



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 8.f

TO: Honorable Mayor & Members of the Village Commission

FROM: Rox Ross, Commissioner

DATE: October 6, 2020

TITLE: **RESOLUTION 2020-53 - A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING CONGRESS TO RECOGNIZE AND WORK TO ACHIEVE BROADBAND ACCESS AND AFFORDABILITY; SUPPORTING INCLUSION OF BROADBAND INFRASTRUCTURE IN FEDERAL INFRASTRUCTURE INVESTMENTS; AND AFFIRMING SUPPORT FOR LOCAL CONTROL OF BROADBAND INFRASTRUCTURE SITING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Recommendation

Approval of the attached resolution urging Congress to recognize and work to achieve broadband access and availability.

Background

As is the regular practice of The Florida League of Cities, at the 2020 Annual Conference (this year virtual online) the voting delegates approved certain resolutions at its Business Session. One of the approved resolutions urged Congress to recognize and work to achieve broadband access and affordability, and further to include broadband infrastructure in federal planning and investment.

The attached Resolution 2020-53 is based on the FLC's version, with few local identifying deviations.

Resource Impact

The fiscal impact of approving, distributing and incorporating the proposed Resolution into Village records is minimal.

Attachment

Proposed draft Resolution # 2020-53

Prepared by: Rox Ross

1
2
3
4
5
6
7
8
9
10
11
12

RESOLUTION NO. 2020-53

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING CONGRESS TO RECOGNIZE AND WORK TO ACHIEVE BROADBAND ACCESS AND AFFORDABILITY; SUPPORTING INCLUSION OF BROADBAND INFRASTRUCTURE IN FEDERAL INFRASTRUCTURE INVESTMENTS; AND AFFIRMING SUPPORT FOR LOCAL CONTROL OF BROADBAND INFRASTRUCTURE SITING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

13 **WHEREAS**, broadband infrastructure has become an economic necessity for Florida cities,
14 driving education, health care, public safety, economic growth and operating efficiency in a 21st Century
15 economy; and

16
17 **WHEREAS**, sufficient broadband infrastructure has become increasingly necessary to support all
18 forms of infrastructure, from smart-meter electrical grids and connected traffic management networks to
19 sensor-enabled water and sewer systems; and

20
21 **WHEREAS**, robust broadband is needed to support the deployment of advances in smart city
22 technologies as well as autonomous vehicles and unmanned aerial systems (drones); and

23
24 **WHEREAS**, a competitive and sustainable broadband industry is driving innovations, community
25 and economic development, educations, healthcare and government services; and

26
27 **WHEREAS**, millions of American workers, students and patients staying home to help combat
28 the novel coronavirus (COVID-19) highlights the importance of broadband infrastructure and connectivity
29 for the transition to remote workforce, education and healthcare systems; and

30
31 **WHEREAS**, access to broadband can increase residential property values, increase commercial
32 business activity and spur viable employment options in isolated communities; and

33
34 **WHEREAS**, universal access to affordable broadband should be considered essential
35 infrastructure that contributes to economic health and survival of communities across Florida; and

36
37 **WHEREAS**, the availability and adoption of quality broadband service can vary dramatically
38 from one neighborhood to another, even in heavily populated urban areas; a substantial number of
39 individuals in poor and rural communities have limited internet access; and where broadband access is
40 limited, citizen have limited access to information, education and tools for economic independence; and

41
42 **WHEREAS**, historically, local governments have ensured access to essential services not offered
43 by the private sector by banding together to provide those services at a reasonable and competitive cost;
44 and

45
46 **WHEREAS**, attempts continue to be made to limit or stop further local government deployment
47 of municipal broadband services which has the potential of reducing the ability of local government to
48 provide important information and services to their citizens in a timely, efficient and cost-effective
49 manner; and,

1
2 **WHEREAS**, local governments should not be preempted by the federal or state government from
3 being able to offer broadband services, high-speed internet and other communications services that could
4 advance the deployment of broadband throughout our nation; and

