



# TRIUNFO SANITATION DISTRICT

A PUBLIC AGENCY

February 7, 2011

Board of Directors  
Triunfo Sanitation District  
Ventura County, California

## **AUTHORIZATION FOR THE CELL COMPANIES AT CONIFER TANK SITE TO INITIATE COUNTY PERMITTING PROCESS FOR CELL TOWER RELOCATION**

### **Summary**

The construction of the water tank in Oak Canyon, part of the Conifer Tank Replacement Project, requires a property transfer agreement with Rancho Simi Parks and Recreation District (RSRPD). A part of that agreement deals with the existing cell towers located at the Conifer Tank and the requirement by RSRPD that TSD help facilitate their relocation within the site. The cell companies (T-Mobile, Sprint, and AT&T) have requested authorization from TSD (current land owner) to obtain the permits and County approvals needed for the project. Staff recommends the Board approve these Letters of Authorization for the cell companies to proceed.

### **Background**

The location of the Oak Canyon Reservoir at Site A7B is currently owned by RSRPD while the existing Conifer Tank resides on property owned by TSD. As part of the land transfer agreement, the existing cell towers on the Conifer Tank are being allowed to remain at the site by RSRPD following demolition of the water tank. The agreement currently being drafted stipulates:

*As the current owner of the Conifer Tank site, Triunfo shall cooperate with the Cell Providers to facilitate the redesign, permitting and development of new wireless telecommunications facilities by the Providers at the Conifer Tank site, including signing any governmental and associated permits required to allow the continued operation of the wireless telecommunications facilities.*

This clause in the agreement allows TSD to assist the cell companies in developing the new facilities and obtaining the permits and approvals necessary to construct and operate at the site. At their February 2, 2011, meeting, the HOA approved the plans presented by the cell companies for the redesign of the cell towers at the site. The next step of the process is for the cell companies to present these plans to the County of Ventura for building permits and land use approval. The County requires the current land owner to convey authorization to the companies. With that, the cell companies

have requested this authorization and have provided the documents that require TSD's approval.

Legal Counsel has reviewed and approved the draft property transfer agreement with RSRPD which includes these requirements.

If you have any questions or need additional information, please contact me at 805-658-4628.

**Fiscal Impact**


There are no appropriations needed to fund this authorization as the cell companies are responsible for all costs associated with the design and permitting of the project. TSD is financially responsible for providing legal assistance for the easement agreement with the HOA and for the relocation cost for Sprint/Nextel (from the previous agreement). T-Mobile and AT&T are entirely responsible for their costs.

**Recommendation**

It is recommended the Board approve the Letters of Authorization to allow the cell companies (T-Mobile, Sprint, and AT&T) to initiate the permit and plan check process with the County of Ventura.

  
MATT GRIEGER – PROJECT ENGINEER

Enc.

APPROVED FOR FEBRUARY 28, 2011 AGENDA   
Doug Anders – Acting District Manager

**LETTER OF AUTHORIZATION**

**APPLICATION FOR ZONING/LAND USE AND BUILDING ENTITLEMENTS**

Site Number: CA6222

Property Address: 100 Conifer Circle, Oak Park, Ca 91377

Assessor's Parcel Number: 800-0-180-045

I, \_\_\_\_\_, owner of the above described property, authorize Jesse Gilholm with Synergy Development Services to act on behalf of Sprint/ Nextel, to act as an agent on my behalf for the sole purpose of consummating any building or land-use applications necessary to ensure Sprint/ Nextel's ability to use the property for the purpose of constructing and operating a communications facility. I understand that this application may be denied, modified, or approved with conditions, and that such conditions or modifications must be complied with prior to issuance of building permits.

