

**REGULAR MEETING OF THE
NORTHRIDGE WEST
NEIGHBORHOOD COUNCIL**

**Tuesday, December 8, 7:00 p.m.
Beckford Avenue Elementary School**

1. Call to order: 7:06pm

2. Roll call

Board members present

Dennis DeYoung
Glen Wilson
Jerry Bloom
Neil Perl
Pam Kramer
Beverley Adler
Ken Futernick
Tom Johnson
Craig Michayluk
JoAnn Phillips

Board members not present

Daniyel Gordon
Rosanne Dwyer
Meg Augello

3. Acceptance of November 10, 2009 general meeting minutes

Futernick motioned that the minutes be approved. Perl seconded the motion. **Vote was unanimous to accept the November 10, 2009 minutes, noting that Roseanne Dwyer's name was left off the roll call.**

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

- New phone number for West Valley Alliance for graffiti removal.
- LAPDonline.org to check out their newsletter.
- Flier on flood/erosion control provided at the meeting.
- Continued recession of crime in the area other than motor vehicle which is on the rise. Violent crime is down.
- Activity at the Lassen/Reseda Fire station explained: someone brought in unstable explosives and the station/area had to be isolated temporarily causing a traffic jam in the area.
- The "bait car" was discussed. Safety during holiday season. Not enough manpower to implement the bait car this year.

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

Not present. No report.

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

- Discussion held re: City Council capping medical marijuana dispensaries at 70.
- Discussion held re: The Office of Economic Analysis. In the proposal stage for Los Angeles.
- Discussion held re: Northridge Centennial celebration which will include bus, walking and bike tours, tree planting, competitions for school children, etc. Volunteer opportunities discussed.
- City closed escrow on the Oakey House. Will require widening of Devonshire Street.
- Discussion held re: the challenges of managing train bridge graffiti at Parthenia and Reseda. Not city owned; cannot be touched.

7. Guest Speakers –

**REGULAR MEETING OF THE
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- a. **Sher Murata, NHWNC: Report on Senior Symposium.** Very successful October 28 event attended by 225 people. County of LA pulled the flu shots which was the only major complaint about the event. DVD of the symposium provided to NWNC. NCs have been asked to coordinate more educational/health-oriented events such as this for seniors in the future.
- b. **Adam Haverstock, Web Master for NWNC. (Moved from item 11e).** Presented goals of the new NWNC web site. Discussed the Facebook page with link on the web site; Twitter feed; newsletter software installed. Training Dennis and Neil to add to the web site. There's a news feed and blog for NWNC members to add fresh content (the driving force of web sites such as this). Discussion held regarding how far back to post general meeting minutes on the web site. Conclusion: as far back as we can go.

8. Treasurer's Report – Neil Perl

- a. **Treasurer's report.** Presented by Perl; Wilson motioned to approve the report as presented. Futernick seconded the motion. Vote was unanimous. Motion passes.
- b. **Report on funding situation for Neighborhood Councils for this Fiscal Year.** Rollover reverted back to last May – Needs to be checked against DONE Published report
- c. **Need for Ad Hoc NPG Committee meeting for Nobel Middle School NPG request.** Futernick, Wilson, Kramer volunteered.

9. Committee Reports.

- a. Beautification Committee – Beverley Adler: Medians looking good. Working on proposal to concrete one median of particular concern on Parthenia. Discussed clean-up of garbage near the Oakey House on Devonshire. The Blighted Street Committee will work on putting together a plan for a clean-up day.
- b. Budget / Finance - Neil Perl
- c. Bylaws: committee to review and revise bylaws to be set up early next year. Neil to chair, Must reflect acquisition of CSUN and NR Park annex
- d. Education – Ken Futernick: brief update on progress pertaining to a valley Science Fair.
- e. Elections – Neil Perl
 - i. Candidate Filing period has begun for region A
December 2, 2009 through Jan 4, 2009
Get candidate filing forms at
<http://cityclerk.lacity.org/election/ncdocs/website.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) web site:
<http://cityclerk.lacity.org/election/ncdocs/website.pdf>
- f. Government Affairs: no report.
- g. Grievance: no report.
- h. Planning / Land Use / Zoning – Tom Johnson: Update included: new wireless towers, lot adjustments, new street lights. No new update on K-Mart site.
- i. Community Outreach - Jerry Bloom: Centennial meeting discussed.
- j. *Ad hoc* CSUN/NWNC Outreach Committee – Jerry Bloom: no report.

**REGULAR MEETING OF THE
NORTHRIDGE WEST
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**Tuesday, December 8, 7:00 p.m.
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- k. *Ad hoc* Neighborhood Enhancement Committee – JoAnn Phillips: grant pending for “A Noble Cause for Nobel” project.

10. Public Comments-Comments from the public on non-agenda items within the Board’s jurisdiction – Glen Bailey, Bicycle Advisory Committee.

Discussion held re: DOT resurfacing and bike lane. Gap between Devonshire and Vanowen (on Reseda) discussed. Engineering/drawings are being finalized; expected in 6-9 months; will require reconfiguring the intersection at Rayen; recommending opening new stretch of bike lanes for Centennial celebration. However, there are no plans to resurface south of Devonshire at this time. Re-striping without resurfacing is expensive. Funding is challenging.

11. Discussion and possible action items.

- a. Swearing in of Board of Directors.
Swearing in of Jo Ann Phillips

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***

**REGULAR MEETING OF THE
NORTHRIDGE WEST
NEIGHBORHOOD COUNCIL**

**Tuesday, December 8, 7:00 p.m.
Beckford Avenue Elementary School**

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 stand alone 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

Futernick seconded the motion. Chris Spitz, Vice President, Pacific Palisades Residence Association gave presentation. Discussion held. Vote was unanimous. Motion passes.

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.

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

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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 and county of Los Angeles and the state of California 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.

Michayluk seconded the motion. Discussion held regarding a friendly amendment (see underlines in motion c.) of the wording above. Vote was unanimous. Motion passes as amended.

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. Event needs help with history and culture as well as event volunteers.

e. Discussion of status of new web site (see item 7b)

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. Bloom and Futernick volunteer.

12. Report on Meetings

a. NE/W Vision Committee – Dennis DeYoung. \$125,000 study of Reseda Blvd.

b. LA Department of Transportation MOU – Steve Harris. Meeting December 12.

c. LA DWP MOU – Glen Wilson. Summaries in writing provided.

d. Valley Alliance of Neighborhood Councils (VANC) – Neil Perl. Discussed Holiday Mixer. 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. Certificate of appreciation from Councilman's office for our participation in Disaster Preparedness event.

14. Adjournment.

Michayluk motioned to adjourn at 9:19pm. Perl seconded. Meeting adjourned.

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Pam Kramer, Secretary
Northridge West Neighborhood Council

Dennis DeYoung, President
Northridge West Neighborhood Council