5
6 **WHEREAS**, the Federal Communications Commission (FCC) has enacted regulations that
7 substantially limit the traditionally held authority of local governments over the placement of wireless
8 infrastructure and local governments' ability access fair compensation to taxpayers for use of public
9 property, subsidizing wireless carriers' development while undermining local efforts to expand broadband
10 access; and

11
12 **WHEREAS**, the economic health of municipalities depends on public and private investment to
13 connect their communities; and

14
15 **WHEREAS**, the Coronavirus Aid, Relief, and Economic Security (CARES) Act includes funding
16 for the transition to remote life among its many relief provisions with specific funding for broadband
17 connections, distance learning, telehealth and telework including \$100 million to the U.S. Department of
18 Agriculture's Rural Utility Service (RUS) for its Reconnect Pilot Program, which provides grants for the
19 costs of construction, improvement or acquisition of facilities and equipment needed to provide broadband
20 service in eligible rural areas.

21
22 **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE**
23 **VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:**

24
25 **Section 1.** **Recitals.** The above recitals are true and correct, and incorporated herein by this
26 reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

27
28 **Section 2.** **Prioritize.** The Village Commission of the Village of Biscayne Park urges the
29 federal government to prioritize efforts to provide affordable and competitively priced broadband access;
30 provide appropriate standards for broadband speed, reliability and connectivity that allow Floridians to
31 compete in the global economy; and open more opportunities to deliver robust service more economically
32 and universally.

33
34 **Section 3.** **Protect.** The Village Commission of the Village of Biscayne Park urges Congress
35 and the Federal Communications Commission (FCC) to protect traditionally held authority of local
36 governments over the placement of wireless infrastructure.

37
38 **Section 4.** **Support.** The Village Commission of the Village of Biscayne Park urges Congress
39 to support policies that promote municipal broadband, preserve the authority of local governments to act
40 in the interest of their citizens by offering high-speed internet and other communications services, and
41 preempt states from barring local governments from offering such services in their communities.

42
43 **Section 5.** **Incorporate.** The Village Commission of the Village of Biscayne Park urges
44 Congress to incorporate federal investment in broadband in any federal infrastructure proposal to
45 strengthen the nation's infrastructure network while promoting economic development in our
46 municipalities.

47
48 **Section 6.** **Clear.** The Village Commission of the Village of Biscayne Park calls on the FCC
49 to examine all best practices and potential obstacles to expanded broadband deployment and adoption

1 including obstacles created by federal or industry practices that stymie local and consumer efforts to
2 expand broadband access, and clear the path toward affordable access.

3
4 **Section 7. Severability.** If any section, sentence, clause or phrase herein is held to be invalid
5 by any court of competent jurisdiction, then said holding shall in no way affect the validity of the
6 remaining portions of this Resolution.

7
8 **Section 8. Effective Date.** This Resolution shall become effective immediately upon its
9 adoption.

10
11 **Section 9. Distribution.** A copy of this resolution shall be sent to President Donald Trump,
12 the Florida Congressional Delegation, the National League of Cities, the Florida League of Cities and the
13 Miami Dade County League of Cities.

14
15
16 **PASSED AND ADOPTED** this 6th day of October, 2020.

17
18
19 The foregoing Resolution was offered by Commissioner Samaria, who moved its adoption. The
20 motion was seconded by Commissioner Tudor, and upon being put to a vote the vote was as follows:

21
22 Virginia O’Halpin, Mayor
23 MacDonald Kennedy, Vice-Mayor
24 Roxanna Ross, Commissioner
25 Dan Samaria, Commissioner
26 Dan Samaria, Commissioner

27
28 VILLAGE OF BISCAYNE PARK

29
30
31 _____
32 Virginia O’Halpin, Mayor

33
34 ATTEST:

35
36
37 _____
38 Roseann Prado, Village Clerk

39
40
41 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
42 USE AND RELIANCE OF THE VILLAGE OF BISCAYNE PARK ONLY:

43
44
45 _____
46 Edward A. Dion, Village Attorney