*I further understand that signing this authorization is not to be construed as a commitment of any kind, and that all land-use approvals obtained will be subject to the successful completion of lease negotiations.*

Signature of Property Owner(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

**PLEASE NOTARIZE**

10-3

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
(Here insert name and title of the officer)

personally appeared \_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

(Notary Seal)

## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

\_\_\_\_\_  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

\_\_\_\_\_  
(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)  
 Corporate Officer

\_\_\_\_\_  
(Title)

- Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

10-4

**LETTER OF AUTHORIZATION**

**APPLICATION FOR ZONING/LAND USE AND BUILDING ENTITLEMENTS**

Site Number: LA04040

Property Address: 100 Conifer Circle, Oak Park, Ca 91377

Assessor's Parcel Number: 800-0-180-045

I, \_\_\_\_\_, owner of the above described property, authorize Jesse Gilholm with Synergy Development Services to act on behalf of AT&T Mobility, to act as an agent on my behalf for the sole purpose of consummating any building or land-use applications necessary to ensure AT&T Mobility's ability to use the property for the purpose of constructing and operating a communications facility. I understand that this application may be denied, modified, or approved with conditions, and that such conditions or modifications must be complied with prior to issuance of building permits.

*I further understand that signing this authorization is not to be construed as a commitment of any kind, and that all land-use approvals obtained will be subject to the successful completion of lease negotiations.*

Signature of Property Owner(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

**PLEASE NOTARIZE**

10-5

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
(Here insert name and title of the officer)

personally appeared \_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public (Notary Seal)

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_____ <small>(Title or description of attached document)</small>	
_____ <small>(Title or description of attached document continued)</small>	
Number of Pages _____	Document Date _____
_____ <small>(Additional information)</small>	

<b>CAPACITY CLAIMED BY THE SIGNER</b>	
<input type="checkbox"/> Individual (s)	
<input type="checkbox"/> Corporate Officer	
	_____ <small>(Title)</small>
<input type="checkbox"/> Partner(s)	
<input type="checkbox"/> Attorney-in-Fact	
<input type="checkbox"/> Trustee(s)	
<input type="checkbox"/> Other _____	

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- Securely attach this document to the signed document

10-6

**LETTER OF AUTHORIZATION**

**APPLICATION FOR ZONING/LAND USE AND BUILDING PERMIT ENTITLEMENTS**

Site Number: SV12205A

Property Address: 100 Conifer Circle, Oak Park, Ca 91377

Assessor's Parcel Number: 800-0-180-045

I, \_\_\_\_\_, owner of the above described property, authorize Jesse Gilholm with Synergy Development Services to act on behalf of T-Mobile West Corporation, to act as an agent on my behalf for the sole purpose of consummating any building or land-use applications necessary to ensure T-Mobile West Corporations ability to use the property for the purpose of constructing and operating a communications facility. I understand that this application may be denied, modified, or approved with conditions, and that such conditions or modifications must be complied with prior to issuance of building permits.

*I further understand that signing this authorization is not to be construed as a commitment of any kind, and that all land-use approvals obtained will be subject to the successful completion of lease negotiations.*

Signature of Property Owner(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

**PLEASE NOTARIZE**

10-7

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
(Here insert name and title of the officer)

personally appeared \_\_\_\_\_,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public (Notary Seal)

## ADDITIONAL OPTIONAL INFORMATION

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(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

\_\_\_\_\_  
(Additional information)

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- Corporate Officer  
\_\_\_\_\_  
(Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

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- Securely attach this document to the signed document.

10-8







**T-Mobile**  
Stick Together

1420 GARDEN ST. SUITE 101  
SAN VALLEY, CA 95334

PROJECT INFORMATION:

CONIFER  
SV12205A  
100 3/4 CONIFER CIRCLE  
OAK PARK, CALIFORNIA 91377  
SANTA BARBARA COUNTY

CURRENT ISSUE DATE:  
01-18-11

ISSUED ZONING

REV.	DATE	DESCRIPTION	BY
1	01-18-11	REVISED ZDS	JN
2	01-12-11	REVISED ZDS	JAC
3	11-23-10	REVISED ZDS	JN
4	11-19-10	REVISED ZDS	RG
5	10-19-10	REVISED ZDS	JN
6	10-08-10	REVISED ZDS	JN
7	09-07-10	RE-DESIGN	JN
8	08-02-10	REVISED ZDS	JN

PLANS PREPARED BY:

**MSA**  
Architecture & Planning  
3300 E. Diego Avenue  
Suite 100, San Diego, CA 92108  
619.451.1100  
619.451.1117  
MSA.AS • San Diego • San Francisco  
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CONSULTANT:

