



AGENDA

Northridge West Neighborhood Council

PUBLIC MEETING –Tuesday, December 8, 2009 at 7:00 PM
Beckford Avenue Elementary School – Auditorium
19130 Tulsa Street • Northridge, CA 91326

LEGALLY REQUIRED OFFICIAL POSTING: Please do not remove until AFTER above date and time.

<p>Dennis DeYoung <i>President</i> – General Business (2010)</p> <p>Glen Wilson <i>VP Administration</i> - Community/Faith Based (2010)</p> <p>Jerry Bloom <i>VP Communication & Outreach</i> – Senior (2012)</p> <p>Neil Perl <i>Treasurer</i> – Homeowner (2012)</p> <p>Pam Kramer <i>Secretary</i> – Education (2010)</p> <p>Beverley Adler Homeowner (2010)</p>	<p>Meg Augello At-Large (2012)</p> <p>Rosanne Dwyer Renter (2010)</p> <p>Ken Futernick Senior (2012)</p> <p>Daniyel Gordon Northridge Fashion Center (2010)</p> <p>Tom Johnson General Business (2010)</p> <p>Craig Michayluk At-Large (2010)</p> <p>JoAnn Phillips Open-At-Large (2012)</p>
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PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS: The public is requested to fill out a “Speaker Card” to address the Board on any item of the agenda prior to the Board taking 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 is within the Board’s subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to 2 minutes per speaker, unless waived or additionally restricted by the presiding officer of the Board.

The Agenda is posted for public review at the following Northridge locations: Northridge Fashion Center (Information Desk); The Discovery Shop, 9719 Reseda Blvd.; Beckford Avenue Elementary School, 19130 Tulsa Ave.; Albertsons Market, 18555 Devonshire St.; Gelson’s Market, 19500 Plummer St.; and the North Valley Regional Chamber of Commerce, 9401 Reseda Blvd.

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, or 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 prior to the meeting you wish to attend by contacting Tom Soong, Project Coordinator (323) 359-2579.

BASIC NEIGHBORHOOD COUNCIL MEETING RULES

ALL MEETINGS ARE CONDUCTED IN ACCORDANCE WITH THE RALPH M. BROWN ACT. The basic council rules listed here are contained either in that act, the governing bylaws of this Council or in rules adopted by the Governing Board.

All Neighborhood Council meeting locations shall be compliant with the Americans with Disabilities Act.

DEFINITION OF STAKEHOLDER: [Bylaws Article 3 (G)] STAKEHOLDER shall mean all persons who live, work, or own property in the neighborhood and also those who declare a stake in the neighborhood and affirm the factual basis for it. The affirmation may require verification of said stake. Furthermore, each stakeholder class within the NWNC's boundaries has the ability to vote and run for office on the board. The geographic area of this council is from the 118 - Simi Valley Freeway south to Nordhoff and Reseda west to Corbin with the centerline of each street as the boundary. (Bylaws Article 5)

AGENDAS – Unless otherwise posted, the Northridge West Neighborhood Council meets the 2nd Tuesday of every month at 7:00 PM at the Beckford Avenue Elementary School Auditorium. The agendas for Neighborhood Council meetings contain a brief general description of those items to be considered at the meetings.

Items on the "Consent Agenda" may be voted on as a group unless a councilmember or stakeholder wishes to be heard on that item. In the event a councilmember or stakeholder wishes to be heard on an item, it will be called special and heard under the "Public Hearing" section of the agenda.

The presence of at least seven Council members shall constitute a quorum for the transaction of business. The Council may consider an item not on the agenda only if it is determined by a two-thirds vote of the existing council that the need for action arose after the posting of an Agenda.

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: 9401 Reseda Blvd. Ste. 100, Northridge, CA 91324, at our website by clicking on the following link: www.northridgewest.org, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Dennis DeYoung at (818) 280-0280 or via email at: dendey@gmail.com.

COUNCIL DISCUSSION AND TIME LIMITS – Council members requesting to address the Council will be recognized by the Council President in the order requested. A motion calling the "previous question" may be introduced by any member during a Council debate. If adopted, this motion will terminate debate and the Chair will instruct the Secretary to call the roll on the matter.

Other Board Rules will be put in place and this section will be updated as necessary.

