

RESOLUTION NO. 19R-03-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, IN SUPPORT OF PROTECTING LOCAL CONTROL OVER PUBLIC STREETS AND PUBLIC ASSETS AND A CALL ON CONGRESS, AND THE PRESIDENT OF THE UNITED STATES, TO REAFFIRM SUCH LOCAL CONTROL BY REVERSING RECENT FEDERAL COMMUNICATIONS COMMISSION "FCC" ACTIONS RELATED TO WIRELESS FACILITIES BY ENACTING UNITED STATES HOUSE OF REPRESENTATIVE BILL H. R. 530; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY VICE MAYOR M. MARGARET BATES).

WHEREAS, local governments have long been the stewards of local public streets and public assets (such as street lighting) vital to ensure the free flow of people and goods and to maintain vibrant communities; and

WHEREAS, local governments have long advocated for universal access to reliable, high-speed broadband services, as these services are critical for the delivery of education, economic development, employment, and a variety of essential services necessary for success and progress in the 21st century; and

WHEREAS, local governments have been leaders in developing innovative solutions for ensuring reliable, high-speed broadband wireline and wireless services are widely available in their communities through their management of public streets and of other public assets in a manner that balances the competing interests and needs of various constituents; and

WHEREAS, by means of orders issued on August 2, 2018 and September 26, 2018, the Federal Communications Commission took unprecedented, sweeping action to prevent local governments from effectively managing public assets and to severely compromise their ability to manage the public streets effectively and equitably, taking into account considerations for public safety, public utility services such as water, sewer, and electricity, the travelling public, environmental concerns, and economic development; and further effectively requires local taxpayers to subsidize use of public streets and other public assets by the wireless industry; and

WHEREAS, Congresswoman Anna G. Eshoo (CA 18) has introduced H.R. 530, legislation to overturn the FCC's actions of August 2, 2018 and September 26, 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, THAT:

Section 1. The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2. The City Commission of the City of Lauderhill, Florida, thanks Congresswoman Anna G. Eshoo for her leadership and calls on Congress to enact,

and President Donald J. Trump to sign, H.R. 530, or similar legislation to invalidate the recent actions taken by the Federal Communications Commission.

Section 3. The City Commission hereby directs the City Attorney to arrange for filing this Resolution in appropriate Federal Communications Commission proceedings, and directs the City Clerk to transmit a copy of this Resolution to President Donald J. Trump, Congresswoman Anna G. Eshoo, Congresswoman Debbie Wasserman Schultz, the United States Congressional Delegation for Florida, the National League of Cities, the Florida League of Cities, the Broward League of Cities, the Broward County Legislative Delegation, the Broward County Board of County Commissioners, and all Broward County municipalities.

Section 4. The appropriate City officials are authorized to prepare and execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 5. This Resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2019.

PASSED AND ADOPTED on first reading this _____ day of _____, 2019.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION _____
SECOND _____

M. BATES _____
H. BERGER _____
R. CAMPBELL _____
D. GRANT _____
K. THURSTON _____

Approved as to Form

W. Earl Hall
City Attorney