

## **CELL TOWER ADVISORY COMMITTEE (C-TAC)**

### ***Meeting Minutes***

July 14, 2014

#### **I. Call to order**

Anthony-Paul (AP) Diaz (Chair), called to order the regular meeting of the C-TAC at 7:30 p.m. on July 14, 2014 at the San Marino Unified School District (Board Room) 1665 West Drive, San Marino, CA 91008.

#### **II. Roll call**

The following members were present:

AP Diaz, Strefan Fauble, Peter Lichtman, Miriam Nakamura-Quan, Doug Wilson, District Superintendent Dr. Alex Churnish and School Board Member Chris Norgaard.

Additional guests included: Dean Pappas of Goodwin Procter LLP.

#### **III. Minutes**

The meeting minutes from the last meeting on April 24, 2014 were approved with amended change(s).

#### **IV. Outside Counsel Updates By Dean Pappas, Esq.**

Mr. Pappas updated the committee on the status of the Verizon and Global Tower (Now American Tower Corporation) carriers' defaults. Another round of default letters were sent out to American Tower and Verizon. Both carriers are working to remedy the defaults.

American Tower submitted plans for a conditional use permit (CUP) on June 24<sup>th</sup>, 2014. The city intends to notify American Tower that their application is deficient. In the city's view, the CUP is deficient because the location is on or near the Raymond fault. American Tower has also sent a letter to the school district asking to extend the lease for 50 years.

Verizon is seeking alternate locations for the tower that is currently located in the SMUSD maintenance yard. They have identified seven locations with two being seen as primary. Their preferred location is the Old Mill median, with a location at Lacy Park as their second choice. There is a City Council meeting scheduled for July 25<sup>th</sup> where the alternate locations will be discussed.

There are fifteen homes within 300 feet of the Old Mill median location. It is expected that those residence will oppose the location of the tower there.

Raymond Quan gave a thorough presentation detailing the misstatements and omissions in the American Tower's CUP application for the High School tower. He showed how the tower was built without a permit and didn't have the required DSA inspections. He also noted that they received a void letter on December 13, 2012 closing out the application without certification. A 2006 USGS report shows a fault runs directly under the location of the High School cell tower. The earthquake fault notice on their plans was omitted when the plans were submitted to the DSA. A new structure would be prohibited from being placed within 50 feet of a fault.

**V. Discussion of Next Steps**

The committee discussed various suggestions for what are the next steps in the process.

1. The district can diligently pressure Verizon to respond and cure their default advising them that Verizon is not responding quickly enough.
2. Encourage the city to help find suitable alternate locations and expedite the process.

**VII. Adjournment**

The meeting was adjourned at approximately 9:00 p.m. The next meeting will be scheduled once there are new developments.

Minutes submitted by: Doug Wilson

Minutes approved by: C-TAC Committee on \_\_\_\_\_