

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City's position to oppose the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking, Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies.

Recommendation for Council action, pursuant to Resolution (Blumenfield - Krekorian), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to:

- a. Include in the City's 2013-14 Federal Legislative Program OPPOSITION to the Report and Order and Further Notice of Proposed Rulemaking, Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies (FCC 13-238), which severely limits local authority over the rational expansion of existing wireless facilities.
- b. Agree to join a coalition of communities to file a comprehensive response relative to the Federal Communications Commission rulemaking proceeding.
- c. Request and authorize the City Attorney, with the assistance of the law firm Best, Best and Krieger, currently under contract with the City, to file comments consistent with the above position, with the Federal Communications Commission.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

At its special meeting of December 6, 2013, the Rules, Elections and Intergovernmental Relations Committee considered Resolution (Blumenfield - Krekorian) relative to the City's position to oppose the Federal Communications Commission's Report and Order and Further Notice of Proposed Rulemaking, Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies(FCC 13-238). According to the Resolution, if FCC 13-238 is adopted in their current form, it will severely limit the City's authority to control wireless facility placements. The Resolution, attached to the Council file, provides additional background information.

After consideration and having provided an opportunity for public comment, the Committee recommended that Council adopt the accompanying Resolution. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
WESSON:	YES
HUIZAR:	ABSENT
LABONGE:	YES

-NOT OFFICIAL UNTIL COUNCIL ACTS-