

Greater Wilshire Neighborhood Council



Greater Wilshire Neighborhood Council General Meeting

April 14, 2010

Approved by the Board
May 12, 2010

MINUTES

Call to Order

A duly noticed meeting of the Board of Directors of the Greater Wilshire Neighborhood Council (“GWNC”) was held on Wednesday, April 14, 2010, at the Ebell of Los Angeles, 743 South Lucerne Blvd. President Charles Dougherty called the meeting to order at 7:16 p.m.

Roll Call

The Secretary, Elizabeth Fuller, called the roll. Board of Directors members in attendance at the roll call were: Cynthia Markus (alt. Charles Bergson), Patti Carroll, Moon Chung, Charles Dougherty, Elizabeth Fuller, Jane Gilman, Rudy Gintel, Frances McFall, Margy Hudson, Michael Genewick (alt. Alex Jones-Moreno), Clinton Oie, Shar Penfold, Owen Smith, and Jane Usher. Board members Jared Abrams, Yigal Arens, Charles Bergson, Sam Cunningham, John Gresham, Martha Schuur, Russell Sherman and James Wolf were absent and not represented by an alternate.

The Secretary stated that a quorum was present.

Reading of the Minutes

Director Jane Gilman moved the minutes be approved as written. Director Owen Smith seconded the motion. It passed unanimously.

Treasurer’s Report

YTD GWNC Budget Update – Acting Treasurer Elizabeth Fuller said we were notified just a week ago that DONE has moved up our fiscal year end billing deadline to April 15 – tomorrow. After that, we may only make credit card purchases until June 30. This will complicate our election publicity, unless we can find someone to either deliver fliers for free, or someone who would be willing to defer billing until July.

City Budget Update – City budget representative Jack Humphreville said the City budget is “out of whack,” and there will still be a \$150 million deficit even if the city receives a disputed transfer from the DWP. He said it will be even worse next year – with deficits of about \$500 million. Mr. Humphreville said the “elephant in the room” is pension funds. The Mayor will introduce his new budget on April 19th or 20th. But the City Council hasn’t been able to make any significant trade-offs. It will be very ugly and no one’s taking any positions.

Mr. Humphreville said City Council Member Tom La Bonge held an emergency budget meeting for community members last night and nobody mentioned pensions. It will also take about \$10 billion to make our infrastructure sustainable; and \$25 billion to solve the infrastructure problem.

Director Owen Smith asked what rate of return is being used when calculating the pension. Mr. Humphreville they’re assuming an 8% investment return, which is also referred to as “the 8% myth.” He said the pensions are only about 60% funded.

Director Jane Usher asked if Mr. Humphreville would talk about police and fire overtime budgets and what their work week is. Mr. Humphreville said that, from his perspective, they’re “cooking the books.” He said police and fire employees are entitled to some amount of overtime and can bank it. But city doesn’t count that as paid from its accounts, as corporations would. He said this will come out next year, when there is too much overtime in the bank and no cops on the street.

Ms. Usher noted that if you add together this year’s police and fire overtime budgets, the sum of the two numbers would equal the entire budget deficit. The police work a 3/12 work week, so any 4th day or more than 36 hours counts as overtime. She said that during Tom Bradley’s administration, he opposed a 4-day work week, saying it was unsupportable...and they’re working 3/12. This is a structural nightmare that other cities have confronted, but Los Angeles is standing alone at 3/12.

Mr. Humphreville said that at Mr. La Bonge’s meeting last night, it was said that about 27% of police are on the 3/12 schedule. But they also have trained officers doing clerical work because they don’t have the right people in the right jobs. It’s all part of the tradeoffs that need to be made, and no one’s willing to make them.

Mr. Humphreville noted that former mayor Richard Riordan is now saying the best thing for the City is bankruptcy...but he thinks it would be an unmitigated disaster. In bankruptcies, you never know where things are going to go. Right now, with the DWP withholding money from the city, it’s hurting both city agencies and their reputations. The credit rating agencies think we’re crazy, and that affects our bonds and the entire financial community.

Ms. Usher said that the DWP operates differently from the rest of City Hall: it has the prize jobs, amenities, and even furniture, which are markedly different from the other City offices and it’s inexplicable. She said DWP employees received salary

increases last fall, which were voted on by our elected officials.

