



PROLIFERATION OF CELL PHONE SITES IN THE OAKS NEIGHBORHOOD

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RE.: AGENDA ITEM #10 (FILE NO. 09-2645)

STATEMENT SUBMITTED BY ALEXANDER VON WECHMAR
ON BEHALF OF THE OAKS HOMEOWNERS ASSOCIATION

PROLIFERATION OF CELL PHONE SITES IN THE OAKS NEIGHBORHOOD

The law says: Caring for the sidewalk and parkway in front of a home is the responsibility of the owner of the adjacent property. But he has no right to deny a private company access to that parkway and sidewalk?

Here is some of the reasons why we oppose the uncontrolled proliferation of cell sites in our neighborhood:

- ▶ Most cell towers are a terrible eyesore. They have ruined the view of the iconic Hollywood sign which can be seen from some streets of our neighborhood and from homes on nearby hillsides.
- ▶ Some of the cell sites include underground vaults with built-in fans to cool the electronic equipment inside. The noise these fans emit day and night has become a nuisance to those who live nearby.
- ▶ Some of those residents are also worried about the RF signals that the transmitters emit. Studies suggest that constant and long-term exposure to such radiation may cause cancer and other health problems.
- ▶ The existence of a cell tower has an adverse effect on the value of surrounding residential properties. Homeowners are not entitled to any compensation for that loss if the cell site can be installed in the public "right of way", but they can expect to be paid thousands of Dollars every year if they allowed a carrier to erect a cell phone tower in their backyard or on the rooftop of their homes.
- ▶ As cell phone companies compete over the best locations for their equipment, residents who live at "strategic locations" find themselves surrounded by multiple cell sites operated by competing carriers - and exposed to multiple doses of continuous radiation from the transmitters of these companies. There are already four cell sites on one of the streets in our neighborhood (Canyon Drive, often referred to by local residents as "Cell Site Alley"), three of them along a stretch of only 500 feet. Homeowners who live there feel unfairly impacted by the clustering of these cell sites.

These are just some of the reasons why cell phone carriers should not be allowed to invade a residential neighborhood with their equipment without any oversight by a local government agency and/or prior consultation with the people the phone companies say they want to serve.

We, the residents, should have a say about where cell towers are erected in our neighborhood, and how they look like. It's our neighborhood, not an industrial park for cell phone companies. Most of us want improved cell phone coverage but not necessarily at the expense of the beauty of our neighborhood. We like to have a choice and be able to say "No" to these companies when the proposed location and appearance of the equipment is not acceptable to those of us who live next to the sites.

Permission to access an existing utility pole in the public "right of way" is not granted by City officials but is a matter of negotiation among utilities who are members of the Southern California Joint Pole Committee (SCJPC), a non-government agency. All decisions with respect to the location and size of cell phone transmitters in the public "right-of-way" are made behind closed doors, allowing owners of utility poles, including the LADWP, to sell or lease "space" on their poles to other utility companies without any scrutiny by the public. In fact, not even members of the Los Angeles City Council have access to the minutes of SCJPC meetings.

It is not known to the public how much revenue the LADWP receives from cell phone companies for allowing the carriers to attach their transmitters to City-owned public utility poles or for providing them with power to operate their cell sites. It is also not matter of public record how much of that revenue is shared - and lost to - the SCJPC.

We believe the City should cancel its membership in the Southern California Joint Pole Committee, which would mean: No more deals behind closed doors, and no more broker fees to pay. The City owns or co-owns most of the estimated 280,000 utility poles on LA's streets. It does not need an outside broker to negotiate contracts with utilities who want to do business here. Without the SCJPC, the approval process would be open and would allow city officials as well as residents to have a say over the location and appearance of each and every cell site. And that's how it should be.

Notably, no other large city in Southern California is a member of the SCJPC. Beverly Hills, Pasadena and Santa Monica, for example, have chosen to set their own rules and regulations for the use of city-owned utility poles by cell phone companies, and they maintain full control over the implementation of these rules and regulations.

From what we have been told, the City of Los Angeles does not even maintain a complete inventory of the poles in the city. The LADWP should be instructed to compile and maintain a complete list of all utility poles in the city, with the names of the current users and the revenue the LADWP receives from them included. Los Angeles is an extremely lucrative market for cell phone service providers; the rate structure for using public utility poles by outside parties should reflect that. As a result, maybe some of the rate increases the LADWP has recently proposed can be avoided or postponed.

Thank you for listening to our voice in this matter.

Sincerely,

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