



## CITY OF COCONUT CREEK CITY COMMISSION WORKSHOP MINUTES

Government Center  
4800 W. Copans Road  
Coconut Creek, Florida

Date: February 11, 2021  
Time: 6:00 p.m.  
Meeting No. 2021-0211WS

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### CALL TO ORDER

Mayor Sarbone called the meeting to order at 6:08 p.m.

### PRESENT UPON ROLL CALL:

Mayor Lou Sarbone  
Vice Mayor Joshua Rydell  
Commissioner Rebecca A. Tooley  
Commissioner Mikkie Belvedere (virtually)  
Commissioner Sandra L. Welch  
City Manager Karen M. Brooks  
City Attorney Terrill C. Pyburn  
City Clerk Leslie Wallace May

Mayor Sarbone explained that Governor Ron DeSantis' Executive Order 20-52, as continuously extended, and Section 252.38, Florida Statutes, authorized all local governments to waive procedures and formalities otherwise required by both state and local law as necessary to allow local governments to continue to perform public work and take whatever prudent action is necessary to ensure the health, safety, and welfare of the community. He noted that the meeting was being conducted live with a quorum physically present and participation by one (1) Commissioner using communications media technology consistent with the Governor's Order and State law. City Attorney Pyburn explained the procedures for public participation and comment for the meeting.

Mayor Sarbone asked if there was any public comment, and City Clerk May stated there were no advanced public comments received for the meeting and no one had signed up to speak.

### DISCUSSION – WIRELESS FACILITIES MASTER PLAN

Sustainable Development Director Scott Stoudenmire opened the discussion, stating the purpose of the Workshop was a presentation by the City's wireless facilities consultant, CityScape Consultants, Inc., to review the City's Wireless Facilities Master Plan.

Susan Rabold, CityScape Consultants, Inc., shared a *PowerPoint* presentation of the revised draft Wireless Facilities Master Plan. She summarized the work CityScape had completed, including an assessment and reassessment of all the wireless infrastructure within the City and a one mile perimeter, a revised inventory catalog, new gap analysis maps, and new predictions for 10-year growth management.

Ms. Rabold reviewed the inventory map by structure type and explained definitions. She stated there were 27 total facilities within the analysis area, including 22 towers and five (5) base stations, and noted 10 of those were outside of the City's boundaries but within the City's coverage and capacity area. She described the uses of each structure and locations. She stated five (5) of the towers were City-owned and commented that the City had done a great job of using public properties for wireless infrastructure. Ms. Rabold explained the process for identifying gaps and identifying how future development would impact gaps in the future. She outlined how fiber availability was added to the plan since the last update and the impact that availability may have moving forward.

Ms. Rabold stated the next steps were to be to discuss policies related to public rights-of-way and regulatory authority. She noted opportunities to build design standards into the Master Plan and expanded on potential standards. Sustainable Development Director Stoudenmire pointed the Commissioners to local examples of small cell sites within the City and noted staff was working with the wireless companies to bring the facilities up to City standards. He asserted that the City had a good relationship with the County to hold sites on County right-of-way to the same standards as on City property. He noted it was more difficult to get cooperation regarding State rights-of-way, and a large number of the cells were popping up in State rights-of-way because there was less regulation.

Elizabeth Herington-Smith, CityScape Consultants, Inc., stated the City had been learning about the small cell facilities in State right-of-way when they apply for electrical permitting, and has the ability to request at that time that the sites be retrofitted to comply with City standards. She noted the City would be seeing more facilities, especially along Sample Road, with the expansion of 5G technology. Ms. Herington-Smith discussed pitfalls of 5G, noting the first applications seen have small footprints and continue to be tested.

City Attorney Pyburn explained that Assistant City Attorney Eve Lewis had attended the Florida Department of Transportation (FDOT) Rule Hearings to state on the record that the City would like advanced notice of any of these small cells going in the State rights-of-way so the City has an opportunity to ensure they comply with City regulations.

Vice Mayor Rydell stated he had seen unique poles that look like palm trees and other designs and compared them to the electrical boxes which the City wraps with artwork. He inquired about flagpole options. Ms. Herington-Smith confirmed Margate had a site with a large flagpole but noted there was no way to put the flag at half mast, and if it gets tattered, there are issues. She discussed additional alternative designs, including banner poles with the antennae above the light pole or banner flags, and multi-company cell sites. She commented that there was pushback at this time for shared sites, but said she thought the companies would come around to sharing sites due to design needs. She added that the City's Code was as stringent as possible.

Commissioner Belvedere asked if there was a price difference between the different types of poles, and Ms. Herington-Smith responded that the more concealed and elaborate poles were more expensive, which was why the industry would do the least amount they could.

Vice Mayor Rydell asked Assistant City Attorney Lewis and the consultants if they believed municipalities would be preempted by State standards. Assistant City Attorney Lewis stated it was universally accepted now that the State was going to leave aesthetic regulation to the localities because of the unique nature of each community, citing the U.S. Ninth Circuit Court's ruling in the City's appeal of the Federal Communications Commission (FCC) small cell order. She added that if there was no opposition to that ruling, the City would rely on that opinion to assert the local authority for the foreseeable future. She commented that staff would look at providing articulable aesthetic standards for cell site design that would be defensible.

Commissioner Welch asked if the consultants could show the examples of streetlights and banner poles, and Ms. Herington-Smith shared images of examples and explained how each option shrouded the equipment needed.

Commissioner Welch commented on the unknown health impacts with the new technology and inquired about locating facilities adjacent to schools in low coverage areas with the unknown effects. Ms. Herington-Smith stated the radio frequency (RF) emissions Commissioner Welch referenced were part of what had delayed the rollout of 5G technology. She noted the industry had dialed the RF emissions back and figured out how to accommodate and operate within the allowable emissions. She stated there was still a lot of testing going on, and the poles currently in the City were not considered 5G.

Assistant City Attorney Lewis added that in a few months, staff would be presenting Code changes to the Commission for review to pare it down and simplify. She noted those changes would include additional clear aesthetic direction so that it could not be challenged.

Mayor Sarbone asserted that if the City would potentially be preempted, they should have their regulations in place sooner rather than later.

Commissioner Welch referenced the example images shared by Ms. Herrington-Smith and stated she was not a fan of any more boxes on the ground. Commissioner Tooley asked if banners could be put on any of the poles, and Ms. Herrington-Smith stated it depended on the design but noted there were several concealment companies with designs that allowed for banners.

Vice Mayor Rydell shared details of a newspaper article he had read, stating The Villages used the existing light poles for the 5G network. He stated he would be interested in knowing more about how they did the architecture.

Commissioner Belvedere asserted it was important to consider the material used and how well it would hold up to weather conditions. She referenced a previous issue with light poles chipping over time.

## **ADJOURNMENT**

The meeting was adjourned at 6:51 p.m.

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Leslie Wallace May, MMC  
City Clerk

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Dated