



Mar Vista Community Council



Regular Meeting of the Board of Directors

Tuesday August 8th, 2017, at 7:00 P.M.
Mar Vista Recreation Center Auditorium
11430 Woodbine Street, Mar Vista, CA 90066

AGENDA

1. **Call to order and Welcome** – Chair (1 min)
2. **Presentation of flag and Pledge of Allegiance** (1 min)
3. **Approval of July 11th, 2017 Board of Directors Meeting Minutes** (public comment permitted; 1min per speaker).
4. **Public Comment & Announcements** - for items not on the agenda (max 30 seconds each, 30 minutes total, unless waived by the Chair)
5. **Community Memorial Observations**
6. **Appointment of Community Director**
All Candidates who have submitted a statement of candidacy will have the option to make a short statement. The Chair will then make the appointment, subject to approval by the Board.
7. **Discussion of Fall Festival Sponsorship** – possible administrative motion to follow
8. **Elected Officials and City Department Reports** (max 1 min. each unless waived by the Chair)
 - a. Mar Vista Recreation Center – Director Caroline.Lammers@lacity.org
 - b. [CD 5](#) – Councilmember Paul Koretz, rep by joseph.galloway@lacity.org
 - c. [CD 11](#) – Councilmember Mike Bonin, rep. by Field Deputy Len.Nguyen@lacity.org
 - d. [LA City Board of Public Works](#) - Liaison to CD 2, 5, 11, Commissioner joel.jacinto@lacity.org
 - e. [Mayor of Los Angeles](#) – Eric Garcetti, rep. by Daniel.tamm@lacity.org
 - f. [2nd Dist. L. A. County Board of Supervisors](#) - Supervisor Mark Ridley Thomas, rep. by Karly.Katona@bos.lacounty.gov
 - g. [CA Assembly 54](#) - Assembly Member Sebastian Ridley-Thomas, rep by Brian Ross Adams Brian.adams@asm.ca.gov
 - h. [CA Assembly 62](#) - Assembly Member Autumn Burke, rep by District Director Robert.Pullen-Miles@asm.ca.gov
 - i. [US 33](#)– Ted Lieu, rep. by joey.apodaca@mail.house.gov
 - j. [US 37](#) - Karen Bass, rep by District Director Maral V. Karaccusian maral@mail.house.gov
 - k. Department of Neighborhood Empowerment (DONE), rep by jasmine.elbarbary@lacity.org
9. **Liaison Reports** (Public comment permitted; 1min per speaker)
 - a. [Mar Vista Bi Monthly LADOT/CD11/LAPD Traffic Committee](#): Linda Guagliano lindaguag@netzero.net
 - b. [DWP MOU](#): Chuck Ray
 - c. [LANCC](#): Chuck Ray
 - d. [One Water LA](#): Christopher McKinnon
 - e. [WRAC](#): Rob Kadota
 - f. WRAC LUPC: Sharon Commins
 - g. [City Budget Advocates](#): Holly Tilson
 - h. [Recode LA](#): Sharon Commins
 - i. [Animal Services](#): Tom Ponton
 - j. [Fall Festival](#): Albert Olson