Mr. Humphreville said City Council Member Jan Perry asked the DWP how it is participating in the current shared budget sacrifices. Ms. Usher said that agency should be compared to the City Attorney, who came in on July 1 of last year, facing an immediate 18% budget cut from his predecessor. And there were \$1.5 million in unpaid bills left over from former City Attorney Rocky Delgadillo's tenure. Also, on July 1 of last year, there were roughly 900 employees in the City Attorney's office, and now there are only 735-740. They haven't hired a single person. And it's like that all over city government...except at the DWP. Ms. Usher said she can't name a city department that isn't "squashed" by the budget crisis. She herself is furloughed now, and her salary has been cut 10%...though she doesn't work any less or take days off. "That's what's going on in City Hall."

Alternate Director Cindy Chvatal noted that at Mr. La Bonge's meeting, someone asked about "non-collectibles" (money owed to the city that can't be collected). Mr. Humphreville said he thinks that issue is a "canard," and he doesn't think there's really much money there. Ms. Usher agreed. She said the City Attorneys have collection tools others agencies don't have...but debtors tend to get rid of their assets, and by the time an attorney gets around to going after them, the assets are gone. She said one of the biggest debtors was said to owe the City \$27 million...but turned out to be only \$60. She said the City Attorney would like to be given the reins is personnel cases. If those cases get to the Attorney faster, they have better tools than other agencies. But City Hall has a shortage of ideas and a lack of willingness to try them. Finally, Mr. Humphreville noted that collections are just another one-shot source of funds, not a continuing stream of revenue.

Director Shar Penfold asked what solutions Mr. Humphreville would recommend. He said the DWP needs a general manager who knows what he or she is doing, and the agency needs a meaningful board with more transparency. He said they need "grownups" to come in and clean house. The big thing is people – we will see significant layoffs across the board, and we will have to get rid of certain programs. Cops and fire fighters may be sacred, but the budget numbers don't work if we stay away from them. It will be painful. Some people are doing good job of working on the problems, but there are no easy answers, especially given the politics of the situation. We tend to feast as long as revenues are going up, but now they're going down and the City's pensions aren't funded.

DWP Oversight

DWP Oversight Representative Jack Humphreville said renewable energy is a big issue now for the DWP. The City Council held extensive hearings on rate hikes, and voted against it. Then the DWP said it wouldn't pay a transfer fee. Today, there may have been a breakthrough, as the Council approved a 6/10-of-a-cent increase. There will be an emergency meeting tomorrow at the DWP...though the Mayor often throws curve balls in this process. In other DWP news, the City found out multiple recent water main

breaks were caused by conservation efforts and big changes in water pressure. The problem will cost lots of money to fix. The good news is that we saved water, but the bad news is that means less money coming in from ratepayers, so rates will go up. Both water and power. Finally, he said many people – especially City Council Member Jan Perry – are still complaining about transparency at the DWP.

Alternate Director Mike Genewick asked if there's been any discussion of doing away with water rationing. He said we've had lots of rainfall and are not really in a drought, so it's more of a political issue now. Mr. Humphreville said we are going to have higher rates for water, and the DWP may actually increase rationing...because we've been so successful. He said there's talk of raising Tier I rates even more than Tier II rates. So if you own a home, you're going to get slammed. He said that if they institute an integrated resources plan, however, we'll at least have an idea of how we're going to get clogged.

President's Report

Ethics Training -- President Charlie Dougherty reminded everyone who has not yet done so to complete DONE's required ethics training.

Election Update – President Dougherty announced that our Candidate Forum will be held on Wednesday, April 21, at 7:00 p.m. at the Wilshire United Methodist Church. He invited all candidates to attend to make a brief statement and take questions from stakeholders.

Mr. Dougherty also announced that our previously-announced election venue – the Ebell – will not be available after all, so our polling place for the May 13 elections has been changed to Wilshire Crest Elementary School. Director Margy Hudson asked why we didn't use Fire Station 29 (where we held our first elections). Secretary Elizabeth Fuller said we had to book something immediately, and because she knows the staff at Wilshire Crest, and has gone through the LAUSD facility booking process before, she was able to get the whole thing taken care of in about 20 minutes. She also said we have used the Wilshire Crest auditorium before for a Candidate Forum -- it's a good space, and the staff is very accommodating.

