

4:28:16 p.m.

6:06:03 p.m.

R7 D 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 OCTOBER 31, 2018 MEETING RELATING TO "5G" TECHNOLOGY, AND 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 CABLE NETWORK THROUGHOUT THE CITY); (2) RETAIN A STORMWATER SYSTEM EXPERT TO CONDUCT A STUDY ON THE FEASIBILITY OF USING THE CITY'S STORMWATER SYSTEM TO INSTALL FIBER OPTIC CABLE (AS PROPOSED BY CABLERUNNER), AND AUTHORIZE CABLERUNNER TO PAY THE COSTS ASSOCIATED WITH SUCH STUDY; (3) RETAIN A CONSULTANT WITH APPROPRIATE EXPERTISE TO EVALUATE THE VARIOUS "5G" TECHNOLOGIES AND TO PROVIDE RECOMMENDATIONS TO THE CITY COMMISSION ON HOW TO QUICKLY AND EFFICIENTLY OBTAIN "5G" INFRASTRUCTURE, AND TO COMPARE THE VARIOUS TECHNOLOGIES, INCLUDING BUT NOT LIMITED TO REVIEWING THE "SMART CITY" PROPOSAL SUBMITTED BY JOHNSON CONTROLS; AND (4) CONSULT WITH THE CITY'S EXPERT, OUTSIDE COUNSEL ON TELECOMMUNICATIONS REGARDING THE INDUSTRY, THE TECHNOLOGY, AND THE PROPOSAL, INCLUDING A REVIEW OF POSSIBLE STATE PREEMPTION.

Public Works

Commissioner John Elizabeth Alemán

ACTION: Resolution not adopted. Item withdrawn by Commissioner Alemán. Later in the meeting a motion was made by Vice-Mayor Góngora, seconded by Commissioner Alemán to refer the item to Neighborhood/Community Affairs Committee; Voice vote: 5-1; Opposed: Commissioner Arriola. **Roy Coley to handle.**

REFERRAL:

The Neighborhood/Community Affairs Committee to refine title and clarify purpose

Kathie G. Brooks to place on the Committee Agenda.

Roy Coley, Public Works Director, explained that this item, known as "Cablerunner" is a group of recommendations that came out of committee. At committee, members accepted a report that the City's consultant determined that the sewer system was not recommended for the Cablerunner technology, and that the committee agreed to allow the authorization of Hazen and Sawyer, who issued the report, to respond to Cablerunner's experts. That is what this Resolution would do, it would also authorize staff to hire experts in doing the same technology in the stormwater system provided Cablerunner agreed to pay for it. The other important element is that this would also authorize staff to contract with a 5G expert to come back and advise them and the City Commission on the state of 5G in the County, as they continually are hearing people what is needed to do in preparation for 5G.

Commissioner Alemán stated that they have multiple options for 5G, but she suggested engaging someone to tell them what they should care. What is 5G, is it important for the City to provide this infrastructure going forward, why, and if it is important and they agree to do that, they have their lighting infrastructure and different places where they can put in, but they want someone to tell them what they recommend and what is the best. One thing is why do they care, do they want to move forward at all, and if they do, what is the best strategy for Miami Beach. The Resolution is to authorize that work.

Commissioner Steinberg thinks it is fantastic to bring these innovative ideas and 5G is probably the next generation of what they need to be looking at. However, this is about one vendor and that gives her pause; she needs to understand better what the City is being locked into, are they going down the road and then enter into an agreement, what will it ultimately cost the City, and are there others who do the 5G technology.

