



- Board of Directors  
*Real Property and Asset Management Committee*

11/5/2019 Board Meeting

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**7-4**

## **Subject**

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Authorize the granting of a ten-year license with T-Mobile West, LLC, for an existing telecommunications services site on Metropolitan's fee-owned property in the city of Anaheim; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

## **Executive Summary**

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This action authorizes the General Manager to enter into a new, ten-year license agreement with an option to renew for five additional years with T-Mobile West, LLC. The proposed license will allow T-Mobile West, LLC, to continue to make secondary use of Metropolitan's fee-owned property for telecommunication purposes. The subject 0.17-acre property is located at 8322 E. La Palma Avenue near the intersection of Yorba Linda Boulevard, in the city of Anaheim, California (**Attachment 1**).

## **Details**

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### **Background**

Metropolitan acquired the subject property in June 1955 for the construction, operation, and maintenance of the Santiago Lateral pipeline and Santiago Lateral Spillway pipeline which includes a concrete air vent and weir tower. Metropolitan's Santiago Lateral is a 72-inch-inside-diameter welded steel pipeline. The Santiago Lateral Spillway is a 108-inch-inside-diameter precast concrete pipeline and the related concrete tower, stands 30 feet high by 23 feet in diameter. T-Mobile West, LLC, has been a permitted tenant or user of this location since 1996. T-Mobile West, LLC currently has nine antennas directly on Metropolitan's tower, along with electrical and communication cabinets at the base of the tower.

The proposed license will allow continued, revocable use of the land for telecommunication service purposes and has the following key provisions:

- Subject to Metropolitan's paramount rights reservation;
- Allowable use restricted to commercial telecommunications activities;
- A ten-year term with an option to renew for five additional years;
- An initial annual license fee of \$40,000;
- Annual license fee increases of five percent;
- Metropolitan right to re-appraise and reset the base license fee every five years.

Metropolitan will receive revenue consistent with the appraised value. Board authorization to grant this license is required because the term will exceed five years.

## Policy

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Metropolitan Water District Administrative Code Section 8230: Grants of Real Property Interests

Metropolitan Water District Administrative Code Section 8231: Appraisal of Real Property Interests

Metropolitan Water District Administrative Code Section 8232: Terms and Conditions of Management

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 48766, dated August 16, 2011, the Board adopted the proposed policy principles for managing Metropolitan's real property assets.

## California Environmental Quality Act (CEQA)

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### CEQA determination for Option #1:

The proposed action is categorically exempt under the provisions of CEQA and the State CEQA Guidelines. The proposed action consists of the leasing, licensing, maintenance, and operating of existing equipment and facilities with negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Accordingly, this proposed action qualifies as a Class 1 Categorical Exemption (Section 15301 of the State CEQA Guidelines).

### CEQA determination for Option #2:

None required

## Board Options

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### Option #1

Authorize granting a ten-year license to T-Mobile West, LLC for an existing telecommunications site.

**Fiscal Impact:** Metropolitan will receive annual revenue of at least \$40,000.

**Business Analysis:** This option will allow the use of Metropolitan's fee-owned parcel to generate revenue.

### Option #2

Do not approve the license.

**Fiscal Impact:** Metropolitan will forgo annual income of at least \$40,000.

**Business Analysis:** This option would forgo an opportunity to generate revenue.

## Staff Recommendation

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Option #1

  
 \_\_\_\_\_ 10/24/2019  
 Octavia Tucker Date  
 Interim Group Manager  
 Real Property Group

