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August 30, 2018

REF: CEB-209-18

Honorable Members of the City Council  
City of Los Angeles  
Room 395, City Hall  
Los Angeles, CA 90012

Attn: Innovation, Technology and General Services Committee

Subject: **JOINT REPORT ON CITY OF LOS ANGELES' WIRELESS/SMALL CELL PERMITTING PROCEDURES FROM THE INFORMATION TECHNOLOGY AGENCY, BUREAU OF STREET LIGHTNING, BUREAU OF ENGINEERING, & GENERAL SERVICES DEPARTMENT (CF No. 18-0305)**

Dear Councilmembers:

### Background

By motion, the Los Angeles City Council (City) instructed the Information Technology Agency (ITA), Bureau of Street Lighting (BSL), Bureau of Engineering (BOE) and the General Services Department (GSD) to report on current permitting procedures for handling Telecommunications Services Providers' Small Cell Infrastructure Applications or Requests to co-locate on City infrastructure or facilities.

This report addresses each Department's or Bureau's: 1) Steps required to review and process a telecommunications company's application/request; 2) The average time required to fully process an application/request; 3) The current number of applications/requests received on a monthly basis; 4) The number of staff available to process these applications/requests; and, 5) How each Department or Bureau informs the public about the process to apply/request co-location on City infrastructure or facilities. It should be noted that the Information Technology Department does not engage in any of the permitting processes involving the City's telecommunications companies as set forth in the City Council motion.

In particular, while the City Council recognizes that, "... the City has successfully kept pace with the current demand from telecommunications companies to co-locate their equipment on City infrastructure, it is necessary to review the City's policies and procedures to ensure they are adequately meeting the co-location demand and whether it will be sustainable with any future growth in the amount of small cell sites that may



occur with the implementation of 5G technology.” Pursuant to the motion, the following are formal reports by the respective Departments and Bureau on their current small cell permitting procedures:

**GSD:** Processes, reviews and conditionally approves real estate leasing/licensing applications

1. Steps required to review and process an application/request:  
Any request for a lease/license must go through Council approval and the process is lengthy. The current process for a lease/license is as follows:
  - a. Applicant submits request for a lease/license via letter to Tony M. Royster, General Manager of General Services Department, with copy to Melody McCormick, GSD Real Estate Services, Rich Llewallyn, CAO, and Bernyce Hollins of CAO Municipal Facilities.
  - b. GSD Real Estate Services vets the proposal with the CAO Municipal Facilities Team.
  - c. Project is assigned to a Leasing/Real Estate Officer (REO).
  - d. REO negotiates lease/license and prepares a draft MFC Report for review by MFC Working group (staff from Mayor, CAO and CLA)
  - e. Report goes through MFC & ITGS Committee(s) & Council Approval
  - f. Item is assigned to City Attorney Office to draft the lease.
  - g. Lease is executed by both parties/must include all City required ordinance docs
  - h. City Clerk attests the contract as a final contractual duty to make the contract an active/valid contract with the City.
2. The average time required to fully process an application/request:
  - a. Negotiation of deal/MFC Report - 60 days due to backlog
  - b. Committee & Council Approval up to 6 months.
    - (i) MFC Committee Approval 60 days (pre and actual)
    - (ii) ITGS Committee Approval 7-21 days
    - (iii) Council Approval 7-14 Days
    - (iv) Assigned to City Attorney's Office to draft lease 30 days minimum
    - (v) Lessee reviews lease/back and forth changes
    - (vi) Execution
3. The current number of application/requests received on a monthly basis: None
4. The number of staff available to process these application/requests:  
None. This work will go through the same work program stream in our leasing unit with other projects. Currently have approximately 70 in play; most of which are Council projects.
5. How each Bureau/Department informs the public about the process to apply/request co-location on City infrastructure or facilities:  
N/A – GSD currently does not market for co-location on City infrastructure or facilities. Historically, requests from phone providers would necessitate GSD issuing an RFP to ensure that there is a competitive process and the City is not enabling one provider over another. Due to resource issues, GSD has historically not issued an RFP to facilitate these requests. Exceptions would include

equipment tied to a contract that was necessary to enhance the City of Los Angeles telecom infrastructure.