Commissioner Alemán reiterated that the first question is what is it and why do they care; do they want to explore it? It started as one vendor coming forward with an idea done creatively, but it is not one vendor any longer. For example, the lighting infrastructure option would be through Johnson Controls, not Cablerunner. They want to find the underlying cause of the answer about Cablerunner. They said things and the consultant disagree, so they want a definitive response so that they know if it is on the table for them. Currently Hazen & Sawyer said "no," but Cablerunner disagrees with their conclusion. If they go with the lighting system that is a completely different infrastructure. The Resolution says let them go and have a strategy about 5G, educate the City Commission on what it is and if it is important for the City to come up with a plan. There are things in the works already such as the Smart City proposal from Johnson Controls, and she asked that they come back with a recommendation.

In answering Commissioner Steinberg's question, Mr. Coley stated that since they had the committee meeting, the Office of the City Attorney placed him in contact with their Outside Counsel on communications, and when they reached to them, they recommended who was a 5G expert in their opinion. He contacted them and they recommended someone else for this purpose, so they got passed around to several folks before they ended with someone who stated that they could answer the City's questions. He learned in the process that few people really understand what 5G is and how it is going to get here or what does it really mean to them as a community. Some of these vendors may not be expressing it in a way that they would understand it from them appropriately. He suggested that the City Commission strongly considering the 5G experts be contracted to advise the Commission on what matters to them as a community and a government versus having vendors telling them what they should be doing.

Commissioner Steinberg is comfortable with that. Additionally, since it is such new technology, she requested to know how many other municipalities have gone down that road, because Miami Beach should not be the "guinea pig."

Mr. Coley stated that 5G is very innovative and some are claiming that it does not even exist in this country at this time, and it is in the experimental stages with the largest provider of people like Verizon. Some marketers are claiming that they have 5G but it is hard to verify.

Discussion held.

Commissioner Arriola agrees with Mr. Coley. He thinks that it is going to happen and most experts think it will happen and it is the next wave with major advantages for the country. The problem is that it is early and it is very expensive (hundreds of billions of dollars), so they are asking the Federal Government to play on this. As a strategic imperative for the nation to get on 5G for things like cybersecurity, threats, and other things like that, they are so early in the game that he is not sure what the consultant is going to cost. They are not going to create 5G; no one has it. This company "Cablerunner" wants to run it through sewer systems, and the City's consultant disagreed, and he just does not want to spend a great deal of money for things that are not going to happen in the next couple of years and that is his concern. 5G is a real thing but it is going to come from the Federal Government or not at all, and when it comes, then they will get it. He is mindful when the City tried to do Wi-Fi and it did not work.

Discussion continued.

Vice-Mayor Góngora stated that at the Neighborhood/Community Affairs Committee he understood that the vendor was paying the bulk of the cost. Is there a cost to the City in moving forward with this?

Mr. Coley stated that Cablerunner has agreed to pay the cost if the City would hire a stormwater expert to evaluate their technology for the appropriateness within the stormwater system, then the City would pay the cost if they choose to hire a 5G expert to guide them into decision-making processes. In answering Vice-Mayor Góngora, he stated that they normally work in the range of a few hundred dollars per hour.

Commissioner Samuelian thinks the priority is vendor diagnostic to see if they want to explore the topic. He thinks it is good to be innovative, but not 'bleeding' edge or guinea pig, but he thinks also that it does not hurt to know what is coming down the pipe and to know what the precursors are to be ready or not. He believes that hiring an expert and perhaps putting out a small RFQ process, they might hear back the cost and scope would be to have an expert.

Commissioner Alemán heard at the Neighborhood/Community Affairs Committee that Cablerunner would pay for the study. They were going to pay for Hazen & Sawyer to have that conversation where they disagree with Hazen and Sawyer, conclusion and reasoning and assumptions, they would pay for that; they would pay for the stormwater system expert, as well as accepting the responsibility for educating the City Commission as to why they should care about 5G. She cares because from a Smart City standpoint, it is going to become important that they are real time monitoring and receiving data about the water flowing through their sewer system, about leaks in the infrastructure, about the Intelligence Transportation System, which will require heavy data; Smart Cities end up putting readers throughout the City and all that takes data back, and that is what this is, but it is not for her to say this to them, but it is for them to have an industry expert that understands Smart Cities and where this is going. This is a strategic discussion, and not about the City spending millions of dollars right now on questionable infrastructure. This is about the City putting together a strategy on technology that is probably going to come true and be highly valuable and necessary to them. Her understanding from committee is that Cablerunner is paying for all that, not the City. She asked Mr. Coley if she misunderstood.

