City of Biggs

Agenda Item Staff Report
For the Regular City Council Meeting:
August 12, 2014

TO: Honorable Mayor and Members of the City Council

FROM: City Administrator

SUBJECT: Northern California Joint Pole Association

Council is asked to consider authorizing the City of Biggs to join the Northern California Joint Pole Association.

Background:
NCJPA provides a structure by which utilities such as Biggs can be compensated for transferring telephone and cable services during the replacement of a city owned utility pole.

The City of Gridley has been a member of NCJPA for some years and has enjoyed the financial benefit of receiving compensation for transferring telephone and cable facilities when replacing utility poles, rather than obtaining no compensation and waiting for telephone and cable to provide the service.

City staff believes that it will be financially beneficial to join NCJPA and pursue reimbursement for transferring telephone and cable services during the replacement of city owned utility poles. This revenue can assist the city with financing necessary utility pole replacements in the future.

Recommendation:
Approve resolution number 14-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS SEEKING CITY MEMBERSHIP IN THE NORTHERN CALIFORNIA JOINT POLE ASSOCIATION AND DIRECTING STAFF TO SUBMIT APPLICATION

_____
Mark Sorensen, City Administrator

RESOLUTION NO. 14-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS SEEKING CITY MEMBERSHIP IN THE NORTHERN CALIFORNIA JOINT POLE ASSOCIATION AND DIRECTING STAFF TO SUBMIT APPLICATION

WHEREAS, the Northern California Joint Pole Association (NCJPA) is comprised of various municipalities, irrigation districts, electric utilities, telephone companies, wireless companies and DAS providers; and,

WHEREAS, each NCJPA member has or desires to hold joint equity in utility poles in and around Northern California; and,

WHEREAS, members of the NCJPA make a voluntary joint undertaking to share expenses regarding ownership, maintenance, use, setting, replacement, dismantling, relinquishment or removal of jointly owned poles; and,

WHEREAS, the main function of the NCJPA is to calculate the values of each transaction based on each years authorized costs agreed upon by all members; and,

WHEREAS, it is in the City's best interests to become a member of the NCJPA; and,

WHEREAS, the City is eligible for membership in the NCJPA.

NOW, THEREFORE, the City Council of the City of Biggs does hereby resolve to apply for membership in the NCJPA and directs staff to complete, execute, fund and submit the attached NCJPA membership application form.

The foregoing resolution was adopted by the City Council of the City of Biggs at its meeting held on Tuesday, August 12, 2014 by the following vote:

AYES: COUNCILMEMBER _____

NOES: COUNCILMEMBER _____

ABSENT: COUNCILMEMBER _____

ABSTAIN: COUNCILMEMBER _____

ATTEST: APPROVED:

_____ _____

Roben Dewsnup, City Clerk Roger L. Frith, Mayor

NORTHERN CALIFORNIA JOINT POLE ASSOCIATION

1800 Sutter Street, Suite 830, Concord, California 94520
Telephone: 925-681-0378 / Fax: 925-681-0384 / e-mail: ncjpa@sbcglobal.net

Criteria for Membership

- Must be a Government or Publicly owned Utility, or if a Privately owned Utility
- Present an audited financial statement satisfactory to the Administration Board pursuant to the 1998 NCJPA Agreement Recital B – Section A Conditions of Membership and Section B Membership Requirements and the By-Laws, Article III, Section 4
- Submit a copy of its California Certificate of Public Convenience and Necessity or proof of Public Service Agency Certificate as applicable.
- Agree to meet all terms, conditions and obligations contained within the 1998 NCJPA Agreement.
- The ability to demonstrate proof of sufficient insurance or self-insurance for the following:
  (a) Coverage for bodily injury, property damage, including cleanup costs and defense costs resulting from sudden and gradual pollution conditions including the discharge, dispersal, release, or escape of smoke, vapors, soot, fumes acids, aklalis, toxic chemicals, hydrocarbons, liquids or gases, waste materials or other irritants, contaminants or pollutants into or upon land, the atmosphere or any watercourse or body of water.
  (b) The limit shall not be less than $1,000,000 each occurrence for bodily injury and property damage.
  (c) The Company shall be named as additional insured.

Steps for Membership Application

1. Company must submit a formal letter stating their purpose of becoming a Member, and then requesting the requirements for Membership (Request for Application Packet).

2. Upon receipt of the formal letter, the Association office responds with a request for a deposit of $250 towards an advance copy of the Operations/Routine Handbook. The $250 is refundable if your company chooses not to join and the Operations/Routine Handbook is returned in good condition. If you choose to join, the $250 goes towards the membership fee. Upon receipt of the $250 deposit, the NCJPA will send a packet which includes an application, copy of the 1998 NCJPA Agreement, By-Laws, and a letter which details the requirements for Membership, and requests the following information:

   - Completed Application
   - Proof of "CPCN" – (Certificate of Public Convenience and Necessity) or "WIN" – (Wireless Identification Number) or Proof of Public Service Agency
   - Audited financial statement (if a privately owned entity)
   - Current Dun and Bradstreet Report (or an equivalent report)
   - Proof of liability Insurance
   - Corporate Resolution signed by an officer of the organization
   - Completed Signature Execution / Appointment page
   - Non-refundable application fee of $725.

