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Sent: Thursday, September 04, 2014 8:44 AM

Subject: AGF Ordinance Revision (CF09-2645)

Dear Councilmember:

The Los Angeles Wireless Telecommunication Facilities Working Group is a group of community representatives from all over the city, among them members of Neighborhood Councils, Homeowners Associations, Community Councils, and delegates of the Federation of Hillside and Canyon Associations.

They all are concerned about the currently rampant and uncontrolled proliferation of cellphone towers in residential neighborhoods.

The group was formed five years ago to push for a revision of the current AGF Ordinance and to offer input to city lawmakers, from a resident's perspective.

In early June the City Attorney presented a first draft of a new, revised AGF Ordinance. After a thorough review and consulting an expert attorney, we have concluded: The Ordinance, as drafted, contains welcome provisions (from a homeowner's perspective) but raises also some serious concerns:

1. "SMALL CELL" EXEMPTION

The majority of transmitters that have been installed along residential streets in recent years appears to be small enough to qualify for the proposed "Small Cell" exemption.

That means: The new Ordinance will allow cellphone companies to continue crowding our neighborhoods with pole-mounted antennas without obtaining a permit from the City, and with no restrictions to the number of sites or the spacing between them.

We believe the "Small Cell" exemption has the potential of undermining the original purpose and intent of the new law, which is to protect residents from a rampant and unregulated proliferation of cell sites in their neighborhoods.

2. CLUSTERING OF CELLPHONE SITES

Cellphone companies prefer sites for their equipment that are easily accessible and not surrounded by trees or buildings that could weaken or even block the signal of their antennas. Residents who live at or near such "prime locations" often find themselves surrounded by transmitters of competing carriers.

Those homeowners see a brunt of negative effects on their lives and their properties, including a nonstop exposure to multiple doses of RF signal emissions and a decrease in value of their property (loss of curb appeal of their homes). They are certainly more impacted than other residents of the same neighborhood who happen to live further away from these sites. (Residents who live near a transmitter do not even enjoy improved cellphone service as their neighbors do because the beams of cellphone antennas do not cover the immediate surroundings of a cell site.)

The "Density Threshold" provision in the Ordinance does limit the number of cell sites that may be installed along a city block (see Section IV.J.), but that does little to protect residents against the unreasonable clustering of cellphone transmitters near their homes.

Affected residents should not have to rely on determinations by the Board of Public Works with respect to this issue. A provision is needed that sets a minimum for the spacing between cell sites to at least 300 feet. Restrictions could be imposed on cellphone transmitters in residential neighborhoods only.

3. UPGRADES OR REPAIRS OF FUTURE CELL SITES

The draft Ordinance states that rules and regulations under Section IX, A. apply only to upgrades or repairs of "existing AGFs installed prior to the adoption of this Section".

The rules and regulations under this Section should also apply to upgrades or repairs of future AGFs (including cell sites that will be installed after the new Ordinance has been adopted).

Otherwise, cellphone companies could make use of the above-mentioned "Small Cell" exemption and attach a small "antenna or wireless communication device" to a pole without obtaining a permit from the City - only to upgrade the site, a short time later, to a full-size celltower - without the need of going through the hoops of a permit process.

There is no apparent reason not to close this potential loophole in the new Ordinance.

Thank you for considering these issues before allowing this Ordinance to go forward to the full Council for a final vote.

Respectfully yours,

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