**BSL:** Processes, reviews and conditionally approves applications to co-locate infrastructure on streetlight poles.

1. Steps required to review and process an application/request:  
Below are the steps required to process and review an application to co-locate on a streetlight pole. The approval given by the Bureau of Street Lighting is a permit that allows attachment of equipment to the BSL pole. Neither the Master Permit nor subsequent amendments are a contract.
  - a. The carrier shall enter into a Master Permit with the City which will cover costs and agreements for 5 years.
  - b. Each location requires a Site Permit Application to be submitted. This stipulates the location requested and the equipment to be attached with the weight, size and power.
  - c. This location is reviewed to ensure the parameters of the equipment is within the specified restrictions, the circuit is able to handle the power needed with no impact to the streetlights and there are no overhead or other obstructions that would be of concern.
  - d. For those sites that require a new foundation due to size and weight issues a plan is prepared for construction.
  - e. The Bureau will also review the Encroachment Permit submitted through BOE for those sites that require fiber and a pullbox to be put in the sidewalk area.
  - f. Once approved, the BSL will issue a Site Permit for the attachment.
  - g. For those that require a new foundation, the Site Plan will be forwarded to the BSL Field Office to schedule the construction.
  - h. Once the foundation is prepared and the pole is reset, the BSL will notify the carrier that they may attach their equipment.
2. The average time required to fully process an application/request:  
Typical time to process an application (Steps 2 through 6) will average 30 days.
3. The current number of application/requests received on a monthly basis:  
The Bureau has received on average 68 applications per month for this fiscal year.
4. The number of staff available to process these application/requests:  
The Bureau of Street Lighting currently has 6 engineering/office staff to process Site Permits and 12 field staff to build foundations. In FY 18-19, the Bureau will add 33 positions to accommodate the anticipated increase in requests
5. How each Bureau/Department informs the public about the process to apply/request co-location on City infrastructure or facilities:  
The policy for attachments to streetlights is on the Bureau's website at <http://bsl.lacity.org/downloads/business/telecomm091806c.pdf>

**BOE:** Processes, reviews and conditionally approves Excavation U-Permits to facilitate excavations for utility and co-location projects

1. Steps required to review and process an application/request:  
To clarify, co-location permits are processed by Bureau of Street Lighting (BSL). Co-location is defined as the installation of any utility equipment onto any existing City infrastructure, such as attaching telecommunication equipment onto existing streetlights. Co-location specifically means that no new structure (i.e., new monopole) will be built. Bureau of Engineering (BOE) issues Excavation U-Permits only when excavation work is performed by a utility company on behalf of BSL for a co-location project. Excavation work is required to install pullboxes, conduits and/or streetlight foundations in the public right-of-way to complete the co-location project.

BSL defines the percentage of co-location applications that would require a BOE Excavation U-Permit. BOE understands that BSL makes the decision to allow the utility company to construct on their behalf based on current staffing level, workload level and location of the installation, so there is no set nor consistent percentage for our reference. Currently, BOE processes approximately seven (7) Excavation U-Permits per week for co-location projects.

Below are general steps for BOE to issue an Excavation U-Permit for co-location projects:

- a. The applicant submits a complete Excavation U-Permit application online. The application must include:
    - i. A site/construction plan that shows excavation work scope and details of roadway pavement, sidewalk and/or parkway restoration.
    - ii. Co-location approval documents. For example, BSL's lease/right-of-entry permit to access streetlight, BSL's approval of small cell site attachments onto streetlight, BSL-approved plan for streetlight relocation, BSL-approved plan for foundation replacement, etc.
    - iii. BOE(Structural)-approved shoring plans, if excavating 10-ft or more in depth.
  - b. BOE reviews application and work scope to ensure that excavation is not in conflict with existing substructures, and that the project is in conformance with all other city requirements for construction activity within the public right-of-way.
  - c. BOE issues either comments for revision or a final Excavation U-Permit to applicant.
2. The average time required to fully process an application/request:  
Typical excavation work for colocation projects fall under the small cut application category (total excavation area of less than 100 sq-ft). BOE has a goal of processing small cut applications within 10 business days of submittal date.

3. The current number of application/requests received on a monthly basis; Currently, BOE receives approximately seven (7) Excavation U-Permits per month related to co-location projects.

In regards to general Excavation U-Permit applications, during April 2018, BOE received 1,333 Excavation U-Permits applications. Of this total, approximately two-thirds (67%) were small cut applications.

4. The number of staff available to process these application/requests:

BOE has 11 staff currently working on Excavation U-Permit applications city-wide.

5. How each Bureau/Department informs the public about the process to apply/request co-location on City infrastructure or facilities:

BOE does not notify the public of any co-location projects.

In regards to general information on how to apply for a city permit for construction activities in the public right-of-way, BOE has a general website (<http://eng.lacity.org/permits>). Further details of Excavation U-Permit applications can be found at <https://engpermits.lacity.org/excavation/index.cfm>.

#### **FISCAL IMPACT**

The fiscal impact of the City's wireless/small cell permitting processes can be addressed when instructed by the City Council in a future report.

Sincerely,



Ted Ross

General Manager and Chief Information Officer  
Information Technology Agency

cc: Honorable Mayor Eric Garcetti  
Honorable Ron Galperin, City Controller  
Richard H. Llewellyn, Jr., City Administrative Officer  
Honorable Councilmember & Chair, Monica Rodriguez  
Honorable Councilmember & Chair, Paul Krekorian  
Norma Isahakian, Bureau of Street Lighting, Public Works  
Ted Allen, Bureau of Engineering, Public Works  
Mike Dundas, Office of the City Attorney  
Cheryl Banares-Soriano, Office of the Chief Legislative Analyst  
Jeanne Holm, ITA  
William Imperial, ITA