   Note: 1998 NCJPA Agreement, reference Section 6; "Conditions of Membership"

3. The Administrative Board is formally notified of the application request at the next Board meeting. Your Company may be requested to attend the next Administration Board meeting for an interview session for new membership consideration.

4. Upon receipt of application fee and all other documents the Administrative Board proceeds with a formal review process. At the discretion of the Board, the applicant may be invited to a Board meeting for an interview.

   - Following the Board meeting, the prospective member is discussed further. Then a formal proxy vote is sent to all Administrative Board Members for acceptance or denial of the new member.

5. When a member is accepted, an approval letter, an Operations/Routine Handbook (if not previously received), and an invoice will be sent to the new Member. New member must also provide a Surety Bond to cover 2 years assessment and any other outstanding liabilities within the Membership (Value of bond: $12,000.00). The new Member must submit a copy of the Certificate of Insurance naming the Northern California Joint Pole Association as an additional insured. Payment of invoice and proof of Surety Bond and Certificate of Insurance must be received by the NCJPA office within 30 days from date of acceptance as a new member.

   - Upon receipt of the above items and payment of the invoice the new member may then start processing Preliminary Joint Pole Authorization Form 2's.

   - A "User ID" and "pass code" to the Members Corner of NCJPA web site (www.ncjpa.org) will be assigned by the NCJPA office.

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1800 Sutter Street, Suite 830, Concord, California 94520
Telephone: 925-681-0378 / Fax: 925-681-0384 / e-mail: ncjpa@sbcglobal.net

Membership Application

It is a requirement that all members abide and be bound by all of the terms and conditions contained in the 1998 NCJPA Agreement, as amended from time to time. With that understanding, please review and complete the following membership application.

1. **Please complete this form and forward to the NCJPA Office.**

_____
Legal Name of Business, Corporation, District Municipality, etc.

_____
Corporate Address (street address, post office box, city, state, zip code)

_____
State of California PUC Certificate of Convenience Number (CPCN)
or Wireless Identification Number (WIN) or Proof of Public Service Agency
Reference: Recital B: 6.B(4) page 9 of the 1998 NCJPA Agreement

2. **State your 24 hour, seven days a week, Emergency Notification Telephone Number:**

( ) - (Reference: 1998 NCJPA Agreement; Recital B: 6.B(3) page 9).
NOTE: It is a requirement of NCJPA membership that personnel are available 24/7 for emergency response and repair(s).

3. **What types of service does your organization provide (check all that applies)?**

☐ Telephone Service ☐ Broadband Service ☐ Wireless Antenna / Wireless Phone Services

☐ Facilities leased to outside companies or organizations ☐ Distribution Electric Services

☐ Transmission Electric Systems ☐ Distributed Antenna System (DAS)

☐ Internet Service ☐ Cable Television Services

Other (please describe)	

4. **Will you be utilizing vendor services to support your joint pole activity?** ☐ Yes ☐ No

(If yes, select all that apply) ☐ Engineering Svc's ☐ Administration Svc's ☐ Construction/Maintenance Svc's

5. **If you answer yes to question 4, provide to the NCJPA office, on company letterhead, a list of the vendors who are authorized agents of your company. Please include the following information:**

- **Vendor name, services provided, name of contact person and their phone number.**

Note: The Members authorized representative is responsible for notifying the NCJPA office of any change of authorized agents. (See Number 5 for the required information to be submitted.)

6. **Do you currently have facilities attached to jointly owned poles?** ☐ Yes ☐ No

   If yes, how many poles are you attached to?

   The attachments are under a separate: ☐ License Agreements ☐ Joint Ownership Agreements

   With whom do you have separate pole attachment agreements? *Define the utilities & where*

7. **Where is your service territory (Cities, Counties)** *provide map delineating your service area; update as changes occur*

8. **What is the web site address for your organization?**

9. **Are the proposed representatives familiar with the current joint pole administrative policies and the Operations/Routine handbook?** ☐ Yes ☐ No

10. **If California Public Utility Commission General Order 95 or General Order 128 infractions are identified and your facilities are involved, to whom should notices be sent?**

Company Name:	
Contact name:	
Mailing address:	
City, State and Zip Code	
Telephone Number:	( ) - Extension:
Fax Number:	( ) - Extension:
Email Address:	

1998 Northern California Joint Pole Association Agreement
Signature Execution and Appointment Page

Authorized Signatory Executing Membership	**Print legibly**
Party (legal Name of business, Corporation, District, Municipality	
Executed by (Print Full name entitled to execute for the above party	
Position/Title (Corporate Officer, Director, Owner, Executor)	
Date:	
Signature:	

Appointment of Representative (Primary Representative)

Full Name	
Mailing address	
City, State and Zip Code	
Telephone Number:	( ) - - Extension:
Fax Number:	( ) - - Extension:
Email Address:	

First Alternate Representative

Full Name	
Mailing address	
City, State and Zip Code	
Telephone Number:	( ) - - Extension:
Fax Number:	( ) - - Extension:
Email Address:	

Second Alternate Representative

Full Name	
Mailing address	
City, State and Zip Code	
Telephone Number:	( ) - - Extension:
Fax Number:	( ) - - Extension:
Email Address:	

12. Where shall notices, invoices and information regarding joint processes be sent or emailed?

☐ Primary Representative ☐ First Alternate Representative ☐ Second Alternate Representative