



TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: January 7, 2014

TITLE: Motion to schedule a hearing on a commission request for review (“CRR”) of an application for a waiver or exemption on January 22, 2014 to review applications for the installation of above-grade communications facilities in District 1.

Recommendation

It is recommended that the City Commission adopt a motion finding that the proposed sites for the at-grade communications service facilities are in areas which, due to the characteristics of the proposed sites relative to the characteristics of the surrounding properties and surrounding neighborhood visually impacted by the facility require addition review in order to ensure that the criteria under sections 25-100.1(d) or 25-100.1 (B) (2) have been met and scheduling that hearing for January 22, 2014 to discuss applications submitted by AT&T for the installation of above-grade communications cabinets in District 1.

Background

At the December 3, 2013 meeting the City Commission deferred this item to a meeting in December or January so that representatives of AT&T could meet with City staff to discuss how to remedy the two subject locations. A meeting between City staff and AT&T was subsequently scheduled for January 3, 2014. This item is being brought back to the Commission to provide an update on those discussions and for further action.

The AT&T cabinets and the supporting underground cable networks are privately owned infrastructure in public rights-of-way that provides broadband services to residential communities in the City of Fort Lauderdale. These communications service facilities placement with the public rights of way are regulated by City Code Sec. 25-100.1 and 25-100.2 (**Exhibit 3**). The service is needed for the daily quality of life of our neighbors and can provide critical communications during/after hurricanes or other emergency events.

An informational memorandum was provided on October 23, 2013 to advise the Commission of AT&T's pending applications to install above-grade U-Verse cabinets at seven locations throughout the City. Vice Mayor Roberts has requested that in accordance with Section 25-100.2 of the City Code, two of those proposed locations (in District 1) be reviewed by the Commission at a de novo hearing.

The proposed cabinets are at the following locations:

- 1) 1601 NE 56 Street
- 2) 1707 East Commercial Boulevard

A copy of each application submittal package (including pictures of each site) is attached as Exhibits 1 and 2.

This procedure is known as a City Commission Request for Review ("CRR"). The criteria and procedures for weighing the CRR are set forth in **Exhibit 4**. Should the Commission find that the criteria for the CRR have been met, it should adopt a motion, scheduling a hearing for January 22, 2014 to review the applications. Should the Commission deny the motion, the two applications will be issued to AT&T.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a Press Play Fort Lauderdale Strategic Plan 2018 initiative, included in the **Internal Support Cylinder of Excellence**

- **Goal 11:** Be well trained, innovative and neighbor-centric workforce that builds community.
- **Objective 4:** Provide a reliable and progressive technology infrastructure.

*This item advances the Fast Forward Fort Lauderdale Vision Plan 2035: **We are Prosperous.***

Attachments:

- Exhibit 1 – 1601 NE 56 Street ATT Application
 - Exhibit 2 – 1707 East Commercial Blvd ATT Application
 - Exhibit 3 – City Code Sec. 25-100.1 and 25-100.2
 - Exhibit 4 – Summary of standards for City Commission Request for Review
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