

## CITY COUNCIL

**Darrell Steinberg**, Mayor  
**Angelique Ashby**, Mayor Pro Tem, District 1  
**Allen Warren**, District 2  
**Jeff Harris**, Vice Mayor, District 3  
**Steve Hansen**, District 4  
**Jay Schenirer**, District 5  
**Eric Guerra**, District 6  
**Rick Jennings, II**, District 7  
**Larry Carr**, District 8

## CHARTER OFFICERS

Mindy Cuppy, City Clerk  
Susana Alcalá Wood, City Attorney  
Jorge Oseguera, City Auditor  
Howard Chan, City Manager  
John Colville, City Treasurer



# Agenda

## City Council

**Financing Authority**

**Housing Authority**

**Public Financing Authority**

**Redevelopment Agency**

**Successor Agency**

**City Hall-Council Chamber**

**915 I Street, 1<sup>st</sup> Floor**

*Published by the Office of the City Clerk  
(916) 808-5163*

# CORRESPONDENCE

**Description of Change:** The attached correspondence was received after publishing.

**For the Meeting of:** April 7, 2020

**24. Ordinance Deleting Section 3.76.050 and Adding Chapter 12.14 to the City Code, Relating to Telecommunications Facilities [In Lieu of Pass for Publication the Ordinance will be Published in its Entirety]**

File ID: 2020-00232

**Location:** Citywide

**Recommendation:** 1) Adopt an Ordinance a) deleting section 3.76.050 of the Sacramento City Code and adding Chapter 12.14 relating to telecommunications facilities; and b) approving the template master license agreement (MLA) for small cell telecommunications facilities; and 2) publish the ordinance in its entirety in the official newspaper of the City within ten days of adoption in lieu of Pass for Publication per City Code section 32(d).

**Contact:** Maria MacGunigal, Chief Information Officer, 916-808-7998, Information Technology Department. Ryan Moore, Public Works Director, 916-808-6629, Department of Public Works

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Saturday, April 4, 2020 3:25:01 PM

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Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

The wireless providers are using the COVID-19 emergency as cover to expand and cement their rapid and virtually unsupervised deployment of harmful wireless infrastructure. Our local leaders should not have to dedicate time and resources to policing whether the wireless companies are following local and state law, they have far more important things to do.

The FCC wireless permit rules allow emergency moratoria. Homeland Security guidelines emphasize that maintenance of existing communications capability is the priority. New construction is not “essential.”

The COVID-19 emergency has led to a government shut down of non-essential activity. Hospitals, emergency response and local officials are overwhelmed and they must be allowed to focus on what is indeed “essential”. Now is not the time to be dedicating resources to expanding, rather than just maintaining, our networks.

The FCC has directly held a local jurisdiction can impose a temporary halt to deployment and permits during emergencies. In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers, FCC 18-111, 33 FCC Rcd 7705, 7784-7785, ¶157 (2018) (“We recognize that there may be limited situations in the case of a natural disaster or other comparable emergency where an express or de facto moratoria that violates section 253(a) may nonetheless be ‘necessary’ to ‘protect the public safety and welfare’ or to ‘ensure the continued quality of telecommunications services.’”)

Homeland Security has declared that local government is on the forefront and can take control over determining whether to temporarily halt all non-essential activity. Homeland Security guidance documents prioritize maintenance of existing Communications Systems, and do not support “essential” status for new construction. See Homeland Security Cybersecurity & Infrastructure Security Agency, Identifying Critical Infrastructure During COVID-19, <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> (local control); e-Critical Infrastructure and Key Resources Support Annex, <http://www.fema.gov/pdf/emergency/nrf/nrf-support-cikr.pdf> (focus on “protection, response, recovery, and restoration”). Homeland Security, like the FCC, understands that it is essential in an emergency situations justify focusing on protecting, responding, recovering and restoring of existing systems, but new communications facilities construction is and should be deemed nonessential, and subject to lockdown for so long as we are under emergency conditions.

Cities can and should impose a moratorium on deployment in their local area and freeze the permit process until the COVID-19 emergency is over.

Sincerely,

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 3:20:11 PM

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Sincerely,

**From:**  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Saturday, April 4, 2020 12:17:13 AM

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:17:31 AM

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Please see email below.

**From:**  
**Sent:** Saturday, April 04, 2020 10:31 AM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

The wireless providers are using the COVID-19 emergency as cover to expand and cement their rapid and virtually unsupervised deployment of harmful wireless infrastructure. Our local leaders should not have to dedicate time and resources to policing whether the wireless companies are following local and state law, they have far more important things to do.

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Sincerely,

**From:**  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 11:05:49 AM

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Dear Ms. Cuppy,

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:17:16 AM

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Please see email below.

**From:** \_\_\_\_\_  
**Sent:** Saturday, April 04, 2020 12:26 PM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Tuesday, April 7, 2020 6:51:18 AM

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Please see email below.

**From:**  
**Sent:** Monday, April 06, 2020 11:08 PM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 2:43:52 PM

---

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Sincerely,

**From:**  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 3:16:30 PM

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**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Saturday, April 4, 2020 12:17:16 PM

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Sincerely,

**From:**  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:11:58 AM

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Please see email below.

