



Michael Espinosa <michael.espinosa@lacity.org>

Fw: CF 09-2645 - AGF Ordinance Revision/Request for Action by the Committees

1 message

Chris Spitz <ppfriends3@hotmail.com>
To: "michael.espinosa@lacity.org" <michael.espinosa@lacity.org>

Sat, Feb 3, 2018 at 12:00 PM

Please see message below/request for filing in above Council file.

Thank you,
Christina Spitz

From: Chris Spitz <ppfriends3@hotmail.com>

Sent: Saturday, February 3, 2018 11:46 AM

To: councilmember.huizar@lacity.org; councilmember.english@lacity.org; councilmember.blumenfield@lacity.org; councilmember.price@lacity.org; marqueece Harris-Dawson; councilmember.buscaino@lacity.org; councilmember.martinez@lacity.org; councilmember.ryu@lacity.org; councilmember.rodriguez@lacity.org

Cc: Mike Bonin; Paul Koretz; tricia.keane@lacity.org; shawn.kuk@lacity.org; hannah.lee@lacity.org; jeff.jacobberger@lacity.org; lakisha.hull@lacity.org; dennis.gleason@lacity.org; nicholas.greif@lacity.org; alexis.marin@lacity.org; felicia.orozco@lacity.org; Ted Jordan; chair@westsidecouncils.com; vicechair@westsidecouncils.com; michael.espinosa@lacity.org; zina.cheng@lacity.org; Krista Phipps; Krista Kline; Lisa Cahill

Subject: CF 09-2645 - AGF Ordinance Revision/Request for Action by the Committees

Dear Committee Chairs Blumenfield and Huizar and respective members of the PW&GR and PLUM Committees:

Introduction: I am an attorney, Chair/President Emeritus of Pacific Palisades Community Council (PPCC) and PPCC's alternate representative to the Westside Regional Alliance of Councils (WRAC). I've been advocating for many years for revision of the City's Above Ground Facilities (AGF) ordinance (the subject of CF 09-2645) to better regulate cell towers in the public right of way. All thirteen neighborhood and community council members of WRAC, including PPCC, **unanimously support** AGF ordinance revision.

On November 14, 2017, WRAC Chair (and South Robertson NC President) Doug Fitzsimmons urged your Committees to take up this matter in joint session without further delay. See: http://clkrep.lacity.org/onlinedocs/2009/09-2645_misc_11-14-2017.pdf.

I join in this request.

Perspective: It has been **nine years** since CF 09-2645 was initiated by motion of then-CD11 Councilmember Bill Ronsendahl. In 2012, the City Council acted on the file and **unanimously directed revision of the AGF ordinance** (most importantly, to expand notice and aesthetic requirements and to eliminate the existing utility pole exemption). Three years later, in late 2015, Assistant City Attorney Ted Jordan completed his work and submitted the (final) draft revised ordinance for Committee consideration. For more details/background, please see: <http://pacpalicc.org/wp-content/uploads/2016/10/Talking-Points-re-Revised-AGF-Ordinance-2.pdf>. See also PPCC's February 2016 position letter supporting the revised draft: <http://pacpalicc.org/wp-content/uploads/2016/03/letterrevisedAGFordinance.pdf>.

The two Committees were expected to take up the matter again in early 2016, but did not; two years later, substantive action has still not been taken. CF 09-2645 (set to expire in December 2017) was recently extended at the last minute for a *second time in the file's history* (by motion of Councilmember Bonin) until 2019 — or, if action is not taken sooner, *ten years* after the file was first initiated.

The inexplicably long delay is frankly troubling and, at the very least, reinforces the public's lack of confidence in government.

Respectfully, I know of no reason (other than scheduling considerations) why the PW&GR and PLUM Committees cannot act now on this matter. The City Council has previously opposed, on “home rule” grounds, state legislation that would have severely restricted the City’s ability to regulate cell towers in the public right of way. This past fall, Gov. Brown vetoed the most recent of these bills, SB 649 (opposed by the City, the Mayor and the County of Los Angeles). Again, the City Council *six years ago* unanimously directed AGF ordinance revision. To my knowledge, there are currently no impediments, legislative or otherwise, to the City exercising its “home rule” authority by taking action on CF 09-2645 and, at long-last, adopting the much-needed revisions.

Thank you in advance for your serious consideration and anticipated prompt attention to this important matter.

Sincerely,

Christina Spitz

For identification only:

PPCC Chair/President Emeritus and Alternate Representative to WRAC

Co-Founder, Los Angeles Wireless Telecommunications Facilities Working Group

cc: Councilmembers Mike Bonin (CD11) and Paul Koretz (CD5); key staff members; Assistant City Attorney Ted Jordan; WRAC Chair and SORONC President Doug Fitzsimmons; WRAC Vice-Chair and PPCC Chair Maryam Zar; and Michael Espinosa and Zina Cheng, Legislative Assistants — **with request for filing in CF 09-2645**