Director Jane Usher noted that we also have a problem with the City Clerk's official voting procedures differing from the procedures published in our bylaws. We have 21 board seats and our bylaws say 16 of them can be voted on by people who live, work or own property within the GWNC's boundaries. The five other seats may be voted on not only by those who live, work or own property here, but also others who declare some sort of stake in the neighborhood – as a renter, or through an education, religious, non-profit, or business organization. But the City Clerk has said all 21 seats are open for voting by those who live, work, own property or claim any other sort of stake. Ms. Usher said she's concerned the Clerk has fundamental misunderstanding of the neighborhood council election process, which we've been working on since 2003. She said problems might never arise from the discrepancy, but the Clerk's procedures should match our

bylaws and election stipulation. To that end, she asked the board to formally affirm her interpretation and asked that someone work with her on the issue, so no one can claim she's exerting undue influence in any way. Directors Shar Penfold and Owen Smith volunteered.

Director Frances McFall said there's a person who's interested in running as her alternate, but is a Canadian citizen and wonders if he's allowed to participate. Ms. Usher said that's fine – there is no requirement that people have to be U.S. citizens, only that they live, work or own property in the area and are at least 18 years old.

Federico Mariscal, a candidate for the Region 7 (Larchmont Village) seat, said the rules are very confusing. He says he understands that people who live, work, or own property here can vote. But he has a friend who lives elsewhere and frequents a coffee shop here, and has been told that qualifies him to vote. Ms. Usher said it is not. There used to be an election FAQ on the DONE website, and one question dealt with whether someone who shops in the neighborhood can be considered a stakeholder. The answer from the city attorneys was no – that's not the kind of stake they're looking for. Also, if that's all that were required to establish stakeholder status, anyone could qualify to vote in any NC election.

Ms. Usher said she asked the same question again a week ago in Venice – and was told yes by a city clerk. But she said she spoke to them again since then and they said the attorneys are thinking about it. City Attorney Carmen Trutanich, however, says it's ludicrous. Ms. Usher said she will go to bat for this issue. If you live here – even if you're a homeless person living on the streets – you have a stake. If have interest in an area business, school, religious institution or are a renter, you can vote...but only for those seats. But just shopping here won't qualify.

Mr. Mariscal said again he has been told that shopping does qualify and asked what will happen if others who have heard this do come to vote but are turned away. Ms. Usher said she can't promise how it will play out, but there is definitely a disagreement between the City Clerk and the City Attorney, and she is going to work on it. Mr. Mariscal asked if his coffee shop friend can come to vote. Ms. Usher said yes, if he can prove his connection to one of the special interest seats -- but he wouldn't be able to vote for Mr. Mariscal in a geographic category. She said there was a big discussion at the Venice meeting about what it means to prove residency if you're homeless, and it's very complicated.

Mr. Dougherty asked if we could get something on record on the subject. Director Rudy Gintel moved that we stand by the interpretation of our bylaws, go on record saying that we believe the City Clerk is in error on this issue, and ask them to rectify the error as soon as possible. Director Owen Smith seconded the motion. It passed unanimously.

Community Concerns

Senior Citizen Transportation – Stakeholder Joan Taylor requested that this subject be tabled until our next meeting.

Memorial Library Landscaping – Director Owen Smith said the neighbors working on this project don't have a formal plan yet, but the goal is to make it the park "look like it did a long time ago." He said they're working with the historical society, but don't want to install anything that would require a lot of care. Mr. Smith said the group was also planning a Big Sunday project to paint the park's light poles, but the City refused to supply the paint. So the neighbors asked the City to do the painting and they did do some of it.

On another matter, Mr. Smith said that people are still talking about a subway stop at Crenshaw Blvd., but there doesn't seem to be a lot of support for the idea. He said the real problem is that many people, out of a sense of fairness, think that people to the south of our area would like a rail line extended to Crenshaw. But that's not true; the rail line stops at Exposition and residents to the south don't want it to go further. Mr. Smith said Tom La Bonge wants the rail line to go up San Vicente. But Crenshaw-area residents don't want it to go north; they're more concerned with developing a station in their area, and they're handling it in a very sensitive manner, even going underground at one point to preserve the neighborhood.

Feral Cat Trap/Neuter/Release (TNR) Program – Secretary Elizabeth Fuller said she received a letter from a stakeholder, asking the GWNC to agendaize, discuss and vote on a recent city injunction against trapping, neutering and releasing feral cats. But the signature on the letter was illegible, and there was no phone number or e-mail address, only a street address on the envelope. Director Shar Penfold offered to find the person's name through her real estate resources. The issue was tabled until a future meeting.

Metro Westside Subway Extension Optional Crenshaw Station – Director Jane Usher said GWNC board members receive a great many notices from Metro about planning meetings for many projects, and we usually receive them far in advance. But we didn't receive notice of the next meeting on this subject, which is right in our back yard, until just last week. The meeting will be held on March 17, at the Wilshire United Methodist Church, at 6 p.m. Ms. Usher urged people to attend, saying it will be a good forum to voice people's opinions. She said we have been good neighbors to Metro, but their lack of notice for this meeting was "very disappointing."