- k. [Friends of Historic FS 62](#): Albert Olson
 - l. Mar Vista Celebrates 90: Open
 - m. [Mar Vista Chamber of Commerce](#): Sarah Auerswald
10. **Officer Reports** (Action items included with public comment permitted; 1min per speaker)
- a. Chair - Sarah Auerswald
 - b. First Vice Chair – Rob Kadota
 - c. Second Vice Chair – Sherri Akers
 - d. Secretary – Melissa Stoller
 - e. Treasurer – Holly Tilson
 - i. Report on current financial status
 - July bank statement
 - ii. **APPROVAL** of July Monthly Expense Report (MER)
11. **Committee Reports:** (may include motions to refer committee where desirable; public comment permitted)
- a. **Green Committee** – Melissa Stoller, Jeanne Kuntz & Sherri Akers, Co-chairs
 - b. **Elections and By-laws Committee** - Rob Kadota, Chair; Holly Tilson, Vice-chair
 - c. **Community Outreach Committee** – Sarah Auerswald, Chair
 - d. **Committee on Public Safety** – Bill Koontz, Chair; Elliot Hanna, Vice-chair
 - e. **Great Streets Ad Hoc Committee** – Michelle Krupkin & Greg Tedesco, Co-chairs
 - f. **Aging in Place** - Sherri Akers, Tatjana Luethi & Birgitta Kastenbaum, Co-chairs
 - g. **Homeless Solutions Ad Hoc Committee** – Robin Doyno & Susan Klos, Co-chairs, Joe Cuanan, Vice-chair
 - h. **Website Ad Hoc Committee** – Sarah Auerswald, Chair
 - i. **Planning and Land Use Management Committee** – Damien Newton, Chair; Michael Millman & Latrice Williams, Vice-chairs
 - j. **Transportation & Infrastructure Committee** – Ken Alpern, Chair; Michelle Krupkin, Vice-chair
 - k. **Bike Mar Vista** - Mitchell Rishe, Chair
 - l. **Education, Arts and Culture Committee** –Robin Doyno & Paola Cervantes, Co- chairs; Lenore French, Vice-chairs
 - m. **Airport Committee** – Holly Tilson & Martin Rubin, Co-chairs
 - n. **Recreation Open Space Enhancement Committee** – Jerry Hornof & Tom Ponton, Co-chairs
 - o. **Historic FS 62 Ad Hoc Committee** – Rachel Swanger & Roy Persinko, Co-chairs
12. **Zone Director Reports** – (may include motions to refer action items to the appropriate MVCC committee where desirable; public comment permitted)
- a. Zone 1 – Ken Alpern
 - b. Zone 2 – Damien Newton
 - c. Zone 3 – Melissa Stoller
 - d. Zone 4 – Greg Tedesco
 - e. Zone 5 – Michelle Krupkin
 - f. Zone 6 – Holly Tilson
13. **New Business** - Action items, which may include motions to refer items to the appropriate MVCC committee where desirable; Public comment permitted, 1 min per speaker unless waived by the Chair). Items may be received and filed by consent if no discussion or public comment.
- CONSENT CALENDAR:** Directors may request removal of any item from the consent calendar. MVCC approves Items 13.a-ae on consent.
- a. **Administrative Motion:** 2nd Signer (director motion submitted by Melissa Stoller)

MVCC approves making Sarah Auerswald the 2nd signer on the MVCC account.

- b. **Administrative Motion:** Budget Package (submitted by Executive & Finance Committee)
MVCC approves the 2017/18 budget package and strategic plan (see <http://marvista.org/docs/34485418-9077.pdf>).
- c. **Funding Motion:** Storage Unit (submitted by Executive & Finance Committee)
MVCC approves expenditure of \$2280 for Storquest Storage Unit, to be paid at \$190/month.
- d. **Funding Motion:** Website Hosting & Maintenance (submitted by Executive & Finance Committee)
MVCC approves expenditure of \$1650 for website hosting and maintenance, to be paid to The Web Corner at \$150/month.
- e. **Funding Motion:** Dedicated Emails (submitted by Executive & Finance Committee)
MVCC approves expenditure of \$385 for dedicated emails, to be paid to The Web Corner at \$35/month.
- f. **Funding Motion:** Old Website Hosting (submitted by Executive & Finance Committee)
MVCC approves expenditure of \$32.09 for hosting old website for 1 month, to be paid to RIMU.
- g. **Funding Motion:** Email Service (submitted by Executive & Finance Committee)
MVCC approves expenditure of up to \$480 for email service, to be paid to Mailchimp at \$40/month.
- h. **Funding Motion:** Coffee Connection Meeting Room (submitted by Executive & Finance Committee)
MVCC approves expenditure of up to \$600 for meeting location fees, to be paid to The Vineyard Church at \$50/month.
- i. **Funding Motion:** St. Andrews Church Meeting Room (submitted by Executive & Finance Committee)
MVCC approves expenditure of up to \$300 for meeting location fees, to be paid to St. Andrew's Church at \$25/month.
- j. **Funding Motion:** Printing (submitted by Executive & Finance Committee)
MVCC approves expenditure of up to \$1000 for printing costs, to be paid to Copyland at \$83/month.
- k. **Funding Motion:** MailChimp Reimbursement (submitted by Executive & Finance Committee)
MVCC approves up to \$100 to reimburse Melissa Stoller for paying the MVCC MailChimp expenses until the new MVCC credit card is set up.
- l. **Funding Motion:** RIMU Hosting Reimbursement (submitted by Executive & Finance Committee)
MVCC approves \$64.58 to reimburse Sarah Auerswald for paying the RIMU hosting expenses until the new MVCC credit card is set up.
- m. **Funding Motion:** Board Retreat Refreshments Reimbursement (submitted by Executive & Finance Committee)
MVCC approves \$37.68 to reimburse Sarah Auerswald for purchase refreshments for the July 15, 2017, Board Retreat as the the new MVCC credit card was not set up.
- n. **Funding Motion:** Budget Revision (submitted by Executive & Finance Committee)
MVCC approves the revised 2017/18 budget (Addendum A). NOTE: possible motions to amend based on funding requests.
- o. **Funding Motion:** Emergency Preparation Signs (submitted by Committee on Pubic Safety)
The Committee on Public Safety hereby requests that the Mar Vista Community Council appropriate \$1,500 for emergency preparation signs, promotional material, and for other related purposes.
- p. **Funding Motion:** Art Walk (Director motion submitted by Sarah Auerswald)
MVCC approves \$500 per quarter (for a total of \$2000) to support outreach efforts during Mar Vista Art Walk in 2017-18 and cover printing costs

