

May 30, 2017

The Honorable Kevin De Leon  
President pro Tempore  
State Capitol, Room 5050  
Sacramento, CA 95814

**Re: Senate Bill 649** (As Amended May 2, 2018) "Small Cell" Wireless Infrastructure Permitting  
**Notice of Opposition – Request for No Vote on the Senate Floor**

Dear Senator De Leon:

MuniServices respectfully opposes SB 649 (Hueso) that would prohibit local governments from precluding the leasing or licensing of its vertical infrastructure located in the public right away or public utility easements. **SB 649 compromises local authority and will result in local revenue losses from rents, royalties and concessions.**

We agree with the position of "opposition" raised in the May 8, 2017 joint letter of the League of California Cities, California Chapter of the American Planning Association, the Urban Counties of California, the Rural County Representatives of California and Protect our Local Streets Coalition. MuniServices for nearly 40 years has worked *exclusively* as partner to California's local governments in developing thoughtful revenue enhancement programs that work in conjunction with existing public services. It is our position that municipal agencies are unique and must retain the flexibility to make decisions and adopt policies that best meet the respective service needs.

**MuniServices' opposition focuses on SB 649 provisions that compromise local authority and local revenues.** SB 649 forces local governments to rent space for small cells on public property at rates far below fair market value. The bill includes a "cap" provision that require fees to be tiered or flat and within a range of \$100 to \$850 per small cell per year. Rents from the use of public property, which every other for-profit business pays, help defray the cost of essential public services that are otherwise provided at taxpayer expense. SB 649 sets a dangerous precedent for other private industries to seek similar treatment.

MuniServices encourages public-private partnerships; SB 649 will compromise civic priorities and local authority. The recent amendments for example allow for a type of discretionary review of small cell applications. **SB 649 will place the entire burden on local governments to adopt a complicated set of ordinances.** SB 649's provisions also impedes local authority with respect to concerns over visual clutter.

For the reasons stated above, MuniServices respectfully opposes SB 649. If you have any questions regarding MuniServices position do not hesitate to contact me.

Respectfully,



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CC: Honorable Ben Hueso  
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