Mr. Coley stated that what he took away from their lobbyist is that they would pay for the report; he did not ever hear him say that he would pay for the City hiring an outside expert with 5G. He will ask him or review the record from committee. As he presented it, it was not his believe that they were willing to pay for that.

Commissioner Alemán suggested for the piece that Cablerunner is willing to pay for, to let them go, which she believes is 1 and 2 on Page 1062. For the other piece, she suggested have Alex Denis go out and get some proposals for what it would take to have a technology conversation; to have a 5G expert put together a proposal to educate the City on what it is and why they should care, and bring back to the Finance and Citywide Projects Committee.

Discussion continued.

Commissioner Arriola does not want to spend money in consultants; if Cablerunner wants to pay for the report, he is agreeable with that, but he can tell what the report will say. There are no experts in 5G and the Federal Government is trying to figure out how to do it. He is not excited about spending money on a technology that is still being developed.

Mr. Coley added that the expert he spoke with was in Seattle, the only one out of different areas in the country, and his words to him were "it is coming whether you want it or not, and whether you are prepared for it or not." People like Verizon are already in testing but not ready to deploy, and may not be until late 2020.

Commissioner Arriola reiterated that no one company can do it due to the high price, none of the telecommunications companies can do it, and the Federal Government is not playing in the space. This cannot happen unless they have a consortium led by the Federal Government to make this happen. He agrees that it should happen; they need it as a country as a strategic imperative commercially, but the players cannot even get together. This is years into the future. No one knows what they are talking about.

Commissioner Alemán asked why is it that Vienna is fully 5G enabled according to them.

Mr. Coley clarified that he is not sure they represented that they were 5G enabled, he thinks that they represented with the Cablerunner product that they were fiber optics enabled and they could have fiber optic cables throughout their sewer systems for multiple reasons, and they are just proposing that 5G would be a good reason for the City; that is how he interpreted their representation.

Discussion continued.

Commissioner Samuelian agreed with 1 and 2; he does not see any harm in exploring the RFQ; let them see what is out there and not decide on the funding. 5G may be an investment. He supports the RFQ, which would then come back to them.

Commissioner Arriola believes they are saying let them run fiber and if they get permission to run fiber through the City's sewer lines that is very lucrative to them and a lot cheaper to run it through the sewer lines if the City permits them than to dig up the street. Sewer experts say it is not a good idea and it would jeopardize the integrity of the City's sewer lines; they did not like the answer so they want to get another expert by paying for it. They are selling them the 5G so they can get excited, but they can run other things through fiber and they can commercialize that.

Commissioner Alemán stated that there are reasons that may benefit the City, and obviously tearing up the streets conversation is one. They cannot say anything about the street furniture that the telecommunications put out on the streets. There is the potential that this could provide the kind of backbone that even the telecommunication carriers would want to move to and therefore stop telling them where to put the street furniture. They do not want to reveal where the sewer system was, as this is some type of homeland security issue. She is not sure this got a fair chance and she does not think they have the votes. She does not think they should pursue 1 or 2 because it will waste staff's time to work with the consultant and get answers that they do not even care about. She withdrew the item.

Commissioner Steinberg would love to understand this more, explore it, and be educated on this. It seems that there are many questions and she would like to know, since they look to do what is beneficial to the community. She asked if there are other options, they can do to learn about this and baby step themselves into this.