**Synergy**  
Engineering Services, Inc.  
18207 PLYMOUTH, VAN NUYS, CALIFORNIA  
818-708-8888 Fax 818-708-8889

DRAWN BY: LOR LHC MJS

MEASURE:

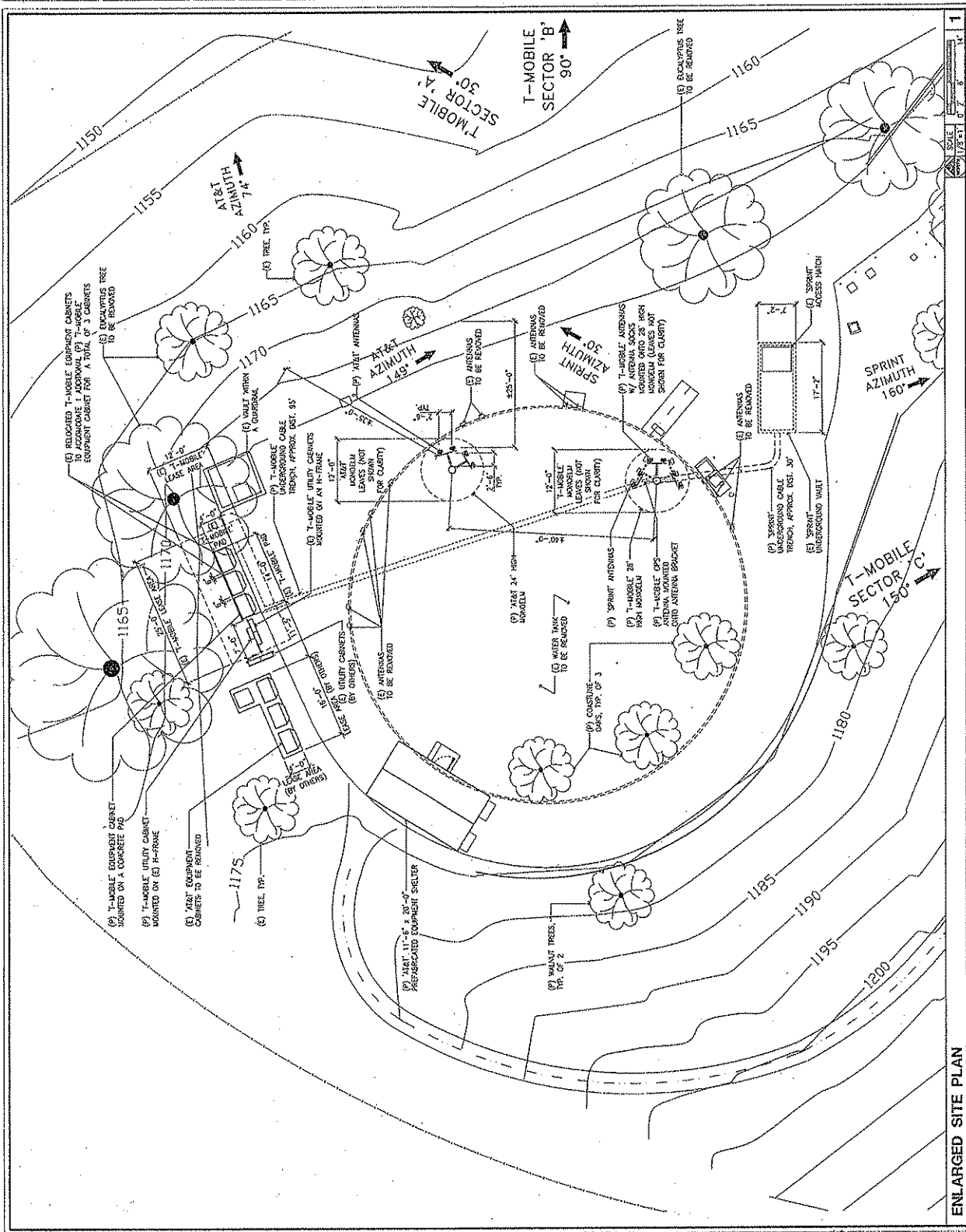
SHEET TITLE:

ENLARGED SITE PLAN

SHEET NUMBER: **A2**

REVISION: **11**

SV12205A



ENLARGED SITE PLAN