Ad Hoc Outreach Committee

Director Margy Hudson reported that recent outreach efforts include monthly display ads in the Larchmont Chronicle, as well as e-mails to our stakeholders. She said we will have to do a special e-mail soon to get the word out about our election venue change. We are also still working on our website re-design, and have chosen one of the designs created by our designer. We are working on refining the layout, putting together a list of local "how to" information (Christmas tree recycling, hazardous waste disposal, etc.) and are looking for photos to use on the site -- if anyone has any they'd like to

contribute, they can send them to her or Secretary Liz Fuller. Director Frances McFall suggested that images of the Scottish Rite temple and local churches would be good to include and Ms. Hudson agreed.

Other Committee/Project Reports

Burns Park Renovations – Director Margy Hudson said improvements made to the park so far exceed \$500,000 in value – a great example of private, civic and city organizations working together. The items installed include play equipment, restrooms, a new path, fence, benches, trees and reseeded landscaping. She said they also have some Prop K funds they might be able to use, and are working on creating an historical plaque for a new boulder, featuring Robert Burns.

One bit of bad news, however, Ms. Hudson reported, is that when the City recently mowed the new lawn, the workers destroyed one of the new benches (which the GWNC paid for), and the City won't replace it. The bench has been removed. The improvement group has been soliciting funds for new trash receptacles for the park, and will also try to find money to replace the damaged bench, which will cost approximately \$1,200. Ms. McFall suggested the group hold a fundraiser for the bench, saying that if kids are involved, parents will spend money.

Ms. Hudson invited people to drive by the park, to see the improvements first hand. Director Jane Gilman asked what the Prop. K funds can be used for, and if the bench might be one of those items. Ms. Hudson said the money might be used for replacement of the 1957 shade canopy, or cement replacement.

Alternate Director Kay Martin asked where the park is and Ms. Hudson said it's at the southwest corner of Beverly & Van Ness. President Dougherty said he thinks the City should pay for the bench it damaged, and Ms. Hudson said she hasn't given up on that, and has asked them to include the cost in their budget for next year.

La Brea Art Walk – Director Owen Smith said he hasn't received a bill for our contribution yet from the Mid-City West Community Council. Treasurer Elizabeth Fuller said she did receive it, and it has been submitted to DONE for payment.

Land Use Committee

Koreatown Boundary Update – Director Jane Usher reported that now that we have worked out the issues with the western boundary of the Koreatown area, a new dispute has erupted over that area's eastern boundary (where it borders the Pico-Union area). The issue there is the same we had – with Koreatown potentially expanding into another traditionally-designated area. And because of this, a final decision on the area's official boundaries has been postponed.

Director Frances McFall said she was told years ago that the western boundary of Koreatown is Western Ave., and asked how it was allowed to expand beyond that. Ms.

Usher said the community includes 42 city blocks, and the people who live there have a lot of pride in their area, so it becomes an issue of working it out with your neighbors. But we met and came to an agreement, which is what she hopes will happen on the eastern side.

Ms. McFall asked what the official Koreatown boundaries are, and Ms. Usher described them from our previous discussion. Ms. McFall said the LA Times recently contained a different description of the area, but President Dougherty said that was a different naming project. Alternate Director Mary Rajswing asked what the eastern boundary is, and Ms. Usher said the part under dispute is at Olympic and Vermont. Mr. Dougherty verified that Western Ave. is the western boundary of Koreatown and assured Ms. McFall that neither her neighborhood (Country Club Heights) or Wilshire Park, which was once in dispute, are being claimed in newly negotiated Koreatown area.

[Directors Moon Chung and Jane Usher left the meeting at 8:41 p.m.; Alternate Director Cindy Chvatal stepped in to replace Ms. Usher.]

CVS at 3rd & La Brea – President Charlie Dougherty reported that the Land Use Committee, at its meeting last Tuesday, hosted a presentation by the architect and developer for this project, which is technically located in the Mid-City West Community Council area, but MCWCC, but on a street that borders GWNC territory. He said the applicant is requesting permission to sell a full line of alcoholic beverages, 24-hour operation, and less than the required 50% glazing on the 3rd St. side of the new building.

