

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2017-330

A RESOLUTION OF THE CITY COMMISSION AUTHORIZING A SIXTY-DAY EXTENSION OF A ZONING IN PROGRESS RELATED TO WIRELESS COMMUNICATIONS FACILITIES AND AUTHORIZING THAT THE RATE FOR COLLOCATION OF SMALL WIRELESS FACILITIES ON CITY-OWNED OR CONTROLLED UTILITY POLES BE SET AT THE MAXIMUM RATE OF \$150 ANNUALLY, AS AUTHORIZED BY FLORIDA STATUTES § 337.401(7)(f)(3).

WHEREAS, on July 11, 2017, the Commission adopted Resolution No. 2017-205 (the “Zoning in Progress Resolution”) issuing a Zoning in Progress in accordance with Article 3, Division 7 of the Zoning Code for the consideration of Zoning Code Text Amendments to Article 5, Division 20 “Telecommunications” addressing wireless communications facilities and Article 8 “Definitions,” to implement the recently passed Florida legislation known as the “Advanced Wireless Infrastructure Deployment Act,” and

WHEREAS, the Zoning in Progress Resolution is for a period not to exceed the first regularly scheduled City Commission meeting after one hundred twenty (120) days, which is scheduled for December 5, 2017; and

WHEREAS, additional time is necessary to develop the amendments to the Zoning Code and City Code; and

WHEREAS, the City Commission finds that the public interest requires an extension of the Zoning in Progress Resolution for an additional sixty (60) days and that such extension is reasonably necessary; and

WHEREAS, the Advanced Wireless Infrastructure Deployment Act, Florida Statutes § 337.401(7)(f)(5), requires that the City make available its rates, fees, and terms for the collocation of small wireless facilities on City-owned or controlled utility poles by the later of January 1, 2018 or 3 months after receiving a request to collocate its first small wireless facility on a utility pole owned or controlled by the City; and

WHEREAS, nothing in this Resolution shall affect or waive the City’s right to establish applicable regulations by Ordinance to implement the Advanced Wireless Infrastructure Deployment Act, consistent with applicable law; and

WHEREAS, the City Commission desires to set the rate for collocation of small wireless facilities on City-owned or controlled utility poles at the maximum rate under applicable law, of \$150 annually, as authorized by Florida Statutes § 337.401(7)(f)(3);

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission authorizes an extension of the Zoning in Progress Resolution through a period not to exceed the first regularly scheduled City Commission meeting after sixty (60) days from December 5, 2017.

SECTION 3. The City Commission authorizes that the rate for collocation of small wireless facilities on City-owned or controlled utility poles should be set at the maximum rate allowed under applicable law, currently \$150 annually, as authorized by Florida Statutes § 337.401(7)(f)(3).

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF OCTOBER, A.D., 2017.

(Moved: Keon / Seconded: Lago)

(Yeas: Mena, Quesada, Keon, Lago, Valdes-Fauli)

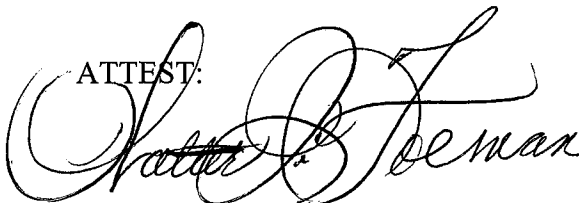
(Unanimous: 5-0 Vote)

(Agenda Item: J-2)

APPROVED:

RAÚL VALDÉS-FAULI
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN
CITY ATTORNEY