- q. **Funding Motion:** NWNA Block Party (Director motion submitted by Damien Newton)
Whereas MVCC wants to offer support to local resident associations to help them gather for their annual events, and Whereas the North Westdale Neighborhood Association has their Block Party and Talent Show on September 9th, and Whereas the MVCC leadership can attend and use the occasion as a chance to do Outreach for the MVCC, Therefore, be it resolved, that the MVCC will pay \$500 to the North Westdale Neighborhood Association Block Party & Talent Show
- r. **Funding Motion:** Hilltop Neighbors Block Party (Director motion submitted by Sarah Auerswald)
MVCC approves the expenditure \$300 for the Hilltop Neighbors annual block party.
- s. **Funding Motion:** Outreach Materials Storage (Director motion submitted by Sarah Auerswald)
MVCC approves the payment of \$1200 to the Mar Vista Farmers Market for 2017-18 fiscal year storage of outreach materials.
- t. **Funding Motion:** Fall Festival (Director motion submitted by Sarah Auerswald)
MVCC approves the expenditure of \$4000 for the Mar Vista Fall Festival.
- u. **Funding Motion:** Fall Newsletter (Director motion submitted by Sarah Auerswald)
MVCC approves the expenditure of up to \$4000 for layout, printing and distribution of a Fall Newsletter.
- v. **Funding Motion:** Replacement tablecloth (Director motion submitted by Sarah Auerswald)
MVCC approve up to \$350 to purchase a replacement tablecloth for meetings - amount to come from the "equipment" category in the budget.
- w. **Funding Motion:** Storage payment reimbursement (Director motion submitted by Holly Tilson)
MVCC approves reimbursing Rob Kadota for the following payments he made to StorQQuest for MVCC's storage space: June 2017 rental \$178 + insurance \$12 + late fee \$26.70 for total of \$216.70; July rental \$196 + insurance \$12 for a total of \$208
- x. **Funding Motion:** Program to challenge racism, sexism, homophobia & islamaphobia (submitted by Education, Arts & Culture Committee)
The Education Arts and Culture Committee of the Mar Vista Community Council moves to approve a request for \$500 in funding for developing and staging a program challenging racism, sexism, homophobia and islamaphobia for Mar Vista schools. Based on research of the Southern Poverty Law Center, L.A. County Commission on Human Relations, etc., we would present to interested classrooms and/ or student clubs with discussion, study, information and response to each of the challenges of racism, sexism, homophobia and islamaphobia.
- y. **Funding Motion:** NPG Proposals (submitted by Education, Arts & Culture Committee)
Where as MVCC has a budget of \$1,500 for NPGs; and Where as this will provide an opportunity for the youth of the Mar Vista to engage in community building experiences; The MVCC Education, Arts & Culture Committee will ask Mar Vista public schools via e-flyer to submit applications of proposals, created by their students, with a focus on: Public Safety, such as intolerance, sexual harassment/ assault, bullying (emphasizing healthy relationships), etc., or Community Bridge Building, such as youth/seniors, immigration issues, LGBTQ issues, cultural diversity, inclusion, homelessness, etc. Proposals will be submitted no later than November 6 with a suggested budget range between \$100-\$500. Each school may submit multiple applications. E-flyer will include a link to the criteria to meet NPG requirements.
- z. **Policy Motion:** Cell Phone Tower (submitted by Planning & Land Use Management Committee)
WHEREAS preliminary construction of a cell phone tower has begun on city-owned property adjacent to 3815 McLaughlin Avenue in West Los Angeles;
WHEREAS there is no notice of construction posted anywhere in the immediate area near the construction cite;
WHEREAS no notice was given to neighbors surrounding the construction area and;
WHEREAS no notice was given to the Mar Vista Community Council and;