Agenda Posting Locations:

Northridge Fashion Center (Information Desk)
The Discovery Shop 9719 Reseda Blvd.
Beckford Avenue Elementary School 19130 Tulsa St.
Albertsons Market 18555 Devonshire St.
Gelson's Market 19500 Plummer St.
North Valley Regional Chamber of Commerce 9401 Reseda Blvd.

The Council is always looking for volunteers to organize speakers, educate our stakeholders on new property developments, and discuss community issues. If you are interested in volunteering on a Committee, please contact: Neil K. Perl (818) 360-7163 **OR email us at:** nperl@socal.rr.com. Events and Calendar Postings should be sent to nperl@socal.rr.com. **For information about the Council, and Your Community see our website:** www.NorthridgeWest.org. If you want something put on the agenda, make sure the request is submitted in writing to the board prior to the first of the month.

Northridge West Neighborhood Council
Public Meeting Agenda
Tuesday, December 8, 2009, 7:00 pm
Beckford Avenue Elementary School - Auditorium
19130 Tulsa Street • Northridge, CA 91326

1. Call to order

2. Roll call

3. Acceptance of minutes

- a. Regular Meeting held on November 10, 2009.

4. Senior Lead Officer, LAPD Devonshire Division - Officer Kathy Bennett

5. Department of Neighborhood Empowerment (DONE) - Thomas Soong

6. CD12 Councilman Greig Smith's Representative - John Bwarie

7. Guest Speakers

- a. Sher Murata, North Hills West NC – Report on Senior Symposium

8. Treasurer's Report – Neil Perl

- a. Treasurer's report
- b. Report on funding situation for Neighborhood Councils for this Fiscal Year
- c. Need for Ad Hoc NPG Committee meeting for Nobel Middle School NPG request

9. Committee Reports

- a. Beautification Committee – Beverley Adler
- b. Budget / Finance - Neil Perl
- c. Bylaws
- d. Education – Ken Futernick
- e. Elections – Neil Perl
 - i. Candidate Filing period has begun
December 2, 2009 through Jan 4, 2009
Get candidate filing forms at
http://cityclerk.lacity.org/election/ncdocs/ANWNC_CANDIDATE_FILING_PACKET_FINAL.pdf
 - ii. Stakeholder/Candidate Information Meeting
Saturday, December 12, 2009, 9:30 a.m. to 11:30 a.m.
Winnetka Recreation Center – Gymnasium
8401 Winnetka Avenue
Winnetka, CA 91306
For more information please visit LA City Clerks (213.978.0444) website:
<http://cityclerk.lacity.org/election/ncdocs/website.pdf>
- f. Government Affairs
- g. Grievance
- h. Planning / Land Use / Zoning – Tom Johnson
- i. Community Outreach - Jerry Bloom
- j. *ad hoc* CSUN/NWNC Outreach Committee – Jerry Bloom
- k. *ad hoc* Neighborhood Enhancement Committee – JoAnn Phillips

10. Public Comments-Comments from the public on non-agenda items within the Board's jurisdiction.

11. Discussion and possible action items.

a. Swearing in of Board of Directors.

1) Swearing in of Jo Ann Phillips and Daniyel Gordon

- b. Motion by Neil K. Perl to request the City of Los Angeles to adopt a new more restrictive ordinance on the installation or replacement of Cellular Telephone Towers and related equipment. Motions on this subject have been passed throughout the city by other neighborhood organizations including the Brentwood Community Council, Comstock Hills Homeowners Association, Greater Wilshire NC, Northwest San Pedro NC, Westside NC. – Guest Speaker Chris Spitz and Barbara Kohn, Pacific Palisades Residence Association

*Whereas the City's existing regulations and policies concerning wireless telecommunications facilities were developed in light of the Ninth Circuit's decision in **City of Auburn v. Qwest Corp.** [260 F.3d 1160, 1175-1176 (9th Cir. 2001)] which adopted an overly-restrictive construction of the Telecommunications Act of 1996's preemption of local regulation. The Ninth Circuit, however, recently overruled Auburn in [543 F.3d 571, 577-578 (9th Cir. 2008) (en banc)]. And more recently, the Ninth Circuit rejected another putative restriction on municipal authority by holding that the California Public Utilities Code does not divest municipalities of their constitutional authority to consider aesthetics in deciding whether to grant permit applications. **Sprint PCS Assets, LLC v. City of Palos Verdes Estates**, [F.3d, 2009 Westlaw 3273935 (9th Cir. 2009)].*

And whereas the need for robust and comprehensive aesthetic regulation to protect and promote the integrity of the City's residential neighborhoods from ever-encroaching wireless telephone facility installations is more pressing than ever.

