

Holland & Knight

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January 21, 2019

Via E-mail

Mayor Raul Valdes-Fauli, rvaldes-fauli@coralgables.com
Vice Mayor Vince Lago, vlago@coralgables.com
Commissioner Frank C. Quesada, fquesada@coralgables.com
Commissioner Patricia Keon, pkeon@coralgables.com
Commissioner Michael Mena, mmena@coralgables.com
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: City Commission Meeting – January 22, 2019
Proposed Ordinance No. 2018-__ (Item No. F-4)(Communications Rights-of-Way Ordinance)

Dear Mayor Valdes-Fauli, Vice Mayor Lago and Commissioners:

Holland & Knight LLP represents Verizon Wireless Personal Communications L.P. (“Verizon Wireless”). On January 22, 2019, the City Commission will consider for adoption a proposed Ordinance (Agenda Item No. F-4) which seeks to amend Chapter 70 regarding the placement of communications services facilities, specifically small wireless facilities, in the City’s public rights-of-way (the “Draft Ordinance”). The Draft Ordinance seeks, in part, to implement changes approved by HB 687 to Section 337.401, Florida Statutes, regarding the deployment of small wireless facilities in the public rights-of-way (“ROW”) which facilities are a critical component in Verizon Wireless’ effort to upgrade the City’s communications infrastructure supporting the City’s residents and businesses.

Over the past few months, Verizon Wireless, together with the participation of other Industry members such as T-Mobile, AT&T, Comcast and Crown Castle, reviewed and commented on the extensive Draft Ordinance, which comments were provided to the City Attorney and the City’s outside counsel in advance of this hearing. While we acknowledge and appreciate those changes that were made to address our comments, many significant objections raised in our previously provided annotated Draft Ordinance remain unresolved. To this end, attached to this

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letter is a Table of Violations that provides examples of provisions in the Draft Ordinance that are contrary to both Florida law and applicable Federal law with specific legal references.

Based on the foregoing, we respectfully request that the City continue to defer this item to allow Verizon Wireless the opportunity to continue to work together with your City Attorney and outside counsel to craft regulations that are not only consistent with applicable state and federal law, but which also ensure that the City has the necessary wireless infrastructure in place to meet the future needs of your residents, visitors and businesses.

Sincerely yours,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink that reads "Janna P. Lhota". The signature is written in a cursive style.

Janna P. Lhota

Encl.

cc: Peter Iglesias, City Manager, piglesias@coralgables.com
Miriam Soler Ramos, City Attorney cityattorney@coralgables.com
Billy Y. Urquia, City Clerk CityClerk@coralgables.com
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