WHEREAS proper permitting has not been completed for this project, no permits are found on searches of city websites ZIMAS and LADBS and;

WHEREAS no hearings were held on the addition of a cell phone tower to the neighborhood where neighbors could voice their concerns and;

WHEREAS the community protested the existing cell tower on the 3815 McLaughlin property in 2008

WHEREAS a similar tower was proposed several years ago in the same area and was widely opposed by the community;

Therefore let it be resolved that the Mar Vista Community Council asks the city do everything in its power to immediately stop the construction of the cell phone tower.

Let it further be resolved that the company building the tower brings renderings of the proposed tower to MVCC so that the community can see what the towers will look like if they are built;

Let it further be resolved that the relevant city departments explain how this project was permitted, if it was, without public notice and explain how they will make sure this doesn't happen in the future.

- aa. **Policy Motion:** Los Angeles General Plan (submitted by Planning & Land Use Management Committee)

Whereas the city has for months been working on a plan behind closed doors for the overall vision and dreams for Los Angeles, the **General Plan**, which is to be presented to the public and Neighborhood Councils sometime this fall;

And whereas Mayor Garcetti has said, residents must have "a sense of ownership over the development of our communities," and City Councilman Jose Huizar, chair of the powerful PLUM committee, pledged to bring "accountability and transparency back into our General Plan and Community Plan processes";

And whereas Los Angeles is several years behind other Western U.S. cities in involving its citizens in a General Plan update process that starts from the ground up;

And whereas public money and public interest are major factors in the earliest decision-making on our General Plan Update process, strategies, and dreams;

And whereas it is widely agreed the public cannot fully participate in General Plan Updating meetings, hearings and debates that unfold during the day downtown;

And whereas closed-door meetings on the fundamental debates and decisions about our dreams and goals for updating of the General Plan can only create more distrust and dismay over the city's broken planning system;

We request that the Planning Department Work Group meeting now underway be about our shared ideas and ideals for the Los Angeles general plan and its many elements. This process should be transparent and set in the evenings, and perhaps on weekends wherein the venues may be in different neighborhoods, including Mar Vista. Naturally, the meetings will be open to the public, and representatives from each neighborhoods alliance will be invited. The meeting schedule shall be expanded beyond the four meetings contemplated, and of course they will not be closed-door sessions. In connection with the neighborhood meetings, there shall be appropriate outreach at least two weeks in advance of the meeting, and written agendas and other promotional materials, and written agendas and other promotional material shall be available and offered at the meetings.

We further request, in the same vein, that the Mayor's Planning Task Force and Transportation Infrastructure Steering Committee for the General Plan both be made fully transparent, be set at evening and weekend hours; be open to the public as of now; and expand their closed-door meetings to several additional meetings that follow the prescription in this paragraph.

- ab. **Policy Motion:** Senate Bill 649 (submitted by Planning & Land Use Management Committee)

The Mar Vista Community Council opposes SB 649, which removes from cities the discretionary regulation of "small cell" cell phone towers in the public right-of-way and on city property. Exceptions for historic zones and Coastal Zone are included, but scenic highways and R zones are not included. Local control should be maintained. Cities have capability to properly analyze applications within existing laws and balance protection of neighborhoods with the need for increased wireless capacity.

Should the legislation be passed by both the Senate and Assembly, we urge Governor Jerry Brown to veto the legislation.

Background Information: See Addendum B

ac. **Policy Motion:** Gateway Project (submitted by Planning & Land Use Management Committee)

WHEREAS, the Mar Vista Community Council (MVCC) is an official neighborhood organization of the City of Los Angeles;

WHEREAS, The mission of the Mar Vista Community Council (MVCC) is to provide a forum for discussion of issues that affect the quality of life of MVCC Stakeholders, and to facilitate stakeholder communication and serve as the advocate for the MVCC area with officials of the City of Los Angeles and other governmental and non-governmental entities.