Mr. Dougherty said the Committee reviewed the latest set of plans for the project, and heard the reasoning behind certain elements of the plans. The outcome was that the Land Use Committee recommended the GWNC support the solutions being negotiated by the MCWCC, and that we send a representative (Rudy Gintel) to the upcoming MCWCC meeting to voice our concerns, if any. He reported that one committee member, Patty Lombard, opposed the motion, because she thought it was premature.

Charles Lindenblatt, a member of the MCWCC Land Use Committee, said the developers, who recently presented a third version of their plans, have said they are now working on a newer version, which should be more like a second version that was preferred by many people in the MCWCC area. The next MCWCC meeting will be held on April 28th.

Director Owen Smith moved that we adopt the Land Use Committee recommendation to support the solutions negotiated by MCWCC, and to send a representative to their meeting. Alternate Director Cindy Chvatal seconded the motion. It passed unanimously.

Cell Tower at 1st & Wilton – President Dougherty said T-Mobile is proposing to replace a 22-foot wood utility pole with a 45-foot monopole for utilities and cell phone antennas on 1st St., near four homes at the edge of the Wilton historic district (which is federally designated, not an HPOZ). Neighbors oppose the installation for historic and

aesthetic reasons. The City claims it has no jurisdiction to regulate such poles, but because of the federal historical status of the area, the FCC and Department of Interior may be able to step in.

Stakeholder Brian Terr, who says the pole is about 11 feet from his house, said he has been in touch with Synergy (the company representing T-Mobile) and the City. But the City says there is nothing they or we can do to fight it, T-Mobile has right to install such poles, and they are doing it all over the area (e.g. Van Ness & Beverly). According to Mr. Terr, T-Mobile says it needs the pole it to complete coverage in the area, and to regain customers who have dropped them because of poor coverage. The City also says we can't fight this on health reasons – because home wireless routers emit more RF waves than cell phone antennas. The only thing that gets their attention is threatening to take them to court and continuing to fight it for the next couple of years. That may cause them to give up and propose another installation in another location.

Director Rudy Gintel asked if there is an administrative remedy available. Mr. Terr said he has filed an appeal of the approval with the Bureau of Engineering. Mr. Gintel asked where the appeal will be heard, and Mr. Terr said the Board of Public Works. Also, he said T-Mobile told him that if they had been allowed to put antennas atop the building at 535 S. Gramercy, they would not need this installation. So it's like a balloon – pushing in on one place makes it pop out in another.

Mr. Terr said that not only is the neighborhood designated historic, but his house also has landmark status. And he was told that if they wanted to put an antenna on his house, he'd have more leverage to fight it. The appeal hearing probably won't be happen until at least September.

Director Margy Hudson asked when the next Board of Public Works Commissioners meeting is, and suggested Mr. Terr get on that agenda and bring friends to the meeting. She also suggested that he contact City Council Member Tom La Bonge, who met with BPW staff yesterday.

Alternate Director Mike Genewick said that since the state Public Utilities Commission has designated cell companies public utilities, perhaps they could be persuaded to put some conditions on the companies' utility status. He said if they're not really classified as utilities, then homeowners own the rights of way under the pole, and the companies would have to get owners' permission to come on your property to install a pole. The easement is only for public utilities...so if cell companies are not utilities, they'd need permission from property owners.

Alysoun Higgins, from the Ridgewood-Wilton Neighborhood association, said Synergy was told about tonight's meeting but declined to attend. They finally sent the neighbors a rendering of the proposed installation late today, but she hasn't been able to review it yet.

Mr. Genewick said the renderings went out a while ago, when notice was send to

the neighbors. Ms. Higgins said those pictures didn't show the equipment at the top of the pole, just the pole itself. She said what she just received are the actual engineering drawings of the entire installation, while the original photo only showed 30 of the full 45 feet.

Ms. Higgins said the neighbors have learned there are no meaningful city regulations for poles in public rights of way, so people have to deal with situations as they come up. Pole diameters will increase from 12" to 18," and they will be 50% taller. We don't know yet what the antennas will look like. She said the accompanying electronics cabinet sits across the street from the Wilton historic district, and one block east of the Windsor Square HPOZ. The pole itself will be in the federally designated historic district. She said the installation does require a hardship application, but it doesn't appear one was ever filed. The neighbors have contacted the FCC's preservation people, but they have no records of a hardship application for this location. And the Bureau of Engineering was unaware that the pole would be in an historic district. Ms. Higgins said she's been told the permit can't be denied based on historic designation; but there would have to be a note on the application that the installer would have to comply with Section 106. Aside from that, however, there's no way to keep them from moving forward. Finally, she said T-Mobile said they couldn't provide pictures of what the installation would look like because they've never installed something like this in Los Angeles. So they may be taking a shotgun approach to see what they can get put up. She said the Ridgewood-Wilton Neighborhood Association opposes the installation until it can learn more.

