

1 EXPRESS CONSENT AGREEMENT

2 36484

3 THIS EXPRESS CONSENT AGREEMENT is entered into this 30th,
4 day of November, pursuant to a minute order adopted by the City
5 Council of the City of Long Beach at its meeting on November 30, 2022, by and between
6 Pacific 6 Enterprises, a Building Owner
7 (form of entity), ("Building Owner"), and the CITY OF LONG BEACH, a municipal
8 corporation ("City").

9 This Express Consent Agreement is made with reference to the following
10 facts and objectives:

11 1. The City holds a license from the Federal Communications
12 Commission ("FCC") for public safety radio spectrums within the City of Long Beach.

13 2. The California Fire Code requires reliable public safety radio signals
14 in new buildings in order to receive building operating permits.

15 3. Code of Federal Regulations Title 47, Part 90.219 requires that
16 operators of Emergency Responder Radio Communication Systems ("ERRCS," also
17 known as "Public Safety Distributed Antenna Systems" or "Public Safety DAS") to obtain
18 express consent from the FCC licensee of the public safety radio spectrum to operate in-
19 building ERRCS.

20 4. City as the FCC licensee is willing to provide its express consent to
21 Building Owner to operate their in-building ERRCS/Public Safety DAS.

22 5. City expressly consents for the signal booster operator located at
23 110 W Ocean Blvd (Street Address) to re-broadcast the public safety radio signals, as outlined
24 in the attached "Technical Specifications for Emergency Responder Radio
25 Communication System for the City of Long Beach".

26 6. Building Owner agrees to maintain a reasonable level of control over
27 operations in order to resolve interference problem and to ensure the booster operates
28 within its authorized call sign service contour.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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Pacific 6 Enterprises
(Building Owner)

November 30, 2022

By Ben Grubb

Title Construction Manager

_____, 20__

By Benjamin A Grubb

Title 11/30/22

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

CITY OF LONG BEACH, a municipal
corporation

January 13, 2023

By Linda F. Tatum
City Manager

The foregoing is hereby approved as to form on January 5, 2023.

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CHARLES PARKIN, City Attorney

By [Signature]
Deputy