And whereas the City has a history of falling behind the regulatory curve – as has occurred with its attempts to regulate billboards and medical marijuana dispensaries.

And whereas the Northridge West Neighborhood Council (NWNC) believes it is imperative that the City acts immediately while it has a very narrow window of opportunity to gain regulatory control over the proliferation of wireless telephone facilities.

Therefore it is hereby resolved that Northridge West Neighborhood Council urges the City Council to enact a comprehensive new ordinance for the regulation of Wireless Telecommunications Facilities (WTFs), clearly and unambiguously authorizing local regulation of aesthetics to the full extent of the law in light of the recent judicial determinations. NWNC further requests that the City Council seek guidance from the City Attorney in crafting the new ordinance and that the following actions be taken with regard to the new ordinance

- 1. The City Attorney be directed to review all applicable regulations, rules, policies and procedures pertaining to the installation of wireless telecommunications facilities in the City of Los Angeles in light of the Ninth Circuit's decisions in **Sprint v. County of San Diego** and **Sprint v. City of Palos Verdes**, with the goal of recommending a comprehensive new ordinance regulating the installation of all wireless telecommunications facilities in the City, authorizing regulation of aesthetics to the full extent of the law.*
- 2. Supports the motions contained in CF 09-2645 and the earlier CF 08-2440 and calls on the City Attorney to review and report to the City Council within 30 days on what new tools are available to regulate wireless telecommunication facilities in light of the *Sprint v. San Diego* and *Sprint v. Palos Verdes* cases.*
- 3. In connection with the above review, the City Attorney also be directed to research the extent of the City's involvement in the Joint Pole Agreement (JPA) and whether and to what extent it has authority to regulate wireless telecommunications facility installations involving utility poles and replacement poles notwithstanding the Joint Pole Agreement's provisions.*

4. *That the City establish a task force composed of appropriate city departments including, but not limited to, Department of Water and Power, Planning, Building and Safety, Harbor, Public Works, and the CAO, representatives of Neighborhood Councils, and other community organizations and stakeholder groups, to assist in the development of a city policy on the siting of telecommunications facilities.*
 5. *That the City Attorney with input from the above referenced task force, prepare a comprehensive new ordinance to address the height, appearance, number, location and approval process for wireless communication facilities.*
 6. *Consistent with the City Attorney's recommendations, the City enact a comprehensive new ordinance with clear and consistent standards and procedures regulating all wireless telecommunications facilities in the City and providing protection to communities and residential neighborhoods to the fullest extent possible under the law. Including the following requirements*
 - i. *Any standalone tower placed in our community be disguised as a fir or palm tree or any other camouflage to fit the environment*
 - ii. *Any tower placed on top of a building in our community where they would be visible, be hidden by a decorative panel*
 - iii. *Any electrical panels be disguised by color or form that fits the environment or placed away from public view underground*
 - iv. *"All" applications for future cellular sites go before the effected Neighborhood Council as the voice of their communities that receive the Towers and Boxes*
 7. *In the interim the City impose a moratorium on all wireless telecommunications facility installations in the City and/or applications for approval of such installations in the City in order to allow time for the City Attorney's review and research and the crafting of a comprehensive new ordinance as set forth above.*
- c. Motion by Neil K. Perl to request the City of Los Angeles to introduce a motion concerning the problem of unhitched trailer blight by changing the status from that of a vehicle to that of an unlicensed billboard – Guest Speaker Barry Seibert, West Hills NC

Whereas the safety of our community's stakeholders is endangered by the increasing number of trailers parked for the sole intent of being a mobile billboard on the streets of Northridge and nearby communities; and

And whereas these trailers, which contain advertising messages, degrade the beauty and tranquility of our community; and

And whereas it appears that the city's only restriction of unhitched trailers are un-enforced parking restrictions and violations; and

And whereas this ordinance is widely disregarded by the owners of these unhitched trailers,

Therefore be it hereby resolved that the Northridge West Neighborhood Council urges the city of Los Angeles to classify these unhitched trailers as "billboards" and regulate them as such.

