

RESOLUTION

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the City of Los Angeles and other cities have long advocated for local control of siting wireless telecommunications facilities or cell towers in the public right-of-way; and

WHEREAS, currently pending in the California Legislature is a bill, AB 2788 (Gatto): Wireless telecommunications facilities - as amended on June 15, 2016, which would preempt local authority, shut out public input by eliminating consideration of the aesthetic and environmental impacts of "small cells," require cities and counties to lease or license publicly-owned facilities for the installation of such facilities, and impose arbitrary time limits for the issuance of permits; and

WHEREAS, local community groups such as the Pacific Palisades Community Council as well as the California Chapter of the American Planning Association, the California State Association of Counties, the Urban Counties Caucus, and the League of California Cities have expressed strong opposition to this bill; and

WHEREAS, AB 2788 goes too far by requiring local governments to approve "small cells" in all land use zones through a ministerial permit, thereby shutting the public out of decisions that could affect the aesthetics of their community and the quality of their environment; and

WHEREAS, AB 2788 would deny local governments locational and aesthetic authority over most wireless telecommunications facilities located in all public rights of way throughout the state (in front of homes, adjacent to parkland and scenic highways, as well as on all public property, including city and county parks and recreational facilities and all schools; and


WHEREAS, AB 2788 has the following key objectionable features, among others:

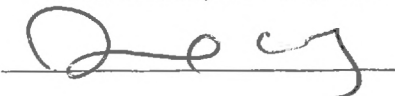
- ▶ Eliminates Local Agency Review, Shuts Out The Public, & Is An End Run Around Environmental Review,
- ▶ Mandatory Leasing of City or County Property at Little to No Cost,
- ▶ Unreasonable and Arbitrary Timelines and Remedies; and

WHEREAS, AB 2788 is set for hearing on June 21, 2016 before the Senate Energy, Utilities, and Communications Committee;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-2016 State Legislative Program OPPOSITION to AB 2788 (Gatto): Wireless telecommunications facilities - as amended on June 15, 2016, which would preempt local authority, shut out public input by eliminating consideration of the aesthetic and environmental impacts of "small cells," require cities and counties to lease or license publicly- owned facilities for the installation of such facilities, and impose arbitrary time limits for the issuance of permits.

JUN 21 2016

PRESENTED BY: 
 MIKE BONIN
 Councilman, 11th District

SECONDED BY: 

ORIGINAL