WHEREAS, the Gateway Project is located within the boundaries of the West Los Angeles Sawtelle Neighborhood Council (WLASNC) just 1/4 mile from Zone 2 of the MVCC;

WHEREAS, gridlock traffic throughout Mar Vista and West Los Angeles has continued to become increasingly problematic;

WHEREAS, the Gateway Project would increase traffic and increase the burden to find local parking;

WHEREAS, the Gateway Project calls for 129 units that will replace "mom and pop" businesses that have been serving the community for years and that these businesses will be missed;

WHEREAS, the WLASNC has voted not to support each of two separate versions of the Gateway Project;

BE IT RESOLVED THAT the MVCC supports the decision of the West L.A. Neighborhood Council to not support the Gateway Project.

ad. **Policy Motion:** NPG guidelines (submitted by Education, Arts & Culture Committee)

MVCC approves EACC guidelines for 2017-2018 fiscal year that any NPG applicant partner with an interested Mar Vista school prior to requesting money MVCC through EACC.

14. **Grievances**, if any received

15. **Future agenda items**

16. **Public Comment**

17. **Adjournment**

* **PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS** – *The public is requested to fill out a "Speaker Card" to address the Board on any agenda item before the Board takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Board's jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Board is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Board meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the presiding officer of the Board.*

* **PUBLIC POSTING OF AGENDAS** - *MVCC agendas are posted for public review at Mar Vista Recreation Center, 11430 Woodbine Street, Mar Vista, CA 90066*

You can also receive our agendas via email by subscribing to L.A. City's Early Notification System at <https://www.lacity.org/subscriptions>

* **THE AMERICAN WITH DISABILITIES ACT** - *As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and other auxiliary aids and/or services, may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting chair@marvista.org.*

* **PUBLIC ACCESS OF RECORDS** – *In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may*

be viewed at our website, <http://www.marvista.org>, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, contact secretary@marvista.org.

- * **RECONSIDERATION AND GRIEVANCE PROCESS** - For information on MVCC's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the MVCC Bylaws. The Bylaws are available at our Board meetings and our website, <http://www.marvista.org>.

ADDENDUM A: Revised 2017-18 MVCC Budget

Budget Category: General Operational	Total Amount
Storage	
Storquest	\$2,280.00
Website	
The Web Corner: website maintenance	\$1,650.00
The Web Corner: emails	\$385.00
The Web Corner: Extra Data Entry	\$500.00
RIMU Hosting	\$96.27
Email Service	
Mail chimp email service	\$480.00
Meeting rooms rental	
The Vineyard	\$600.00
St Andrew's Lutheran Church	\$300.00
St Bede's	\$75.00
Windward School	\$5.00
PO Box rental	\$132.00
Farmer's Market rental	\$1,200.00
Equip & supplies (misc)	
misc	\$1,100.00
Mtg supplies & printing	
printing	\$1,000.00
Board Training & Support	
Business cards/name badges	\$250.00
Board Retreat	\$37.68
Operations total	\$10,090.95
Budget Category: Outreach	
Advertising	
Banners/sign/event promotion	\$500.00
Facebook ads	\$250.00
Emergency Prep public safety outreach	\$1,500.00
Newsletter	
(Fall Festival)	\$4,000.00
MVCC Events	
Block parties (5 X \$300)	\$1,500.00
Westside Senior Health & Wellness Fair	\$500.00
Venice High Grease Night	\$300.00
Community Events	
Fall Festival	\$4,000.00
Winter Wonderland	\$1,000.00
Art Walk	\$2,000.00
Green Garden Showcase	\$4,000.00
Outreach Total	\$19,550.00

Budget Category: Elections

Election expenses \$5,000.00

Budget Category: Community Improvement Grants

Alley repair/seed money \$5,000.00

Budget Category: Neighborhood Purpose Grants

\$2,000.00

Budget Total \$42,440.95

ADDENDUM B: Motions Opposing SB 649 Background Information (Provided by WRAC)

SB 649 Status Update – as of July 24, 2017

SB 649 – the bill eliminating local control over large cell towers – recently passed unanimously in the Assembly Communications & Conveyance Committee. Assuming passage in the Appropriations Committee, it will then go to the full Assembly for a vote, likely in late August or early September.

Some Assembly committee members claimed to be concerned with local control – and the bill’s author promised to somehow strengthen local governments’ ability to regulate for design and location – yet SB 649 passed with no such amendments. In fact, amendments further expanding the restrictions on local control (now broadly covering all “communications” facilities) have been proposed by committees and accepted by the bill’s author (Hueso, SD 40/Imperial Co.).