Be it further resolved that a "Mobile Billboard" be subject to the same proposed civil penalty per day violation as signs in the 150 - 300 square foot range with the first violation of \$4000.00, 2nd violation of \$8,000.00, and all subsequent violations of \$16,000.00. The penalties would be assessed against the registered owner of the trailer as well as the business listed in the advertisement. If both are the same the penalty could be charged twice.

- d. Report on the **Northridge 100** planning committee meeting and how the Northridge West Neighborhood Council will participate in this year long event - Jerry Bloom

- e. Discussion of status of new website – Adam Haverstock, Webmaster
- f. Discussion of need for board member to write an article for the North Valley Community News every month on the activities of the Northridge West Neighborhood Council.
 - i. Need copy written for our monthly ad highlighting our next meeting.

12. Report on Meetings

- a. NE/W Vision Committee – Dennis DeYoung
- b. LA Department of Transportation MOU – Steve Harris
- c. LA DWP MOU – Glen Wilson
- d. Valley Alliance of Neighborhood Councils (VANC) – Neil Perl
Meets the second Thursday of each month at 6:30 at the Sherman Oaks Hospital
- e. Valley Vote – Glen Wilson
Meets the third Monday of each month at 6:45 at Galpin Ford

13. Board Member Comments - Comments from the Board on subject matters within the Board's jurisdiction.

- a. Comment Deadline for the City's Bicycle plan has been extended until January 8, 2010
- b. The next North Valley Disaster Preparedness Faire will take place at the Granada Hills Street Faire on October 2, 2010. The NVDP team will begin holding meetings to plan the event for next year. Volunteers for the committee will be needed. Neil Perl is the "treasurer" for the group and coordinates the funding and expenditures by the participating NCs
- c. Volunteer program for the upcoming NC Elections

14. Adjournment

15. Upcoming Events

a. Regional Stakeholder / Candidate Information Meeting

Winnetka Recreation Center Gymnasium
8401 Winnetka Avenue
Winnetka, CA 91306
Monday December 7, 2009 from 6:30 pm to 8:30 pm and
Saturday December 12, 2009 from 9:30 am to 11:30 am

b. Basic Car Holiday Pot Luck

Friday, December 11th at 6:00 pm
Calahan Elementary School
18722 Knapp Street
Northridge, CA 91324

If you want to participate in the pot luck, give the Basic Car Chairperson, Beverley Adler a call at (818) 886-8897 and tell her what you'd like to bring.

c. Neighborhood Council Elections

Candidate filing period: December 2, 2009 through January 4, 2010
Write-in Candidate filing period: January 5, 2010 through February 1, 2010
Vote-By-Mail Application period: January 4, 2010 through February 22, 2010
Forms at <http://cityclerk.lacity.org/election/ncdocs/website.pdf> or call (213) 978-0444

Election Day:

Tuesday March 2, 2010 (2:00 pm TO 8:00pm)
LA City Fire Station # 70: Apparatus Room
9861 Reseda Boulevard (At Lassen Street)
Northridge, CA 91324

d. CSUN Clean Energy Program Tour – TBD

Process for Reconsideration – The Board may reconsider and amend actions listed on the agenda if that reconsideration takes place immediately following the original action or at the next regular meeting. The Board, on either of these two days, shall: 1) make a Motion to Reconsider and, if approved, 2) hear the matter and take an action. If the Motion to Reconsider is to be scheduled at the next meeting following the original action, then two items shall be placed on the agenda for

that meeting: 1) a Motion to Reconsider on the described matter and, 2) a Proposed] Action should the Motion to Reconsider be approved. A Motion to Reconsider can only be made by a Board Member who has previously voted on the prevailing side of the original action. If a Motion to Reconsider is not made on the date the action was taken, then a Board Member on the prevailing side of the action must submit a memorandum to the Secretary identifying the matter to be reconsidered and a brief description of the reason(s) for requesting reconsideration at the next regular meeting. The aforesaid shall be in compliance with the Brown Act.

“Unity in Our Community”

