITIES LEASE
BOARD POLICY NUMBER: 43

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Policy Statement

North Marin Water District Operations/Maintenance Department is responsible for the technical management of all wireless / airwave services and facilities (such as fixed and mobile wireless, satellite dishes, radio installations and ancillary emergency power) on District property.

Management of all wireless / airwave services vendors are included in this responsibility. All requests for facility space to support wireless / airwave services, including internal uses, external vendor and service provider site requests, and proposed contracts, must be reviewed by the District. The District has established a protocol for the design, installation and maintenance of all wireless facilities. All vendor requests for facility space for wireless services should be directed to North Marin Water District's Operations/Maintenance Superintendent.

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1.00 Definitions

- 1.01 Antenna: Any apparatus that broadcasts and/or receives voice, data and video information or communications through the atmosphere, from either earthbound or orbital sources.
- 1.02 Electronics Enclosure: A building, hut, vault, or other freestanding, buried, or wall-mounted enclosure used to house electronic equipment association with an antenna installation.
- 1.03 Facilities: Any water storage tanks, buildings, fixtures, equipment, or property including streets, sidewalks, landscaping elements and grounds, which are owned and/or operated by North Marin Water District.
- 1.05 Licensee: The entity that is proposing and may be granted the right to install a communications antenna on North Marin Water District facilities pursuant to an executed Wireless Telecommunications Antenna Site License Agreement.
- 1.06 Owner: North Marin Water District.
- 1.07 Towers: Structures proposed for use by Licensee for mounting of antenna equipment to broadcast and/or receive data, information or communications through the atmosphere, from either earthbound or orbital sources.

2.00 Background

- 2.01 The North Marin Water District periodically receives requests for permission from vendors to mount various types of antennas, towers, electronic and ancillary equipment on District facilities for wireless / airwave services.
- 2.02 The North Marin Water District recognizes that the aesthetic appearance of its facilities significantly impacts the District's ability to maintain a low impact to its customers, and the District is committed to developing and maintaining the aesthetic appeal of its facilities.
- 2.03 The North Marin Water District recognizes that the general public has a concern with a potential for harmful electromagnetic health effects that may exist in certain wireless communications devices.
- 2.04 The District facilities are public assets and requests for the right to site antennas, towers, electronic enclosures and ancillary equipment on District facilities is a decision that shall be made by the District Board of the Directors. Any value that may be gained by the District through licenses with commercial vendors shall be District resources that will be allocated on a case by case basis as directed by the Board of Directors.

3.00 Purpose

- 3.01 This policy outlines a consistent application, review and approval process for the siting and installation of antennas, towers, electronic enclosures and ancillary equipment, including the procedures for approval of such projects and the guidelines for evaluation of requests, with respect to technical, aesthetic, legal and District parameters.
- 3.02 This policy will direct the activities of the District in its consideration of requests made by commercial vendors to install antennas, towers, electronic enclosures, and ancillary equipment on District facilities.
- 3.03 This policy will direct the activities of the District to ensure all proposed structures are designed, built and maintained without interference with existing and future District facilities.

4.00 Considerations for Evaluation of Requests

- 4.01 Aesthetic: All proposed installations will be evaluated with respect to their site location and their potential aesthetic impacts to the surrounding environment.
- 4.02 Technical: North Marin Water District maintains crucial data and communications assets that support substantial investments in operational activities. All proposed installations

shall be evaluated with respect to potential interference with existing and possible future data and communications operations. Evaluations will be conducted by applicant and presented to the District. The technical evaluation shall address any potential impact to, or potential for, interference with District broadcast facilities such as radio and with other existing communications equipment used by or planned by Marin County Emergency Radio Agency, Novato Police Department, Novato Fire Protection District and other existing transmitter and receivers. Each applicant must address the risk of interference with the other existing users.

- 4.03 Permitting: Prior to recommending approval to the Board of Directors, applicants must provide all necessary permits from the federal, state, county, local city and other building authorities as required.
- 4.04 Legal: Prior to recommending approval to the Board of Directors, District legal counsel will evaluate requests to assure they are consistent with District regulations and policies. A license agreement is required to perfect a proposed installation. The Operations/Maintenance Superintendent will negotiate on behalf of the District a proposed license for consideration by the Board of Directors.
- 4.05 Environmental: Environmental review pursuant to the California Environmental Quality Act for the proposed installation must be completed by the licensee prior to Board of Directors' consideration of the proposed license.
- 4.06 Philosophical: The District will evaluate proposed installations with respect to aesthetic, technical, environmental, legal and District parameters, and in accordance with emerging District philosophies such as preferred use, benefit analysis, compensation, etc.
- 4.07 Other Considerations: Single-line telecommunications antenna/towers that stretch from one facility or structure to another present special hazards and are not likely to be approved.
- 4.08 Existing Systems: All those who currently have telecommunications antenna/towers located on the proposed facility and nearby facilities must review configuration, location and anticipated frequencies of proposed installations.

5.00 Requests from Applicants

- 5.01 Any entity desiring to install antennas, towers, electronic enclosures, and ancillary equipment on District facilities in accordance with requirements set forth in this policy must outline how it will comply with the provisions of the Wireless Telecommunications Antenna Site License Agreement template used by the District and attached hereto as Exhibit A.

- 5.02 The Operations/Maintenance Superintendent will organize the application and review it with input from other departments. The District Secretary will be the central repository for all agreements resulting from the execution of this policy.
- 5.03 The locale and elevation of the District's property may include technically suitable locations for commercial vendors' antennas, towers, equipment enclosures, and ancillary equipment. The District will not endorse installations that support the commercial activities of vendors without value accruing to the District.
- 5.04 Installations proposed by vendors shall not conflict with the overall mission of the District. All proposals must provide fair market value to the District. Factors that may be considered in valuing proposals are improvements to existing District infrastructure that provide emergency communications services (voice/data) to the District.
- 5.05 Vendors must provide assurance that the installation will not negatively impact District facilities including building space, roof/building conditions and sites adjacent thereto, and other District resources, including personnel.
- 5.06 An installation will not be approved if it will interfere with or intrude upon existing voice, data, radio and video communications, or other systems equipment or District programs.
- 5.07 Access into or onto District facilities for operations, maintenance or repairs of vendor-installed equipment must be arranged through the Operations/Maintenance Department.
- 5.08 All licensee personnel will be required to comply with District policies including parking regulations.
- 5.09 All vendors must execute and comply with a Wireless Telecommunications Facilities License Agreement. See Exhibit A.
- 5.10 North Marin Water District desires to work with other public agencies to enhance public safety and public agency communication in the surrounding community. Requests for installation of any public agency antennas, towers, equipment enclosures and ancillary equipment will be consistent with this policy.
- 5.11 License agreements will have a two-phase process: Phase 1 will provide a general description in Section 1, Grant of License, with specific term limits in Section 2 and specific payment terms in Section 5. Phase 2 will be the final approval after applicant has met all North Marin Water District requirements.
- 5.12 All License agreements are subject to approval by the Board of Directors who may reject any proposal at any time.

6. Unauthorized Installations

- 6.01 If any unauthorized installations are discovered, the District will remove installed equipment immediately. The District will notify the entity responsible for the installation of

the required action. The entity responsible for the unauthorized installation will be responsible for the full cost of removal.