

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/wp-content/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-government-power/>). 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>)

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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 CD11s and 5 (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 if necessary.*