



### **BROADBAND, CABLE SERVICES, AND WIRELESS TELECOMMUNICATIONS FACILITIES**

#### Overview

The federal and state governments have made efforts to limit or preempt local control over placement of wireless telecommunications facilities and supporting structures in and outside the rights of way. Over the past several years, actions by federal and state lawmakers, and regulating entities, have resulted in the adoption of regulations and orders controlling local authority over placement of wireless facilities, including the adoption of “shot clocks” requiring local agencies to complete review of projects within a specified time period.

Additionally, through Federal Communications Commission (FCC) rulemaking, there have been efforts in recent years to address whether local franchising authorities (LFAs) can regulate incumbent cable operators and cable television services. The City has its own government access channel (Santa Clara City Television on Comcast cable channel 15 and AT&T U-verse 99), which may be negatively impacted by FCC rulings, in addition to state and federal legislation. Santa Clara City Television is used to provide important information to the public, such as live and recorded airings of Council meetings, City special events, programs, and public service announcements.

#### Guiding Principles

The City of Santa Clara’s guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City’s Statement of Values, the General Plan, or the Climate Action Plan.

#### Legislative Advocacy Position

The City believes that it should maintain local authority over the placement of wireless telecommunications facilities, in order to ensure that a balance is reached between the infrastructure needs and the needs of the community. As such, the City:

- Supports efforts to increase access to broadband to address the digital equity divide, including in underserved urban communities, while ensuring the placement and installation of needed equipment does not undermine local permitting authority and does not pose an undue nuisance for residents.
- Supports efforts to retain and expand local control of permitting wireless telecommunications and non-cable services facilities in the public-right-of-way and on City property.
- Supports legislation that provides opportunity for public input on the placement of wireless telecommunications facilities.

- Supports legislation and policies that would provide options for recovering costs associated with providing broadband services.
- Monitors legislation related to distributed energy generation via back-up power at wireless telecommunications facilities.
- Monitors regulatory and rulemaking activities by the Federal Communications Commission, and California Public Utilities Commission, for potential impacts to telecommunications, broadband, and cable infrastructure within the City.
- Opposes legislation and efforts to limit the amount of time, or scope, of local review of the placement of wireless facilities.