

I HEREBY CERTIFY that the above
foregoing is a true and correct copy of

RESOLUTION NO. 2023-R-35

RESOLUTION NO. 3838

Resolution No. 3838

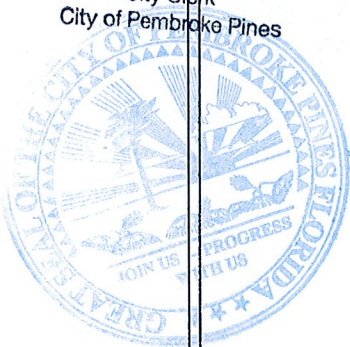
as recorded in the Office of the City Clerk.

Witness my hand and official seal this

11th day of *September*, *2023*

CITY OF PEMBROKE PINES
By: *[Signature]*

Marlene D. Graham City Clerk
City of Pembroke Pines



A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, REQUESTING THE BROWARD DELEGATION OF THE FLORIDA LEGISLATURE TO PRIORITIZE AND DRAFT A BILL TO BE CONSIDERED DURING THE 2024 LEGISLATIVE SESSION ADDRESSING THE REMOVAL OR RELOCATION BY UTILITY OPERATORS OF OBSOLETE OR OUT-OF-SERVICE UTILITY HARDWARE AND OTHER INFRASTRUCTURE; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in recent years, Florida Power & Light Company as well as other electric utility services providers have endeavored to harden aging utility infrastructure throughout the State of Florida by installing new power poles; and

WHEREAS, in many cases, the new hardened utility poles (the "New Poles") are replacing older utility poles (the "Redundant Poles") without relocating the wires and other appurtenances owned by other companies connected to the Redundant Poles (the "Pole Attachments"); and

WHEREAS, the utility services providers administering the hardening projects have no legal obligation to remove or relocate the remaining Pole Attachments; and

WHEREAS, State Law provides that the owners of the remaining Pole Attachments generally have 180 calendar days after receipt of an electronic or written notice from the pole owner to remove the Pole Attachments from the Redundant Poles; and

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WHEREAS, the utility services providers have no legal obligation to remove or relocate Pole Attachments connected to Redundant Poles if that remaining Utility Infrastructure was installed by a different permit holder and if the Pole Attachment does not presently belong to the existing service provider; and

WHEREAS, installation of New Poles and other utility hardware without the ability or legal requirement to remove or relocate Pole Attachments has resulted in the proliferation of Redundant Poles and Pole Attachments, including wiring, throughout the City of Pembroke Pines; and

WHEREAS, the proliferation of Redundant Poles and remaining Pole Attachments throughout the City poses a public safety risk to the City's residents because many of the remaining Redundant Poles and Pole Attachments located along City streets abut commercial and residential neighborhoods and no longer receive maintenance. The Redundant Poles and Pole Attachments may endanger the City's residents by creating hazardous conditions and may be compromised during a storm event such as a hurricane; and

WHEREAS, the proliferation of Redundant Poles and the remaining Pole Attachments negatively affects the aesthetically pleasing character of the City that residents expect and enjoy; and

WHEREAS, the Broward Legislative Delegation's local bill submission deadline is September 29, 2023; and

WHEREAS, the City Commission finds that it is in the best interest of

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the residents of Pembroke Pines that the City request the Broward Delegation of the Florida Legislature to prioritize and present a bill addressing the removal or relocation by Utility Services Providers of Pole Attachments from Redundant Poles.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The City Commission hereby requests the Broward Delegation of the Florida Legislature to prioritize and present a bill during the Florida Legislature's 2024 legislative session addressing the removal or relocation of Pole Attachments from Redundant Poles.

Section 3. The City Clerk is directed to submit a certified copy of this Resolution to the elected State Senators and Representatives of the Broward Delegation, Andrea Knowles Hill as Executive Director of the Broward Delegation, Sydni B. Wilson as Administrative Coordinator of the Broward Delegation, Louis Reinstein, Esq. as Delegation Counsel of the Broward Delegation, the Governing Body of each municipality within Broward County, and such other authorities as may be appropriate.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, other part or application of this

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Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective immediately upon its passage and adoption.

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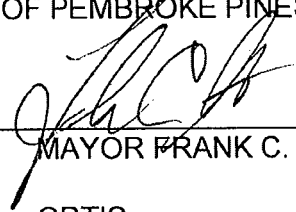
RESOLUTION NO. 3838

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, THIS 6TH DAY OF SEPTEMBER, 2023.

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:


9/7/23
MARLENE GRAHAM, CITY CLERK

By: 
MAYOR FRANK C. ORTIS

ORTIS AYE

CASTILLO AYE

SCHWARTZ AYE

SHECHTER AYE

SIPLE AYE

APPROVED AS TO FORM:


OFFICE OF THE CITY ATTORNEY

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1801.

