

09-2649

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September 10, 2009

The Honorable Bill Rosendahl
City of Los Angeles
200 N. Spring Street, Room 415
Los Angeles, CA 90012

The Honorable Bill Rosendahl
City of Los Angeles
1645 Corinth Avenue, Room 201
West Los Angeles, CA 90025

Dear Councilman Rosendahl:

I am a long time resident of the Pacific Palisades. I am writing to express my outrage at suddenly learning, upon my return from an extended summer trip, that a huge, obtrusive cell tower with multiple antennas will be installed by T-Mobile in the corner parkway only a few feet from my home. This is being done without any prior notice, permission or local regulation.

I have read the recent article in the Palisadian Post and appreciate the fact that you and Ted Jordan of the City Attorney's office are working on the issue of cell tower regulation in Los Angeles. Allow me to directly express my serious concerns and to put an actual human face on the problem:

· My husband and I built our home 20 years ago on the SW corner of El Medio Ave. & Wynola Street. That same year we were awarded the Palisades "Beautification Award" for the design and quality of our home. We live in a lovely neighborhood where currently utility poles and power lines are relatively unobtrusive. There is an old, fairly short, "support pole" (without transmission equipment) in the corner parkway which has little if any impact on our home and our neighbor's homes from an aesthetic standpoint.

· I have now learned that T-Mobile is planning on removing the support pole and replacing it with a much taller new pole to support additional electrical conduits and an antenna array or "crown" at the top...a cell tower! Apparently, T-Mobile representatives confirmed to community leaders (at a July meeting in your offices, which was organized by your planning deputy, Whitney Blumenfeld) that it will be installing the new tower on my corner.

· We do not have cell coverage problems, and as far as I'm aware my neighborhood does not have particular or substantial issues with cell service, whether from T-Mobile or from other wireless providers. I don't want a cell tower near my home or anywhere on my street, and I believe my neighbors share this view. I strongly feel that the citing of cell towers within residential communities is completely inappropriate, and I would not want to see this tower installed and become a precedent for future such installations in Pacific Palisades or any other residential areas of Los Angeles.

· We and our neighbors received no notice whatsoever that a cell tower (or any pole with antennas) would be installed. I am told that a few residents (across the street) may have received limited notice only that an ancillary "power cabinet" would be built in the parkway on Erskine Dr., but again, my husband and I received no notice at all that any type of structure was going to be built in the public parkway anywhere near our home...let alone a cell tower!

· I am also told that because the planned cell tower on my corner involves a "replacement utility pole" installation, such as occurred on Via de la Paz and DePauw a few months ago, it is considered by DWP and other City officials to be "off limits" to regulation; it does not require any notice to the residents or any permission by the local authorities; residents' concerns are not considered at all; and it supposedly cannot be prevented, primarily because of claimed limitations imposed by the so-called "joint pole agreement" between the City and utilities such as T-Mobile.

· It is incredible to me that this would be the case or that the City would have no ability whatsoever to impose reasonable restrictions on this type of harmful installation in residential neighborhoods. My neighbors will be equally outraged when they learn that there is supposedly nothing that we can do to stop this eyesore from being built in our neighborhood.

· Apparently, T-Mobile representatives confirmed at the July meeting in your office that the cell tower on my corner will look the same as the cell tower on Via de la Paz & DePauw; a truly ugly structure that is vastly more obtrusive than the shorter support pole that now exists at the site.

In fact, my upstairs bedroom windows will now look out directly at the cell antennas, which will be located only a few feet away. In short, the tower will be an aesthetic blight on the entire neighborhood. Our corner is the entrance to the El Medio Bluffs where people walk to enjoy the ocean and Santa Monica Mountain views, a cell tower has no place in this environment!

· I am also very concerned that the cell tower will be a source of serious noise pollution. I understand that your office has received complaints from residents (most recently a resident on Bienvenida) who have experienced substantial noise from the power boxes placed on cell towers near their homes, at such levels that they were unable to sleep. This is apparently of great concern to a resident who lives at the top of El Medio Ave. where T-Mobile is also planning to install another tower only about a mile from my home. This is something I'm told your office has been made aware of. In addition, as far as I can tell there is nothing that would prevent T-Mobile from allowing or renting out space to other providers in the future to attach additional cell antennas and power boxes or other equipment onto the pole, adding to the visual blight and increasing the potential for noise pollution.

I am grateful that our community leaders (PPRA and PPCC) have called for changes in the City's regulatory scheme, and in particular for the PPRA's efforts to uncover or shed light on supposed limitation of the "joint pole agreement". I also understand that a moratorium on cell tower installations has been called for, pending the City's review and possible enactment of new regulations, which I completely support.

I implore you to take immediate steps to ensure that a moratorium is in fact put in place without further delay. We and our fellow residents are being directly impacted by T-Mobile's actions. We are told that they have already received permission for the power cabinet, and they appear to be ready to begin the installation any day now. You can imagine our extreme frustration if the tower were to be installed while substantive changes in the law are being contemplated but before a moratorium could be in place!

At the very least, I request that you contact T-Mobile and urge them to put this project on hold during the ongoing review of the City's regulations.

I understand that DWP and the City's belief that they have no real ability to regulate utility pole installations may be seriously flawed or may rest on shaky legal underpinnings (which I am told has been communicated to your office and Ted Jordan). This is all the more reason why every effort should be made to stop this harmful installation now!!

Thank you very much for your consideration and attention to this important matter. I look forward to your response.

Sincerely,

Diane Brown

DianePacPal@aol.com

cc: Al Padilla, California Coastal Commission

Norman Kulla, Sr. Counsel to Councilman Rosendahl

Barbara Kohn, President, PPRA

Chris Spitz, Vice-President, PPRA

Ted Jordan, City Attorney