President Dougherty said the GWNC Land Use Committee recommended at its meeting last week that the GWNC send a letter to the Bureau of Engineering, based on wording the neighbors have crafted. He asked if this would still be valuable. Director Patti Carroll said yes, and distributed a document prepared by the neighbors, which she said is very well done.

Alternate Director Cynthia Markus said we should find out if such installations have been done in any other cities outside Los Angeles and what was done in those cases.

Director Patti Carroll moved that the GWNC support the opposition of the RWNA to the installation of a 45-foot monopole at 1st and Wilton, that we urge the Bureau of Engineering not to approve the plan...and that we include the full motion and informational document submitted by the RWNA (see below). Director Owen Smith seconded the motion. It passed unanimously.

Text of Ridgewood-Wilton Neighborhood Association Document:

April 14, 2010

MOTION FOR GWNC AS APPROVED BY LAND USE COMMITTEE LAST

WEEK RE: PROPOSED T-MOBILE TOWER AT FIRST AND WILTON PLACE IN WILTON HISTORIC DISTRICT [Site SV11736 N/S 1st St. 110' w/o Wilton Place, City Log No. 2010001395]

THE RIDGEWOOD WILTON NEIGHBORHOOD ASSOCIATION, REPRESENTING 140 FAMILIES IN THE WILTON HISTORIC DISTRICT AND SURROUNDING AREA, HAS OPPOSED THE APPLICATION OF T-MOBILE TO INSTALL AN AGF CABINET ON THE NORTH SIDE OF FIRST STREET, WHICH WOULD OPERATE WITH A CELL TOWER TO BE CONSTRUCTED DIRECTLY ACROSS THE STREET, WITHIN THE HISTORIC DISTRICT, AND ASKS THE GWNC TO SUPPORT IT BY SENDING A LETTER TO THE BUREAU OF ENGINEERING, WHERE AN APPEAL OF APPROVAL OF THE APPLICATION IS PENDING.

Background

While there is a legitimate need for cell towers adequate to meet the demand for service in the City of Los Angeles, the city has no meaningful regulations regarding installation of cabinets on public rights of way, and no regulation at all of construction of cellular poles and antennas in those rights of way. The standards for issuance of permits for cabinets are meaningless, and the poles which are the real issue for neighborhoods affected by the proposed construction are altogether exempt. It is not even clear if antennas are exempt or not.

Lack of consistent policy and criteria

There is no doubt that cities in California have the authority to regulate such construction under a number of criteria. The federal court of appeals for California has stated more than once that cities may consider reasonable criteria, such as need, visual impact, community and historical protection, and others. The list of cities which have adopted such regulations has grown as the construction of towers has, and includes cities as diverse as San Francisco and Glendale. Such regulation is critical in Los Angeles. One community organization has estimated that a combined total of 75 organizations representing over 1 million Angelenos have requested protection from unregulated cell tower proliferation on one or more occasions. See: info@pprainc.org

But that is not the case in Los Angeles. The Bureau of Engineering [BOE] has been given no standards to determine whether to permit a project, so therefore it routinely approves the installations with no regard for the surrounding community.

What we know about the proposal for Wilton Historic District

Without a thoughtful policy to regulate these installations, we are left to address each installation on an individual basis. In the specific case proposed for the Wilton Historic District, T-Mobile proposes to replace a wooden support pole which is approximately 25' tall and 12" in diameter with, according to off the record descriptions of the application on file, a metal pole which is 45'

tall and 18" in diameter, topped by a number of antennas. [Despite a request placed with BOE, as of 3 P.M. today, our Association has not been given a copy of the application.]

What we don't know about the proposal

The President of RWNA also reached out to the siting consultant for T-Mobile, Synergy, and representations were made orally off the record. However, as of 3 p.m. today, those comments have not been confirmed by the expected documentation of the plans for the cabinet, pole and antennas.

In addition to the lack of disclosure of information to the affected neighborhood, RWNA has serious concerns about this installation based on the information we do know. The proposed pole itself would sit within the Wilton Historic District, a federally recognized historic area, and would be only one block east of the Windsor Square HPOZ.