2. The second part is a report from the Secretary of the Navy, dated January 1, 1801.

3. The third part is a report from the Secretary of the Treasury, dated January 1, 1801.

4. The fourth part is a report from the Secretary of the Interior, dated January 1, 1801.

5. The fifth part is a report from the Secretary of the War, dated January 1, 1801.

6. The sixth part is a report from the Secretary of the State, dated January 1, 1801.

7. The seventh part is a report from the Secretary of the Navy, dated January 1, 1801.

8. The eighth part is a report from the Secretary of the Treasury, dated January 1, 1801.

9. The ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

10. The tenth part is a report from the Secretary of the War, dated January 1, 1801.

11. The eleventh part is a report from the Secretary of the State, dated January 1, 1801.

12. The twelfth part is a report from the Secretary of the Navy, dated January 1, 1801.

13. The thirteenth part is a report from the Secretary of the Treasury, dated January 1, 1801.

14. The fourteenth part is a report from the Secretary of the Interior, dated January 1, 1801.

15. The fifteenth part is a report from the Secretary of the War, dated January 1, 1801.

16. The sixteenth part is a report from the Secretary of the State, dated January 1, 1801.

17. The seventeenth part is a report from the Secretary of the Navy, dated January 1, 1801.

18. The eighteenth part is a report from the Secretary of the Treasury, dated January 1, 1801.

19. The nineteenth part is a report from the Secretary of the Interior, dated January 1, 1801.

20. The twentieth part is a report from the Secretary of the War, dated January 1, 1801.

21. The twenty-first part is a report from the Secretary of the State, dated January 1, 1801.

22. The twenty-second part is a report from the Secretary of the Navy, dated January 1, 1801.

23. The twenty-third part is a report from the Secretary of the Treasury, dated January 1, 1801.

24. The twenty-fourth part is a report from the Secretary of the Interior, dated January 1, 1801.

25. The twenty-fifth part is a report from the Secretary of the War, dated January 1, 1801.

26. The twenty-sixth part is a report from the Secretary of the State, dated January 1, 1801.

27. The twenty-seventh part is a report from the Secretary of the Navy, dated January 1, 1801.

28. The twenty-eighth part is a report from the Secretary of the Treasury, dated January 1, 1801.

29. The twenty-ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

30. The thirtieth part is a report from the Secretary of the War, dated January 1, 1801.

31. The thirty-first part is a report from the Secretary of the State, dated January 1, 1801.

32. The thirty-second part is a report from the Secretary of the Navy, dated January 1, 1801.

33. The thirty-third part is a report from the Secretary of the Treasury, dated January 1, 1801.

34. The thirty-fourth part is a report from the Secretary of the Interior, dated January 1, 1801.

35. The thirty-fifth part is a report from the Secretary of the War, dated January 1, 1801.

36. The thirty-sixth part is a report from the Secretary of the State, dated January 1, 1801.

37. The thirty-seventh part is a report from the Secretary of the Navy, dated January 1, 1801.

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39. The thirty-ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

40. The fortieth part is a report from the Secretary of the War, dated January 1, 1801.

41. The forty-first part is a report from the Secretary of the State, dated January 1, 1801.

42. The forty-second part is a report from the Secretary of the Navy, dated January 1, 1801.

43. The forty-third part is a report from the Secretary of the Treasury, dated January 1, 1801.

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59. The fifty-ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

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68. The sixty-eighth part is a report from the Secretary of the Treasury, dated January 1, 1801.

69. The sixty-ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

70. The seventieth part is a report from the Secretary of the War, dated January 1, 1801.

71. The seventy-first part is a report from the Secretary of the State, dated January 1, 1801.

72. The seventy-second part is a report from the Secretary of the Navy, dated January 1, 1801.

73. The seventy-third part is a report from the Secretary of the Treasury, dated January 1, 1801.

74. The seventy-fourth part is a report from the Secretary of the Interior, dated January 1, 1801.

75. The seventy-fifth part is a report from the Secretary of the War, dated January 1, 1801.

76. The seventy-sixth part is a report from the Secretary of the State, dated January 1, 1801.

77. The seventy-seventh part is a report from the Secretary of the Navy, dated January 1, 1801.

78. The seventy-eighth part is a report from the Secretary of the Treasury, dated January 1, 1801.

79. The seventy-ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

80. The eightieth part is a report from the Secretary of the War, dated January 1, 1801.

81. The eighty-first part is a report from the Secretary of the State, dated January 1, 1801.

82. The eighty-second part is a report from the Secretary of the Navy, dated January 1, 1801.

83. The eighty-third part is a report from the Secretary of the Treasury, dated January 1, 1801.

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88. The eighty-eighth part is a report from the Secretary of the Treasury, dated January 1, 1801.

89. The eighty-ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

90. The ninetieth part is a report from the Secretary of the War, dated January 1, 1801.

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92. The ninety-second part is a report from the Secretary of the Navy, dated January 1, 1801.