Committee members were clearly more swayed by the telecom lobby than by the extensive opposition, which includes major newspapers (e.g., LA Times editorial and article by venerable columnist George Skelton); respected statewide organizations such as the League of CA Cities and the American Planning Association; the County of Los Angeles and 27 other CA counties; LA Mayor Garcetti, Councilmembers Bonin (<http://pacpalicc.org/wp-content/uploads/2017/06/SB2064920Letter.pdf>) and Koretz; numerous other public officials statewide; and over 220 CA cities and towns. The Westside Regional Alliance of Councils (WRAC) has also submitted opposition based on members’ prior unanimous support for local control over such facilities

(http://pacpalicc.org/wpcontent/uploads/2017/06/WRACPosition_SB649CellTower_062117-2.pdf).

WRAC leadership has also recommended to member councils a motion opposing SB 649:

<http://westsidecouncils.com/pending/>.

Voices in opposition are increasing, with local media outlets now weighing in (e.g., the Argonaut, <http://argonautnews.com/cell-tower-bill-gets-bad-reception/>, and the UCLA Daily Bruin, <http://dailybruin.com/2017/07/16/editorial-sb-649-needs-to-be-vetoed-to-preserve-local-governmentpower/>). However, it is widely-acknowledged (see Skelton/LAT) that *many more opposition voices will be required in order to defeat the bill*¹

SB 649 is an unprecedented, unnecessary attempt to strip local governments of control; they will be forced to allow the telecom industry to install large towers on public property (including parks and arguably even schools) for a minimal fee (market rate leasing is prohibited); and local discretionary authority will be eliminated (including in residential zones), resulting in thousands of new poles with refrigerator-sized equipment installed next to homes and in other sensitive areas with no public input.

It appears that only a huge public outcry or a Governor’s veto can now stop this bad bill. Simply put: “People should not be forced to stare at ugly refrigerators dangling outside their homes.” (Skelton/<http://www.latimes.com/politics/la-pol-sac-skelton-telecom-att-verizon-california-bill-20170710-story.html>).

By: Christina Spitz
For ID purposes: Chair/President Emeritus,
Pacific Palisades Community Council (PPCC)
Current Board Member, PPCC
Member, WRAC Leadership (alt. PPCC rep)
Member, WRAC-LUPC (alt. PPCC rep)
Email: ppfriends3@hotmail.com

¹ Los Angeles-area members’ positions are mixed. ASM Dababneh (the west Valley) is a co-sponsor of the bill and voted Yes in committee, as did ASM Santiago (downtown LA). ASM Ridley-Thomas voted No and ASM Bloom was a “No Vote Recorded” in the Local Government Committee; staff for both ASMs have indicated they will be No’s in a floor vote on the bill. ASM Burke has not indicated a position. All three ASMs whose districts encompass parts of CD11 (Ridley-Thomas, Bloom, Burke) should be urged to vote No on SB 649 in the expected floor vote of the full Assembly; Gov. Brown should also be urged to veto the bill should that become necessary.

Talking Points re SB 649 (“Small Cell” Cell Tower Regulation)