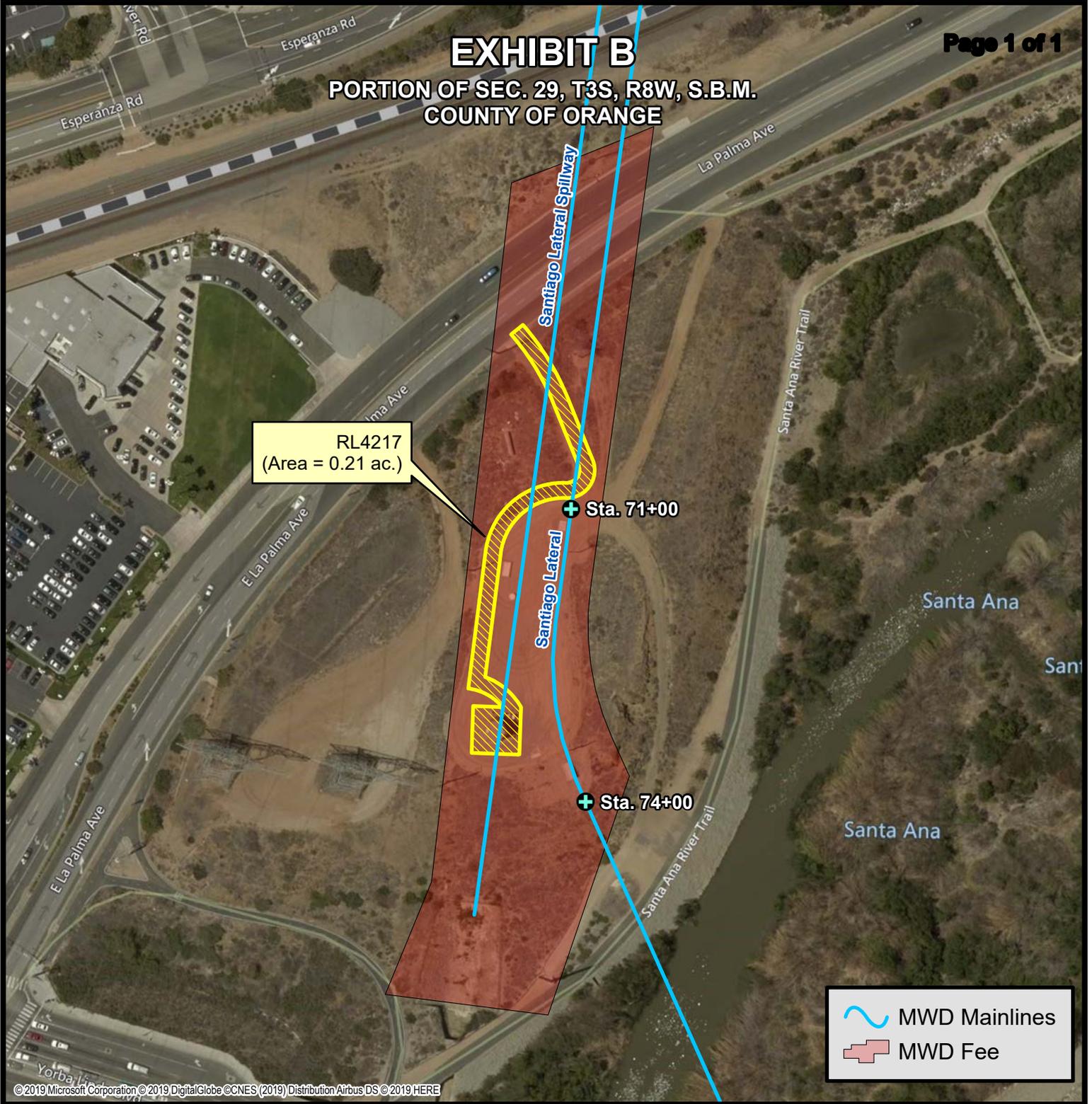
  
 \_\_\_\_\_ 10/25/2019  
 Jeffrey Kightlinger Date  
 General Manager

## Attachment 1 – Site Map

Ref# rpd12667592

# EXHIBIT B

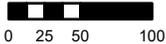
PORTION OF SEC. 29, T3S, R8W, S.B.M.  
COUNTY OF ORANGE



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Feet



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The Metropolitan Water District of Southern California  
Engineering Services Group

Santiago Lateral

## License RL 4217

MWD  
to  
T-Mobile West, LLC

MWD ROW: 1001-2-3  
APN: 351-042-37, 351-042-35