Mr. Coley explained that if they go out for an RFQ they will have the largest engineering firms in the country submit, and they will be looking for large consultant to come to the City. They could, within the City Manager's authority, pay one expert that other city consultant stated that he is an

expert, to give advice and decide as to whether they should move forward without spending money, and that is a policy decision.

Discussion continued.

Commissioner Arriola wants to make sure that there are other procurements like this; they are asking them for permission to do something that otherwise, they would not be able to do, which is to run fiber through the City's sewers or water lines. That is valuable if they can do that as it saves them a great deal of money and time. Fiber can provide cable and other goods. They are selling the 5G, which does not exist in the City; they are just trying to get access to the lines and compete with the cable companies. They may want to do that but experts do not agree with that, and they must rely on experts or not.

Motion made by Commissioner Alemán to withdraw the item. There was consensus to withdraw.

6:06:03 p.m.

Vice-Mayor Góngora asked if the item wanted to be brought back.

Rafael Andrade, on behalf of Cablerunner, Inc., apologized to the sponsor for not being present when the item was called. To give some background, Cablerunner installs fiber in sewer systems. The entire city of Vienna is wired this way. Cablerunner came to the City of Miami Beach to show their technology and the City was interested in looking at it. They sent it to the City's consultants Hazen and Sawyer, and they reported that they did not think it would work in the sewer system for various reasons. They disagreed and asked that they look at it again and they would pay for them to review; the committee agreed to that. Additionally, even if the sewer systems do not work to install the fiber, the storm drain system is also an option to install the fiber, and they said they would pay for the City's consultant to look at the storm drain system to see if it would work. Therefore, this is not about 5G. The City needs fiber for everything across the board. The City's IT Director can testify to that. Can the fiber that they can deliver handle 5G; absolutely, when the time comes the City would be able to avail itself of the existing fiber network. What is important for the City Commission to consider is that this is dead space they are talking about, this is underground for fiber to be installed in the City that needs to be, other folks are going to come in, open up the streets and disrupt businesses, there will be a cost to that, and all they are asking for is that they are willing to pay for the study, for the City's consultant to come back and say that the sewer either works or not to install this fiber; the storm drainage system works or not to install this fiber, and based on the City's consultant study, this City Commission will decide whether to proceed. It is a simple request and they would ask that they support the study being done. Again, it is at his client's cost 100% whatever the cost is. Finally, the one thing Commissioner Arriola got right is that this is highly valuable, and they would revenue share with the City, so they are not asking for the privilege to go into the City's systems and infrastructure for free. If in fact, they can do a deal with the City there will be some type of rent agreement or revenue share agreement. He asked that the City approve the study.

Vice-Mayor Góngora explained that the item was withdrawn by the sponsor.

City Attorney Aguila asked Rafael Andrade if he had registered as a lobbyist.

Clerk's Note: Mr. Andrade had registered to lobby on behalf of Cablerunner.

Discussion continued.

Vice-Mayor Góngora recommended sending the item back to the Neighborhood/Community Affairs Committee to refine what it is that the vendor is looking to do.

There was consensus to refer the item.

Moved by Vice-Mayor Góngora to refer to the Neighborhood/Community Affairs Committee; seconded by Commissioner Alemán. Voice vote taken.

Commissioner Arriola explained that this item has been floating around forever and trying to find a home, but is not getting traction, so he asked them to let it die. He added that on the Agenda it is called 5G technology and he does not like to be misled. The City's consultant stated that it was not a good idea, so something must die after a valiant effort, and he thinks they are at the point where this has been going around for over a year and suggested to let it go. It should have been presented as fiber instead of 5G with the public benefits, but it is not 5G, and to do it in a way that experts say it is a bad idea, it is enough.

Commissioner Steinberg agreed to take the item back to the Neighborhood/Community Affairs Committee.

City Attorney Raul J. Aguila suggested removing the word "5G" from the title when referring to committee.

Commissioner Alemán stated that they will revise the title and clarify the purpose at the Neighborhood/Community Affairs Committee.