

CITY OF LOS ANGELES

CALIFORNIA



Committee Members:

Ronald Ziff – Chair

Alicia Bartley
Craig Buck
Jackie Campbell
Robert Cohen
Jackie Diamond
Art Fields
Jeff Kalban
Mikie Maloney
Dave Rand

Sherman Oaks Neighborhood Council Land Use Committee

SHERMAN OAKS NEIGHBORHOOD COUNCIL

P O Box 5721
Sherman Oaks, CA 91413
(818) 503-2399
www.shermanoaksnrc.org

OR CONTACT

**Department of Neighborhood
Empowerment**
334-B E. Second Street
Los Angeles, Ca 90012
(213) 847-7164 phone
(213) 485-4608 fax
or call 311 for information

January 11, 2011

City of Los Angeles
Board of Public Works
Room 361-P, Mailstop 464
200 North Spring Street
Los Angeles, CA 90012-4801

Dear Sirs:

The Sherman Oaks Neighborhood Council Land Use Committee has received communications from a number of our stakeholders regarding the notification process for the installation of a cell phone tower at 14830 Albers Street in Sherman Oaks. They state that there have been omissions of necessary recipients from the mailing list as well as notifications that were not delivered due to being mis-addressed.

The committee met on December 16 and passed the attached motion. The attached motion and this letter were presented to and reaffirmed by the Neighborhood Council Board on January 10.

We hereby request that The Board of Public Works hold a formal, thorough investigation to determine whether the application and installation processes for the Albers St. T-Mobile Cell Tower and AGF facilities, and the required Los Angeles City specifications, procedures, and notifications were in all respects followed by T-Mobile and the City agencies, committees and regulatory bodies charged with oversight responsibility for the installation and construction of such facilities were done properly.

If it is determined that the process was flawed, we hereby request that our stakeholders be given every remedy available to them under the law.

Yours truly
Ronald Ziff
Chair Land Use Committee
Sherman Oaks Neighborhood Council

SHERMAN OAKS NEIGHBORHOOD COUNCIL
LAND USE COMMITTEE MOTION

WHEREAS, the Sherman Oaks Neighborhood Council (SONC) Land Use Committee (LUC) held its regularly scheduled meeting on December 16, 2010, at which a quorum of Committee members was present and a large group of Sherman Oaks Community Stakeholders attended to voice their opposition to and concerns regarding a T-Mobile Cell Tower and Above Ground Facility (AGF) erected and located on Albers St. east of Bevis Ave., within SONC's boundaries and jurisdiction, and

WHEREAS, several of these Stakeholders spoke at the meeting to explain the reasons for their opposition to and concerns about said Cell Tower and AGF Facility, and particularly with regard to the community notification procedures utilized by T-Mobile with regard thereto, and

WHEREAS, the Stakeholders offered for consideration by LUC a detailed, multi-page written booklet presentation (which was handed to each LUC member) of the factual and legal basis for their opposition and concerns, which also contained their requests that certain actions be taken by the LUC with regard to said Cell Tower and AGF Facility; and

WHEREAS, after questions were asked of the Stakeholders and after discussion among the LUC members, a motion was duly made by member Robert Cohen which addressed the Stakeholders' stated concerns and requests for SONC's assistance, it was seconded, and after a friendly amendment was proposed by LUC Vice-Chair Arthur Fields and accepted by member Cohen, the question was called and the LUC members voted on the following motion:

NOW, THEREFORE, IT IS HEREBY MOVED that the Land Use Committee of the Sherman Oaks Neighborhood Council:

- (i) Supports our Stakeholders' efforts to request and ensure that full and proper due diligence be performed by the city governmental agencies, committees and regulatory bodies which are charged with the duty And responsibility for reviewing the T-Mobile applications and requisite notifications required for permits and/or zoning variances for this Cell Tower and AGF, and if it is determined that due process during the application/permitting process has been breached, and/or that required notifications have not been duly or timely provided by T-Mobile to the Stakeholders affected by such facilities, then appropriate redress should be provided by such governmental agencies, committees and bodies, as

necessary and appropriate to remedy any such breaches and/or notification failures;

- (ii) Requests that the Los Angeles Board of Public Works initiate and perform a formal, thorough investigation to determine whether the application and installation processes for the Albers St. T-Mobile Cell Tower and AGF facilities, and the required Los Angeles City specifications, procedures, and notifications were in all respects followed by T-Mobile and the City agencies, committees and regulatory bodies charged with oversight responsibility for the installation and construction of such facilities; and
- (iii) Recommends to the SONC Board that SONC join with other Los Angeles Neighborhood Councils, whether as part of the Valley Alliance of Neighborhood Councils or otherwise, to request that the City Council enact a comprehensive new AGF/WTF ordinance, with appropriate protections and safeguards for the communities and residential neighborhoods affected thereby, to the fullest extent permitted by applicable law.

Accordingly, the foregoing motion was unanimously approved by the Sherman Oaks Neighborhood Council Land Use Committee members present and voting at this LUC meeting.