



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

8/16/2022 Board Meeting

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**7-9**

**Subject**

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Authorize granting a new ten-year license agreement to the County of Orange for the continued operation of an existing telecommunication site on Metropolitan's fee-owned property in the city of Yorba Linda, identified as Orange County Assessor 329-021-03;

**Executive Summary**

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This action authorizes the General Manager to enter a new ten-year license agreement with three five-year renewal options for the County of Orange (Orange County) to continue operating its existing wireless telecommunication site on Metropolitan's fee-owned property. The subject 0.09 acre property has been leased to Orange County since 1996. It is located adjacent to Green Crest Drive in the city of Yorba Linda.  
**(Attachment 1)**

**Details**

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**Background**

The subject Metropolitan property has several telecommunication sites located adjacent to Green Crest Drive in the city of Yorba Linda, which is approximately 4.5 miles east of the Robert B. Diemer Filtration Plant in northeast Orange County. Metropolitan's Lower Feeder Pipeline, the Santiago Lateral Control Tower, the Santiago Lateral Spillway, and the Santiago Lateral Pipelines are located within the subject property's boundary. The current telecommunication facilities at this location are compatible with Metropolitan's existing facilities.

Orange County is requesting a ten-year license with three five-year renewal options to allow the continued operation of this telecommunication site for public safety purposes. The existing telecommunication site includes a 10' x 50' equipment building, a 100-foot tower with an emergency diesel generator, and an underground storage tank. There are no new improvements planned for this site.

The proposed license will have Metropolitan's standard telecommunication license provisions. A license agreement structure (as opposed to a lease agreement structure) will better reflect Metropolitan's ability to control land uses and activities on the site. The proposed license will have the following key provisions:

- Subject to Metropolitan's paramount rights reservation
- Licensee is responsible for maintenance and utilities
- Ten-year base term with three 5-year options to renew
- One-time processing fee of \$6,000
- Annual license fee of \$33,600
- Fixed annual license fee increases at three percent
- Metropolitan has the right to reappraise every five years

Staff evaluation has determined that this agreement will not interfere with Metropolitan's operations or facilities in the area. Board authorization of this agreement is required because the term of the license exceeds 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 public or private structures, facilities, and equipment with negligible or no expansion of use beyond that existing at the time of the lead agency's determination. In addition, it will not have a significant effect on the environment. 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 agreement with three 5-year options to the County of Orange for telecommunications purposes.

**Fiscal Impact:** Metropolitan will receive a one-time processing fee of \$6,000 and an annual revenue of \$33,600.

**Business Analysis:** This option will allow the use of Metropolitan's fee-owned parcel to generate revenue and facilitate a public benefit with the enhancement of local public service communications and emergency response.

### Option #2

Do not authorize the license agreement

**Fiscal Impact:** Metropolitan will forego the opportunity to generate revenue.

**Business Analysis:** The existing telecommunication facility would need to be removed, and the County of Orange would need to find an alternative location for their communication needs.

## Staff Recommendation


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Option #1

  
Lilly L. Shraibati  
Manager, Real Property Group

7/26/2022

Date

  
Adel Hagekhalil  
General Manager

8/2/2022

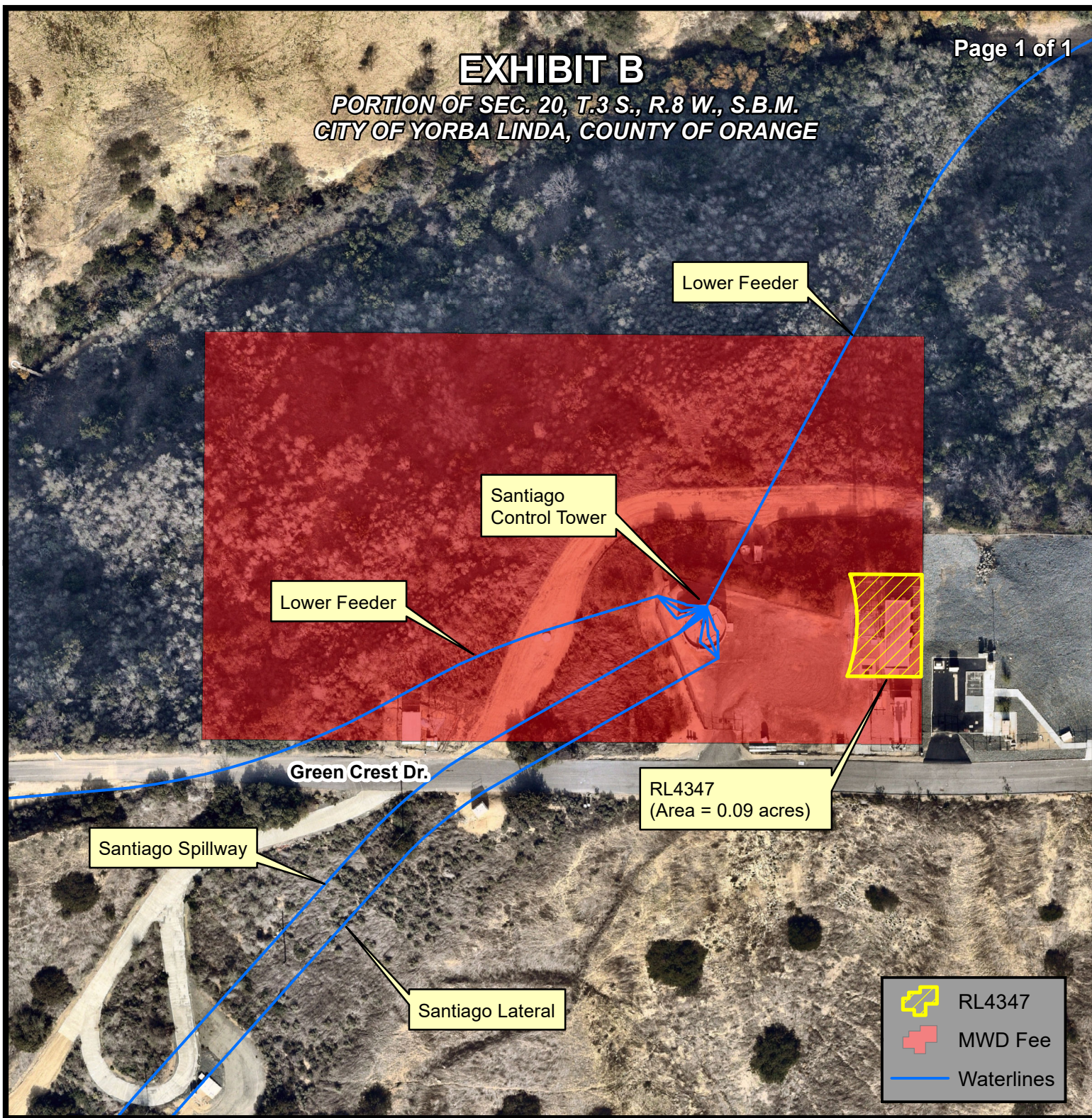
Date

## Attachment 1 – Location Map

Ref# rpdM 12684235



**EXHIBIT B**  
**PORTION OF SEC. 20, T.3 S., R.8 W., S.B.M.**  
**CITY OF YORBA LINDA, COUNTY OF ORANGE**



Feet  
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*The Metropolitan Water District of Southern California*  
*Engineering Services Group*

LOWER FEEDER / SANTIAGO LATERAL / SPILLWAY

**License**  
**RL4347**

**MWD**  
**to**  
**County of Orange**

MWD ROW: 1000-24-1  
APN: 329-021-03