

Fourth Amendment to August 6 agreement re: Verizon small cell applications in City of Sonoma

This is to set forth our understanding and our clients' mutual agreement to further extend the processing timeline set forth in the August 6, 2018 letter agreement ("Letter Agreement") and amended by our Modifications to August 6 Agreement re: Verizon Small Cell Applications in City of Sonoma ("August 6 Modifications Agreement"), further amended by our agreement at the Planning Commission hearing on November 8, 2018 ("November 8 Agreement") as set forth via email and confirmed on November 20, 2018, between the City of Sonoma and Verizon Wireless, and then last amended by our Third Amendment to August 6 agreement re: Verizon small cell applications in City of Sonoma, for the City of Sonoma to make a final determination on the 10 small cell installation applications made by the CBR Group firm to the City on behalf of Verizon Wireless.

The timeline in the Letter Agreement shall be further extended as set forth below:

Verizon shall submit various design alternatives for its 3 commercial applications (S-006, S-007, and S-012) ("commercial applications") to the City Planning Department by no later than June 7, 2019. City shall schedule a workshop before the Planning Commission on the design alternatives submitted by Verizon for the date of July 11, 2019. Verizon understands that no action will be taken by the Planning Commission on any of the design alternatives or the commercial applications during the workshop. Verizon shall submit the final designs being proposed for the commercial applications by no later than the second week (8/5 through 8/9) in August 2019. A public hearing before the Planning Commission will be scheduled on the commercial applications to take place during the second week (9/9 through 9/13) of September 2019.

If the Planning Commission's determination is appealed, then the City Council shall hear and decide each of the appeals by no later than December 16, 2019.

By no later than thirty (30) days after the last date that a determination made by the City becomes final as defined below, Verizon shall notify the City in writing whether it is re-initiating the processing and consideration of the 7 residential applications (S-002, S-004, S-008, S-011, S-014, S-016, and S-017). The notice must be sent via email to the undersigned counsel by no later than 12 P.M. on the final day in order to be considered timely. If Verizon does not provide notice by the time required under this paragraph, then the 7 residential applications shall be deemed withdrawn in their entirety and they shall not be considered beyond that date. The City's determination on each application shall become "final" under this paragraph when the Planning Commission makes a determination with written findings on that application, unless the determination is appealed, in which event the determination shall become "final" when the City Council makes a determination with written findings on that application.

If Verizon does re-initiate the processing and consideration of the 7 residential applications, the City and Verizon shall meet and confer in good faith on a timeline for a final determination to be made on each of the applications. Verizon understands that as to any applications re-initiated pursuant to this agreement City shall apply the City's Municipal Code provisions and any other rules and regulations of the City which have been established and are in effect at the time that the applications are under consideration.

Except as specifically set forth above, the parties agree that all of the same terms and conditions stated within the Letter Agreement shall remain in full force and effect.

Agreed and accepted upon authorization of my client to enter into this agreement on its behalf:

Dated: May 30, 2019



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