**From:** Joshua Gonzalez <mihobbii productions@gmail.com>  
**Sent:** Saturday, April 04, 2020 1:18 PM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

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**From:** \_\_\_\_\_  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Tuesday, April 7, 2020 9:05:13 AM

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Please see email below.

-----Original Message-----

From: Jessica Guerra <[jessica.yolanda@yahoo.com](mailto:jessica.yolanda@yahoo.com)>  
Sent: Monday, April 06, 2020 6:50 PM  
To: clerk <[clerk@cityofsacramento.org](mailto:clerk@cityofsacramento.org)>  
Subject: Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

The wireless providers are using the COVID-19 emergency as cover to expand and cement their rapid and virtually unsupervised deployment of harmful wireless infrastructure. Our local leaders should not have to dedicate time and resources to policing whether the wireless companies are following local and state law, they have far more important things to do.

The FCC wireless permit rules allow emergency moratoria. Homeland Security guidelines emphasize that maintenance of existing communications capability is the priority. New construction is not “essential.”

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Cities can and should impose a moratorium on deployment in their local area and freeze the permit process until the COVID-19 emergency is over.

Sincerely,



**From:**  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Saturday, April 4, 2020 11:04:52 PM

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Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 4:05:27 PM

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Sincerely,

**From:**  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 2:43:35 PM

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Dear Ms. Cuppy,

Dear Mayor & City Council Member,

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 7:27:37 PM

---

Dear Ms. Cuppy,

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Sincerely,

**From:**  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:17:58 AM

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Please see email below.

**From:**  
**Sent:** Saturday, April 04, 2020 12:26 AM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:09:17 AM

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Please see email below.

**From:**  
**Sent:** Monday, April 06, 2020 6:44 AM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

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Sincerely,

**From:**  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 2:43:43 PM

---

Dear Ms. Cuppy,

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 2:43:45 PM

---

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Saturday, April 4, 2020 10:33:57 AM

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 9:29:20 AM

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Please see email below.

**From:**  
**Sent:** Monday, April 06, 2020 9:27 AM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

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Sincerely,

**From:**  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:18:15 AM

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Please see email below.

**From:**  
**Sent:** Friday, April 03, 2020 10:28 PM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

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Sincerely,

**From:**  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:18:29 AM

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Please see email below.

**From:**  
**Sent:** Friday, April 03, 2020 9:40 PM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

Dear Ms. Cuppy,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

The wireless providers are using the COVID-19 emergency as cover to expand and cement their rapid and virtually unsupervised deployment of harmful wireless infrastructure. Our local leaders should not have to dedicate time and resources to policing whether the wireless companies are following local and state law, they have far more important things to do.

The FCC wireless permit rules allow emergency moratoria. Homeland Security guidelines emphasize that maintenance of existing communications capability is the priority. New construction is not “essential.”

The COVID-19 emergency has led to a government shut down of non-essential activity. Hospitals, emergency response and local officials are overwhelmed and they must be allowed to focus on what is indeed “essential”. Now is not the time to be dedicating resources to expanding, rather than just maintaining, our networks.

The FCC has directly held a local jurisdiction can impose a temporary halt to deployment and permits during emergencies. In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers, FCC 18-111, 33 FCC Rcd 7705, 7784-7785, ¶157 (2018) (“We recognize that there may be limited situations in the case of a natural disaster or other comparable emergency where an express or de facto moratoria that violates section 253(a) may nonetheless be ‘necessary’ to ‘protect the public safety and welfare’ or to ‘ensure the continued quality of telecommunications services.’”)

Homeland Security has declared that local government is on the forefront and can take control over determining whether to temporarily halt all non-essential activity. Homeland Security guidance documents prioritize maintenance of existing Communications Systems, and do not support “essential” status for new construction. See Homeland Security Cybersecurity & Infrastructure Security Agency, Identifying Critical Infrastructure During COVID-19, <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> (local control); e-Critical

Infrastructure and Key Resources Support Annex, <http://www.fema.gov/pdf/emergency/nrf/nrf-support-cikr.pdf> (focus on “protection, response, recovery, and restoration”). Homeland Security, like the FCC, understands that it is essential in an emergency situations justify focusing on protecting, responding, recovering and restoring of existing systems, but new communications facilities construction is and should be deemed nonessential, and subject to lockdown for so long as we are under emergency conditions.

Cities can and should impose a moratorium on deployment in their local area and freeze the permit process until the COVID-19 emergency is over.

Sincerely,  
Blanca Ruiz  
6655 24th street  
Sacramento, CA 95822

**From:**  
**To:** [Mindy Cuppy](#); [Nell Hessel](#); [Blair Hongo](#); [Sarah Morrissey](#)  
**Subject:** FW: Stop Deployment of Wireless during Quarantine  
**Date:** Monday, April 6, 2020 7:12:12 AM

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Please see email below.

**From:**  
**Sent:** Saturday, April 04, 2020 12:56 PM  
**To:** clerk <clerk@cityofsacramento.org>  
**Subject:** Stop Deployment of Wireless during Quarantine

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Sincerely,

**From:** \_\_\_\_\_  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 2:44:25 PM

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Dear Ms. Cuppy,

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Sincerely,

**From:**  
**To:** [clerk](#)  
**Subject:** Stop Deployment of Wireless during Quarantine  
**Date:** Friday, April 3, 2020 3:28:55 PM

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