By Chris Spitz, PPCC Chair/President Emeritus - June 2017

- [SB 649](#) (Hueso) passed in the Senate in May 2017 and is now being considered by the Assembly (expected to be assigned soon to relevant committees—Communications & Conveyance, Local Government—with a floor vote in the full Assembly possible this summer if passed in committees).
- SB 649 would eliminate local government discretionary authority (i.e., require “by right” permits only, without notice, hearing, review of location/design/aesthetics) over so-called “small cell” (actually not so- small) cell towers in the public right of way and on public property statewide, with few exceptions. The League of California Cities (League) warns that the bill “unnecessarily and unconstitutionally strips local authority over public property and shuts out public input and local discretion by eliminating consideration of the aesthetic and environmental impacts of ‘small cells.’”
- What are “small cells” under SB 649? Short answer: cell towers with antennas up to 6 cu. ft. in volume and related equipment up to 21 cu. ft. (roughly the size of an old phone booth), with no single piece of equipment exceeding 9 cu. ft.; other ancillary equipment, such as power pedestals, are not counted in the calculation of equipment volume. Commentators have noted that this definition actually encompasses very large structures, that the label “small cell” is a misnomer, and that the bill would effectively remove local control over most cell towers.
- SB 649 excludes “small cells” only on fire stations, in historic zones and in the coastal zone (i.e., local government discretionary authority would remain in those areas), but not in other sensitive areas such as in residential zones (in front of homes), in areas protected by duly enacted Specific Plans, in or adjacent to parkland, open space, scenic highways, public parks and recreational facilities, schools and in otherwise protected mountain areas. Critics have questioned why only the three limited areas are deemed sensitive enough to require discretionary review.
- SB 649 is backed by the telecom industry, which seeks rapid deployment of 5G infrastructure (requiring thousands more poles/antennas). The industry argues that local government regulatory regulation unreasonably impedes deployment and should be streamlined.² Cities and counties deny that local regulation unreasonably impedes deployment and stress that local authority (police power) is protected by the state Constitution (“Home Rule”). The League and other opposing organizations acknowledge that Californians should have access to telecommunications facilities, but explain that this goal is “not inherently in conflict with appropriate local planning.”
- SB 649 is opposed by over 110 cities, counties and organizations statewide, including the County of Los Angeles, the City and County of San Francisco, Santa Monica, Culver City, West Hollywood, Beverly Hills, the League of California Cities, the League of California Counties, the American now pending in City Council ([CF 17-000 S69](#)). CMs Bonin and Koretz oppose the bill.
- [PPCC](#) and [BCC](#) oppose SB 649. The author requests that all WRAC member-councils ASAP take up and pass the recommended SB 649 motion and urge their respective Assemblymembers (Bloom, Ridley-Thomas, Burke) to oppose the bill. Contact Chris at ppfriends3@hotmail.com for more information (she has been working on cell regulation matters since 2009).

¹ Contrast the more reasonable definition of “small cell” in proposed revisions to the City’s Above Ground Facilities (AGF) Ordinance, supported by WRAC and long-stalled in the Council Public Works Committee ([CF 09-2645](#)) – up to 3 cu. ft. of antennas, not counting related equipment. In 2010, the then-WRAC membership unanimously passed a [Motion](#) calling for comprehensive revision of the City’s cell tower regulations to provide for protection for communities and local neighborhoods “to the fullest extent of the law.” SB 649 directly contradicts this goal and will make the much-needed AGF Ordinance revisions (as well as existing local regulations) largely moot.

² A parallel legislative effort is underway in numerous states nationwide and also at the federal level (Notice of Proposed Rulemaking regarding streamlining small cell deployment currently pending in the FCC).

WRAC-Recommended Motion and Background Information re SB 649

See: <http://westsidecouncils.com/motion/cell-towers-aka-wireless-facilities-public-right-way-city-property/>.

Cell towers aka wireless facilities in public right-of-way and on city property

Proposed by WRAC LUPC on June 21, 2017

Passage deadline: September 2017

- Passed by Pacific Palisades Community Council and Westwood Community Council [*update: Brentwood Community Council and South Robertson Neighborhood Council have also passed the motion to date*]

Motion

WRAC recommends opposing SB 649, which removes from cities the discretionary regulation of “small cell” cell phone towers in the public right-of-way and on city property. Exceptions for historic zones and Coastal Zone are included, but scenic highways and R zones are not included. Local control should be maintained. Cities have capability to properly analyze applications within existing laws and balance protection of neighborhoods with the need for increased wireless capacity

Background

More information in the talking points attachment. WRAC previously weighed in on the issue in 2010, 2011, and 2013.

On June 21, 2017, WRAC authorized sending a letter stating its long advocacy for local control of cell towers (attached below).

Bill text:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB649 *Status:* Senate approved bill, which is similar to a bill from last year. Assembly will consider it next. Telecom companies need more pole space and facilities for 5G capacity.

- Sizes of cell panels are big (6 cu. ft.) and sizes of equipment panels are big (21 cu.ft.), and can be reduced. [*note: sizes have been increased; 35 cu.ft. additional equipment; excluded ancillary equipment unlimited size*]
- Telecom companies can spend more money to rent space on existing public poles (streetlights, etc.).
- Opponents to bill include 100 [*now over 220*] cities, League of California Cities, League of California Counties, American Planning Institute.

Download additional background

[Talking Points re SB-649](#)

[WRAC Cell Tower Letter 12.2.11](#)

[WRAC Cell Tower Letter 12.16.13](#)

[WRACPosition_SB649CellTower_062117](#)