
CITY OF SAN MATEO
OFFICE OF THE CITY MANAGER



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May 31, 2024

Kristina Nagy
Regional Manager
Permitting & Utility Relations NorCal/PNW
Crown Castle

Via email only: Kristina.Nagy@crowncastle.com

Re: Energizing of Wireless Facilities – City of San Mateo, California

Dear Ms. Nagy,

It has come to the attention of the City of San Mateo (“City”) that Crown Castle has prematurely energized nineteen (19) locations where wireless facilities have been constructed but have not yet received final approval from the City. As you know, final City approval is legally required before Crown Castle may lawfully commence operations of its facilities in San Mateo. (See Encroachment Permit General Conditions No. 7.) As a result, **please immediately de-energize the subject facilities** shown in Exhibit A to this correspondence (the “Facilities”).

Crown Castle has failed to comply with the Encroachment Permit conditions in that it commenced operation of the 19 subject Facilities prior to final inspection. While you communicated promptly with Public Works staff on May 29, 2024, after the City inquired into this situation, Crown Castle has engaged in a troubling pattern of conduct in constructing its Facilities in San Mateo, including its prior fiber boring contractor damaging numerous other public and private utilities and property.

Additionally, all work on the Facilities must comply with the approved plans, but the City believes Crown Castle has failed to do so. (See Standard Conditions of Approval (SCOA) Section A.2; Wireless Permit Condition of Approval (WC) No. 2.) The City disagrees with your representation that the Facilities have “minimal restoration/paint color match work to complete,” as stated in your email dated May 29, 2024. Based on preliminary site visits, several of the Facilities appear to require additional work and/or do not conform their approved plans including, but not limited to, electrical work, non-conforming pole meter height, required restoration, conductor labeling, and eventual color matching. These issues underscore why final inspections are required prior to energizing the Facilities.

Lastly, our records indicate none of these Facilities have an approved wireless permit buildout extension, resulting in seven (7) expired permits and another eight (8) permits set to expire in less than 30 days. The City will be following up regarding these expired permits by separate correspondence.

The City demands that Crown Castle fully adhere to all its legal obligations in the permitting, construction, and operation of all its Facilities in San Mateo. This includes San Mateo Municipal Code Chapter 17.10 and the Design Standards and Conditions of Approval, both regarding Wireless Communications Facilities in the Public Right-of-Way, in addition to the Building Code, the Electrical Code and encroachment permit conditions. Where applicable, the Master License Agreement for Wireless Facilities on City Poles in the Right-of-Way must also be strictly followed.

To date, Crown Castle has been less than fully compliant, and has damaged its reputation in the community as a result. City staff will take note of these failures as it revises its Municipal Code and Design Standards in order to protect the community while still complying with federal and state law.

Please immediately provide a status update as to its de-energizing process for the subject Facilities. We look forward to your full and complete cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Khojikian', with a long, sweeping horizontal stroke at the end.

Alex Khojikian
City Manager

Attachments

- Exhibit A – List of Energized Facilities

cc: Prasanna W. Rasiah, City Attorney
Mark Guillen, Crown Castle

Exhibit A

Crown Castle Wireless Facilities

Wireless Permit Number	Project Address	Facility Type
WC-2022-000057	966 Peninsula Ave San Mateo CA	City Streetlight
WC-2022-000056	423 Studio Cir San Mateo CA	City Streetlight
WC-2023-000060	1 Lakewood Cir San Mateo CA	City Streetlight
WC-2023-000126	101 E 3rd Ave (On San Mateo Dr) San Mateo CA	City Streetlight
WC-2022-000054	341 N Delaware St San Mateo CA	Utility Pole
WC-2022-000055	733 N San Mateo Dr San Mateo CA	Utility Pole
WC-2023-000079	100 Polhemus Rd San Mateo CA	City Streetlight
WC-2023-000082	239-249 Elm St San Mateo CA	City Streetlight
WC-2023-000083	615 Prospect Row San Mateo CA	City Streetlight
WC-2023-000103	240 E Bellevue Ave San Mateo CA	City Streetlight
WC-2023-000108	353 W Poplar Ave San Mateo CA	City Streetlight
WC-2023-000110	531 N Delaware St San Mateo CA	City Streetlight
WC-2023-000115	346 N Ellsworth Ave San Mateo CA	City Streetlight
WC-2023-000116	856 Highland Ave San Mateo CA	City Streetlight
WC-2023-000117	425 N Amphlett Blvd San Mateo CA	City Streetlight
WC-2023-000127	200 N San Mateo Dr (On Monte Diablo Ave) San Mateo CA	City Streetlight
WC-2023-000128	40 N Delaware St San Mateo CA	City Streetlight
WC-2023-000131	304 N Eldorado St San Mateo CA	City Streetlight
WC-2023-000138	39 N Grant St San Mateo CA	City Streetlight