No concern for federal protected historic district by City or T-Mobile

*Wilton Historic District has been recognized as a protected resource by federal law since 1979. The AGF cabinet proposed would sit directly across the street from the historic district, and though the AGF ordinance requires the **applicant** to demonstrate **hardship** if the cabinet would be **near** a historic district, T-mobile has not done so, and the city is not requiring such a showing. Moreover, the pole, the cabinet, and antennas are all regulated by Section 106 of the National Preservation Act, which requires T-Mobile to consult with the Federal Preservation Office of the FCC and /or with the California State Historic Preservation Office to **minimize any impact on protected land and buildings**. [The pole if allowed which would be only 11 feet from a family home which is itself on the National Register of Historic Places.]*

*Yet, according to a recent email to RWNA from Stephen Delsordo, Federal Preservation Officer with the FCC, there is **no record at FCC** that T-Mobile has consulted with FCC as required by the National Preservation Act about its plans for the Wilton Historic District. RWNA has also requested information from the responsible officials at the State Preservation Office, to see if T-Mobile has conferred with that office, but the **state has provided no information at all**.*

*In fact, as of an inquiry to BOE made by RWNA this week, **the City was unaware that the project sits either within the Historic District or adjacent to it**, so we can only assume T-Mobile did not mention the Historic District in its application. Even with that knowledge, because of the lack of any real city regulation, BOE takes the position that it cannot deny the permit based on T-Mobile's failure to prove its compliance with Historic Preservation requirements, but can only "make a note" of the need for compliance, while continuing with the approval process. It is insufficient to hope or assume that, once the city approves the permit, T-Mobile would comply with Section 106 before proceeding with this project, because there is*

no mechanism for assuring that the Historic District will EVER be considered in the design or siting of the pole, the cabinet or the antennas. Recently in a similar situation where T-Mobile was required to obtain approval from the California Coastal Commission, but failed to do so before construction began, it completed the installation, rejected the Commission's attempt to remedy the violation after the fact, and the litigation continues even now, with the unlawful cell pole still standing.

Conclusion

*The fact of the matter is that no one knows what this proposed pole would look like. RWNA asked T-Mobile for a photograph of a pole like the one proposed, but was told there are **no pictures because this would be the first time this type of pole would be installed in L.A.** RWNA requested a drawing and rendering of what the installation would look like, and again the information was not provided as of the submission of this request. We do not even know if there has been a determination of need, or where that need is; again, questions by RWNA for T-Mobile to identify the desired coverage has not been answered. Perhaps there are other locations that can better service the needs of T-Mobile while balancing the needs of the community, but without all the information, no one can know.*

The bottom line is there is not enough information about this project: not why it is needed, not why it is needed at this particular location, not what it will look like, not if there has been compliance as required for a historic district, not what T-Mobile's goals are with these antennas. Once this permit is granted and the unknown experimental pole is built, there will be no way to un-do it. Therefore, until more reliable information is provided, GWNC supports the opposition of the RWNA and urges the BOE not to approve the plan.

Submitted by Alysoun Higgins, President, RWNA

Yeshivath Torath Emeth Academy – 7002 W. Clinton – President Charlie Dougherty recalled that this issue was tabled after extensive discussion at our last meeting, due to a loss of our quorum during the meeting. Since, then, he said, the project was approved by the City Planning Commission, but the neighbors are preparing an appeal.

Director Owen Smith moved that we adopt the GWNC Land Use Committee's motion, tabled at the last meeting, that the GWNC oppose the application and not consider reviewing it again until the neighborhood has had an opportunity to work through the study and negotiation process with the City Council office and school. Alternate Director Cindy Chvatal seconded the motion.

Director Frances McFall said she sympathizes with the school and said the neighbors need to be more realistic. If people want to build their own schools in these tough economic times, they should be allowed to do so, and she would be happy to march with them and contribute to their efforts. Further, she said, Los Angeles is an urban area, and residents should reasonably expect some congestion in their neighborhoods.

Alternate Director Mike Genewick said the school wants to replace an old building with a new one that doesn't fit into the neighborhood, and that needs to be negotiated with the neighbors to ensure better compatibility. President Dougherty said the school does need a CUP for the new building, because what they're requesting is not allowed under current zoning.

Charles Lindenblatt, from the Mid-City West Community Council – said that at this state, negotiation doesn't seem likely to be effective, and the situation may have gone beyond the point where neighbors and the school can work together.

The motion passed unanimously.

Cell Phone Tower at 535 S. Gramercy – President Dougherty reported that T-Mobile's appeal of the rejection of its application to put cell phone antennas atop this landmarked building has been denied...though we may be seeing pushback from that decision now in the application for the pole at 1st and Wilton.

