

RESOLUTION:_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS MARCH 19, 2019 MEETING DIRECTING THE CITY ADMINISTRATION TO: (1) AUTHORIZE THE CITY'S INDEPENDENT SEWER SYSTEM EXPERT, HAZEN AND SAWYER, TO PREPARE A RESPONSE TO THE REBUTTAL REPORT BY CABLERUNNER INTERNATIONAL (TO HAZEN AND SAWYER'S APRIL 20, 2018 RECOMMENDATION AGAINST THE USE OF THE CITY'S SEWER SYSTEM TO INSTALL A FIBER CABLE NETWORK); (2) RETAIN A STORMWATER SYSTEM EXPERT TO CONDUCT A STUDY ON THE FEASIBILITY OF USING THE CITY'S STORMWATER SYSTEM TO INSTALL FIBER CABLE (AS PROPOSED BY CABLERUNNER); AND (3) RETAIN A CONSULTANT WITH APPROPRIATE IT/TELECOMMUNICATIONS EXPERTISE (NOT AFFILIATED WITH JOHNSON CONTROLS OR HOTWIRE) TO EVALUATE THE VARIOUS FIBER TECHNOLOGIES FOR THE BUILD-OUT OF A CITY FIBER NETWORK; WITH ALL SUCH COSTS TO BE PAID FOR BY CABLERUNNER.

WHEREAS, CableRunner International (Cable through a fiber cable network) is a company based in Vienna, Austria that offers a mechanism to install fiber optic conduits through a fiber cable network within gravity sanitary sewer systems; and

WHEREAS, CableRunner also believes that stormwater systems can be utilized for CableRunner's technology; and

WHEREAS, CableRunner has issued an unsolicited proposal to the City to utilize either the City's sanitary sewer system or the City's stormwater system as conduits for running fiber optic cables; and

WHEREAS, on February 14, 2018, the Mayor and City Commission referred the unsolicited proposal from CableRunner to the City's Finance and Citywide Projects Committee (FCWPC) for review: the FCWPC issued a recommendation to the City Commission that the City hire an expert to review the proposal; and

WHEREAS, on April 20, 2018, the City's sewer system experts, Hazen and Sawyer, provided an evaluation of CableRunner's technology considering local conditions in Miami Beach to determine the suitability of installing an in-sewer fiber optic network, and recommended against utilizing the sewer system for such a purpose; and

WHEREAS, there was a discussion during the October 31, 2018 Neighborhoods/Community Affairs Committee (NCAC) meeting relating to the CableRunner proposal, at that meeting, CableRunner requested that the City authorize Hazen and Sawyer to respond to CableRunner's rebuttal (to Hazen's April 20, 2018 report); and

WHEREAS, pursuant to the discussion, the NCAC made four recommendations relating to the unsolicited proposal and "5G" technology, requesting that the Administration:

- (1) Authorize the City's independent sewer system expert, Hazen and Sawyer, to respond to the rebuttal report by CableRunner to Hazen and Sawyer's April 20, 2018 negative recommendation against the use of the City's sewer system for running fiber optic cable through the City;
- (2) Authorize the Administration to hire a stormwater system expert to conduct a study to determine whether the City's stormwater system would be a good fit for the running of cable through the City's stormwater system;
- (3) Have the Administration hire an expert with appropriate expertise to evaluate "5G" technology. The expert would provide direction to the Mayor and City Commission as to what is the best option in quickly

and efficiently obtaining "5G" infrastructure (comparing the various technologies, including but not limited to reviewing the City's "smart city", proposal pending with Johnson Controls;

(4) Have the Administration reach out to the City's outside counsel on telecommunications for assistance on technical aspects relating to the industry, the technology, and to review for preemption concerns; and

WHEREAS, a Resolution accepting the recommendation of the NCAC at its October 31, 2018 meeting was placed for approval on the January 16, 2019 City Commission agenda, an initial motion was made to withdraw this item but, later in the meeting, a motion was made by Vice-Mayor Gongora, seconded by Commissioner Aleman, to refer the item back to the NCAC; and

WHEREAS, at its March 19, 2019 meeting, the NCAC made a motion to authorize the Administration to proceed with items 1 and 2 and hire an appropriate IT/Telecommunications expert to evaluate the various fiber technologies for the build-out of a City fiber network, with all costs to be paid for by CableRunner.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Neighborhood/Community Affairs Committee at its March 19, 2019 meeting directing the City Administration to: (1) authorize the City's independent sewer system expert, Hazen and Sawyer, to prepare a response to the rebuttal report by CableRunner International (to Hazen and Sawyer's April 20, 2018 recommendation against the use of the City's sewer system to install a fiber cable network); (2) retain a stormwater system expert to conduct a study on the feasibility of using the City's stormwater system to install fiber cable (as proposed by CableRunner); and (3) retain a consultant with appropriate IT/telecommunications expertise (not affiliated with Johnson Controls or Hotwire) to evaluate the various fiber technologies for the build-out of a City fiber network; with all such costs to be paid for by CableRunner.

PASSED and ADOPTED this 8th day of May, 2019.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5-1-19

Date