



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#14-0264

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

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

DATE: February 18, 2014

TITLE: QUASI-JUDICIAL De Novo Hearing to review applications for the
installation of above-grade communications facilities in District 1.

Recommendation

It is recommended that the City Commission approve two applications for exemption submitted by AT&T for the installation of above-grade communications cabinets in District 1.

Background

At the February 4, 2014 meeting City Commission approved a motion to schedule a hearing on a commission request for review (“CCR”) of an application for a waiver or exemption on February 18, 2014 to review applications for the installation of above-grade communications facilities in District 1.

On January 7, 2013 the City Commission approved a deferral of this item to allow the applicant time to present requested information to the City no later than January 22, 2014. The requested information, an inventory of all above-grade communications cabinets that have been installed under City Code Sec. 25-100.1 since 2007, with pictures and corrective action for any deficiencies was presented to the City on January 22, 2014.

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 Exhibit 1 and 2.

Pursuant to Code Sec. 25-100.1 (b) (2) on October 7, 2013 the City Engineer granted an exemption from the below-grade requirements set forth under Code Sec. 25-100.1 (b) (c) Exhibit "4" sets out the standards for review of a Commission Request for Review of the City Engineer's waiver of the below-grade requirements under Code Sec 25-100.1 (b).

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 – Standards for Review for Waiver of Below-Grade Requirements

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