Director Patti Carroll said the interesting thing about the appeal decision was that the President of the Central Area Planning Commission said that he sympathizes that the phone companies need coverage in the area, but urged the applicant to explore creating new kinds of structures and mechanisms that would be less intrusive in residential areas or can have longer reach from commercial areas. She said the L.A. Times also recently ran an article about mini towers you can put in your home to strengthen cell phone signals...so there is alternative technology out there.

Bricks & Scones – 403 N. Larchmont – President Dougherty reported that the owner of Bricks and Scones has applied for a CUP to serve liquor and have live acoustic music, with limited hours and other conditions. He said the Larchmont Village Neighborhood Association supports the application. The applicant is waiting for a hearing to be scheduled, and will bring the issue back to the GWNC Land Use Committee for a vote when that happens.

Stakeholder Karen Gilman clarified that the application is for beer and wine only; not a full line of alcoholic beverages. She said no other establishment north of Beverly on Larchmont has a full alcohol license, and no one wants to set that precedent. Director Margy Hudson asked whether Chan Dara has a full liquor license, but Ms. Gilman said they just create clever drinks with beer and wine. She said that when owner Jinah Kim comes back, closer to a hearing date, both the GWNC Land Use Committee and the LVNA will make sure they put their concerns and proposed conditions into writing.

Larchmont Bungalow – 107 N. Larchmont – President Dougherty reported that the business, licensed as a take-out, is still operating as a full service restaurant. The Department of Building and Safety ordered them to comply with the terms of their permits, the business appealed, and the appeal was denied, but they are still open for business...so the City Attorney's office filed a lawsuit on three criminal charges. The first court date in the suit is scheduled for April 15.

Dubai/Cordon Bleu Restaurant - 4653 W. Beverly – President Dougherty recalled that this business was operating without a CUP for liquor sales, and then – after being cited by the City – attempted to legalize its status as a “family restaurant,” even though there was no food service and it sold liquor only by the bottle. Since we first heard about this issue a couple of months ago, the applicant has withdrawn its application, however, and its ABC permit expired on March 31. There have been reports that the establishment is still open under new management, but that's all we know at the moment.

Potential Preschool at Van Ness & Elmwood – President Dougherty reported that stakeholder Thomas Meyer has submitted a short sale offer to purchase a building at this intersection, where he'd like to open a new preschool for 30-40 students (he can house up to 20 students in a school there by right, but would need a CUP for the number he's targeting). Mr. Meyer has begun the neighborhood contact process for the project, but he won't submit a CUP application until the building purchase is finalized.

See's Candies – President Dougherty reported that neighbors and developers of the recently landmarked See's building have been trying to convince the See's company to re-open a candy store at the location. Director Patti Carroll said the company recently decided not to do so, but the developers have been great neighbors so far, deserve the neighbors' support, and are still trying to work out some other kind of arrangement with See's.

Board Member Comments/New Business

Director Frances McFall asked who creates the GWNC agendas, and complained that issues in her neighborhood are never included. President Dougherty said the agendas are created by him, Secretary Elizabeth Fuller and Land Use Committee Chair Jim Wolf. Ms. Fuller said Ms. McFall is welcome to call her any time with agenda requests. Ms. McFall said she doesn't have a computer, so it's hard for her to stay in touch. She said there should be more transparency in our operations, and that she would like to join one of our committees to learn more about our work.

[Alternate Director Cindy Chvatal, Director Owen Smith, Alternate Director Cynthia Markus, and Director Jane Gilman left the meeting]

Public Comments

Charles Lindenblatt, from the Mid-City West Community Council, cautioned us against our choice of Wilshire Crest School as our alternate election location, saying the

City Clerk's office rejected several schools as election locations for his council, claiming they were too expensive.

Gavin Greer, Roxanne McBryde and David Hernandez, introduced themselves as candidates for the 42nd Assembly District of the Republic Central Committee. They said the election will be held on June 8, and absentee ballots will be sent out in less than a month. They are also looking for neighborhood council members who might want to run for non-partisan offices with the group.

Announcements and Adjournment

Director Elizabeth Fuller announced that Wilshire Crest School will be hosting a Big Sunday event on Sunday, May 2. They will need volunteers for painting and landscaping projects...and ladders for the painting project.

President Charlie Dougherty announced that the next GWNC board meeting will be held on Wednesday, May 12, the day before our board elections.

The meeting was adjourned at 9:44 p.m.

Respectfully submitted,

Elizabeth Fuller
Secretary