

Susan Foster

PO Box 1444
Lyons, CO 80540
susan.foster@dotlaw.biz
(858) 756-3532

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Mayor Bruce Silverstein – BSilverstein@malibucity.org
Mayor Pro Tem Steve Uhring – suhring@malibucity.org
Paul Grisanti – pgrisanti@malibucity.org
Marianne Riggins – MRiggins@malibucity.org
Doug Stewart – dstewart@malibucity.org
Full Council: citycouncil@mailbucity.org

Dear Mayor Silverstein, Mayor Pro Tem Uhring, and Members of the City Council:

I have not had the honor of appearing before the Council in two years, and sadly I must miss public comment on Monday evening. In lieu of appearing, I am sending this letter with some of my concerns.

I have not yet met Councilmembers Riggins and Stewart. So allow me to introduce myself. I am a Fire & Utility Consultant and an Honorary Firefighter with the San Diego Fire Department.

In 2020, I was asked to help a group of residents in their efforts to update your wireless ordinances. Then-mayor Pierson and Council wanted to address new technologies and – most important – maintain local control over uninhibited proliferation. We worked on this for two years. We made progress but the job is not yet done. During this process we realized that cellular technology presents significant fire and electrical safety problems, just as does the electric utility distribution system on which it relies for electricity and structural attachment.

Malibu is fire-prone, and still raw from two devastating fires that took lives and cost over \$6 billion. The prior Council was aware that faulty telecommunications equipment had a significant role in the 2007 Malibu Canyon Fire and the 2018 Woolsey Fire. The prior Council therefore required particular attention to electrical and fire safety. Our expert team, including an electrical engineer, came up with a fire safety protocol and it was unanimously adopted.

The current wireless application forms require eight (8) detailed engineering and design documents, sealed and signed by a P.E. (professional engineer) on behalf of the applicant.¹ These

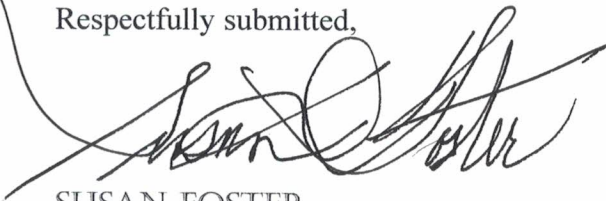
¹ Engineering and Design Documents:

documents allow city permitting personnel and outside experts to verify that engineering rigor in both design and construction is implemented to the highest safety standards.

The public and people wanting to participate in individual permit cases are not being allowed to see these documents. Department staff – mostly Building and Safety – flatly refuse to provide those materials, even to a resident directly abutting the site that has counsel and experts ready to review them. What are they hiding?

We have seen enough to know there are latent design defects in several projects that have already been turned on. The next Malibu fire is waiting to happen on cell towers that are operational today. Building and Safety may or may not have inspected them, but somehow, they got through the process. We want to stop this and need your help. Please tell your staff to give the documents to our team and let us help you prevent yet another disastrous inferno in this city. Tell the people doing plan check to actually look at those documents and tell the inspectors to do a better job of rejecting sites that are not fully safety standard compliant.

Respectfully submitted,



SUSAN FOSTER
McCullough Law Firm

Cc: W Scott McCullough

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- a. A short circuit and coordination study (“SCCS”) calculated pursuant to the IEEE 551-2006: Recommended Practice for Calculating AC Short-Circuit Currents in Industrial and Commercial Power Systems or the latest version of that standard. The study must demonstrate the protection devices will ensure the equipment enclosure will not be breached. The SCCS must include analysis of Voltage Transient Surges due to contact of conductors of different voltages;
 - b. A one-line diagram of the electrical system;
 - c. Voltage Drop & Load Flow Study;
 - d. Load Calculation;
 - e. Panel Directories;
 - f. A plot plan showing the location of the mounting structure including address, or structure designation, or GPS location on the front sheet;
 - g. A plot plan showing the location of the service disconnecting means; and
 - h. An elevation drawing of the equipment and the service disconnecting means.