93. The ninety-third part is a report from the Secretary of the Treasury, dated January 1, 1801.

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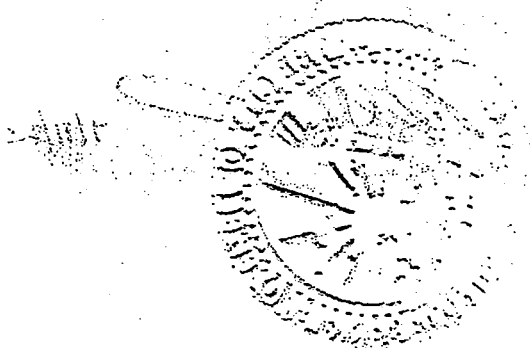
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98. The ninety-eighth part is a report from the Secretary of the Treasury, dated January 1, 1801.

99. The ninety-ninth part is a report from the Secretary of the Interior, dated January 1, 1801.

100. The hundredth part is a report from the Secretary of the War, dated January 1, 1801.



[Handwritten signature]



City of Pembroke Pines, FL

601 City Center Way
Pembroke Pines, FL
33025
www.ppines.com

Agenda Request Form

Agenda Number: 14.

File ID: 2023-R-35

Type: Resolution

Status: Passed

Version: 1

**Agenda
Section:**

In Control: City Commission

File Created: 08/29/2023

Short Title: Proposed Resolution 2023-R-35: Utility and
Communication Poles

Final Action: 09/06/2023

Title: MOTION TO ADOPT PROPOSED RESOLUTION 2023-R-35.

PROPOSED RESOLUTION 2023-R-35 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, REQUESTING THE BROWARD DELEGATION OF THE FLORIDA LEGISLATURE TO PRIORITIZE AND DRAFT A BILL TO BE CONSIDERED DURING THE 2024 LEGISLATIVE SESSION ADDRESSING THE REMOVAL BY UTILITY OPERATORS OF OBSOLETE OR OUT-OF-SERVICE UTILITY HARDWARE AND OTHER INFRASTRUCTURE; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

***Agenda Date:** 09/06/2023

Enactment Date: 09/06/2023

Agenda Number: 14.

Enactment Number: 3838

Internal Notes:

Attachments: 1. Reso - Utility and Communication Poles (00575421-4xC4B6A), 2. Utility and Communication Poles General Bill (00577576-2xC4B6A), 3. Utility and Communication Poles Local Bill (00577500xC4B6A)

Indexes:

Related Files:

1	City Commission	09/06/2023	adopt	Pass
Action Text: A motion was made by Commissioner Castillo, seconded by Vice Mayor Siple, to adopt Proposed Resolution No. 2023-R-35. The motion carried by the following vote:				
Aye: - 5 Mayor Ortis, Vice Mayor Siple, Commissioner Schwartz, Commissioner Good Jr., and Commissioner Castillo				
Nay: - 0				

SUMMARY EXPLANATION AND BACKGROUND:

1. In recent years, Florida Power & Light Company as well as other electric utility

services providers have endeavored to harden aging utility infrastructure throughout the State of Florida by installing concrete power poles.

2. In many cases, the new concrete poles (the "New Poles") are replacing older utility poles (the "Redundant Poles") without relocating the wires and other appurtenances owned by other companies connected to the Redundant Poles (the "Pole Attachments").

3. The utility services providers administering the hardening projects have no legal obligation to remove or otherwise relocate the remaining Pole Attachments

4. State Law provides that the owners of the remaining Pole Attachments have 180 calendar days after receipt of an electronic or written notice from the pole owner to remove the Pole Attachments from the Redundant Poles.

5. The utility services providers have no legal obligation to remove or otherwise relocate Pole Attachments connected to Redundant Poles if that remaining Utility Infrastructure was installed by a different permit holder and if the Pole Attachment does not presently belong to the existing service provider.

6. The City Commission finds that it is in the best interest of the residents of Pembroke Pines that the City request the Broward Delegation of the Florida Legislature to prioritize and present a bill addressing the removal by Utility Services Providers of Pole Attachments from Redundant Poles.

FINANCIAL IMPACT DETAIL:

- a) Initial Cost: None
- b) Amount budgeted for this item in Account No: Not Applicable
- c) Source of funding for difference, if not fully budgeted: Not Applicable
- d) 5 year projection of the operational cost of the project Not Applicable

	Current FY	Year 2	Year 3	Year 4	Year 5
Revenues					
Expenditures					
Net Cost					

- e) Detail of additional staff requirements: Not Applicable

FEASIBILITY REVIEW:

A feasibility review is required for the award, renewal and/or expiration of all function sourcing contracts. This analysis is to determine the financial effectiveness of function sourcing services.

- a) Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor

Conducted for this service? Not Applicable

b) If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service? Not Applicable