



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

#14-0008

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

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

DATE: February 4, 2014

TITLE: Motion to schedule a hearing on a commission request for review (“CRR”) 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.

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 February 18, 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 January 7, 2014 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 held on January 3, 2014, and on January 7, 2014 the City Commission again deferred the item at the request of the applicant. The request for deferral was in response to the City’s request that AT&T provide 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. This information was provided on January 22, 2014, and indicated that of the 216 cabinets installed, as of that date, 25 were not in compliance with the landscape and maintenance requirements of Sec. 25-100.1.

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 February 18, 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 **Neighborhood Enhancement Cylinder of Excellence**, specifically advancing

- **Goal 6:** Be a community of strong, beautiful, and healthy neighborhoods
- **Objective 1:** Enhance the beauty, aesthetics, and environmental quality of neighborhoods.

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

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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