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To: <adam.lid@lacity.org>
Date: 11/14/2009 1:27 PM
Subject: Public Works Committee meeting Wed
Attachments: DRAFT cell tower motion1.doc; cell Taper.doc; cell bynner.doc

Adam,

The Northwest San Pedro Neighborhood Council is very concerned about the proliferation of cell towers and supports the Rosendal motion CF 09-2645. Unfortunately this appeared on the agenda before we submitted our community impact statement since we do not yet have the minutes of our recent meeting available (a requirement for submitting an impact statement). I am attaching the resolution we adopted and ask that you distribute it to the member of the committee. In addition to this resolution, we have opposed a proposed tower at Bynner & Western in San Pedro, advocating instead for a nearby location that would be less offensive and safer, and have requested that the city do everything in its power to have the recently installed facility on Taper Avenue relocated away from the school. Copies of letters regarding those two sites are also attached.

Thanks you for your assistance

Diana Nave, Secretary
Northwest San Pedro Neighborhood Council

**NORTHWEST SAN PEDRO NEIGHBORHOOD COUNCIL
MOTION REGARDING CITY POLICY REGULATING CELL TOWERS**

WHEREAS Cell towers are increasingly being constructed in or near residential areas throughout the City of Los Angeles, including many installations in public rights of way which are either unregulated or minimally regulated under the City's current regulatory scheme, and

WHEREAS the number of cell tower facilities required to accommodate growing telecommunications needs is rapidly expanding, and

WHEREAS concerns have been raised about the impact of cell towers on nearby residents, including noise, aesthetics and safety issues,

WHEREAS the recent Ninth Circuit decisions in *Sprint v. County of San Diego* and *Sprint v. City of Palos Verdes Estates*, provide municipalities with greater legal authority to regulate wireless telecommunications facilities based on aesthetic considerations than had been believed at the time the City's current ordinances were adopted, and

WHEREAS there is an urgent need for robust and comprehensive aesthetic and safety regulations, in light of the telecommunications industry's statement that projections for data traffic show a 30-fold increase in demand and efforts by the telecommunication to severely limit public input into the siting process,

Now Therefore Be It Resolved that the Northwest San Pedro Neighborhood Council:

1. That the City immediately impose a moratorium on all wireless telecommunications facility installations in the City and/or applications for approval of such installations in the City in order to allow time for the City Attorney's review and report and the crafting of a comprehensive new ordinance as set forth above.
2. Supports the motions contained in CF 09-2645 and the earlier CF 08-2440 and calls on the City Attorney to review and report to the City Council **within 30 days** on what new tools are available to regulate wireless telecommunication facilities in light of the *Sprint v. San Diego* and *Sprint v. Palos Verdes* cases.
3. In connection with the above review the City Attorney should continue to research the extent of the City's involvement in the Joint Pole Agreement and to what extent the City has authority to regulate wireless telecommunications facility installations involving utility poles and replacement poles notwithstanding the Joint Pole Agreement's provisions.

4 That the City establish a task force composed of appropriate city departments including, but not limited to, Department of Water and Power, Planning, Building and Safety, Harbor, Public Works, and the CAO, representatives of Neighborhood Councils, and other community organizations and stakeholder groups, to assist in the development of a city policy on the siting of telecommunications facilities.

5. That the City Attorney with input from the above referenced task force, prepare a comprehensive new ordinance to address the height, appearance, number, location and approval process for wireless communication facilities.

Unanimously Adopted 11/9/09



Northwest San Pedro Neighborhood Council

November 10, 2009

David Freeman
General Manager, Los Angeles Department of Water and Power
111 N. Hope Street
Los Angeles, CA 90012-2607

Dan Dixon
President

John Mavar
Vice President

Craig Goldfarb
Treasurer

Diana Nave
Secretary

CELL TOWER ON WESTMONT DRIVE

Recently T-Mobile erected a wireless telecommunications cell tower on the north curb of Westmont Drive almost directly across the street from the Taper Avenue Elementary School playground. NO ONE received prior notification, not the homeowners, the school, the school district, the Neighborhood Council, or even Councilwoman Hahn.

At our meeting on November 10, 2009 the Northwest San Pedro Neighborhood Council Board unanimously passed a motion requesting that the City do everything in its power to have this tower removed.

Because the playground is raised above street level, it is almost in a direct line with the cell tower emissions and is in direct violation of the Los Angeles Unified School district's adopted policy which opposes the siting of such facilities in close proximity to schools to ensure that children are protected from the potential adverse effects of low frequency electromagnetic and radio-frequency radiation.

We know that you share our concerns about the safety of our children and ask that you work to have T-Mobile remove this facility. Additionally, we request that in the future the appropriate Neighborhood Councils be notified of any request to erect wireless facilities in their community including those covered by the Joint Pole Agreement

Very truly yours,

Dan Dixon, President

cc: Councilwoman Janice Hahn



Northwest San Pedro Neighborhood Council

November 10, 2009

Mr. Fernando Flores Permit Coordinator
4133 Guardian Street
Simi Valley, CA 93063

PROPOSED CELL TOWER AT BYNNER AND WESTERN

The Northwest San Pedro Neighborhood Council is one of 90 official neighborhood councils under the charter of the City of Los Angeles . Our 17 member board is elected to represent approximately 20,000 residents as well as the businesses and other organizations that are located within our geographic area.

At our meeting on November 10, 2009 the Northwest San Pedro Neighborhood Council Board unanimously passed a motion opposing the siting of a cell tower at Bynner and Western.

The proposed tower poses safety concerns both in terms of the number of traffic accidents that occur at this intersection and the exposure of the residents of the adjacent house.

The proposed above ground equipment would create a horrific scar on a beautiful parkway and the tower itself creates tremendous visual blight in a well manicured single family community.

We believe that there are potentially less offensive and less dangerous sites that could be utilized in conjunction with more visually appealing equipment. We urge T-Mobile to work with the community in advance of selecting any location for telecommunications equipment.

Very truly yours,

Dan Dixon, President

cc: Councilwoman Janice Hahn

Dan Dixon
President

John Mavar
Vice President

Craig Goldfarb
Treasurer

Diana Nave
Secretary