



## 2008/09 Officers

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## From the Prez.....

Glenn Rattmann K6NA



Gang,

### Cycle 24... the patient is gasping!

The teasing continues. On Friday the 12<sup>th</sup> a new sunspot is trying to break through.

Who knows if it is the precursor to “the good times”, or just another tease? Stay tuned. The ARRL Ten Meter contest this year will again be a mixed bag of loud locals braying into the silence, and a hunt for the meteor- and airplane-pings, plus perhaps some sporadic E skip. Good luck if you are playing on the band. It’s a good chance to mess with your contest-software configuration, and get things to behave the way you like.

The CQWW CW DX Contest has come and gone. Most participants reported fantastic conditions on 80 and 40m, pretty good on 20m, but marginal on 15 and dismal on 10m.

For the newer guys... it’s hard to believe right now, but true. During the last peaks of the sunspot cycles (1999-2000, and 1989-1990), the ten meter band was a bottomless pit of great DX—during the daytime, as well as hours of darkness! Hours and hours of working Europeans here, beginning at dawn.

In the major SSB DX contests, one could tune all the way from 28300 up to 28850 and work Europeans non-stop. In our evening time, the band supported long path propagation, too, with QSOs into the Middle East and Europe by beaming down over New Zealand. Let’s hope we see these conditions again!

A good tribander will do the job.

### Tower Ordinance Issue

At the November meeting, the Club officers and BOD were instructed by the membership to continue researching the proposed new tower ordinance issue in the City of San Diego, and to react to it in a timely manner. Also at the meeting, several members indicated that they would make private donations to help pay for counsel, should it be needed. Membership also indicated we should pursue whatever assistance is available from ARRL. Here is the summary as of December 13<sup>th</sup>.

We have determined the likely schedule of events on the City’s calendar. January 2 is the deadline for the first Comment period.

- On Larry Serra’s recommendation, Mr. Felix Tinkov, an experienced land-use attorney, has been retained to research and create the initial Comment letter on behalf of SDDXC and all hams in the area. This is being done for \$1,000. A draft is expected December 19<sup>th</sup>.

A request was submitted to SANDARC for assistance in funding this effort. A special Legislative Oversight Fund is said to exist within SANDARC but as of now there is no indication of what they will offer.

Club President K6NA has solicited help from our Director and Vice Director. Their response has been excellent. They now report that ARRL lead counsel Chris Imlay, very experienced in these matters, is preparing a substantial response to the proposed ordinance. This will be submitted within the comment-period. Second, we have obtained a postal-mailing database from ARRL, which can be used for mass-mailing to hams and/or ARRL members within the City or County. Our Section Manager, Steve Early AD6VI, has offered excellent information and advice on this as well.

Standby for updates! Make sure you are registered on the SDDXCnews YahooGroups reflector, where we can keep you advised on progress.

Now a reminder:

**There will be NO regular meeting in December.**

VP Wayne, NN6R, already has lined up some great programs for the meetings during January and beyond. Make your plans now to attend!

See you on the “low end”... and keep digging!

### San Diego DX Club Policy

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### DX Bulletin and/or E-mail Reflector

The San Diego DX Club, a group of Amateur Radio operators, interested in the art of DXing, publish a monthly newsletter, and maintains an e-mail reflector where members and officers can post information of interest to other members. The E-mail reflector is NOT an official club reflector. The reflector was created for club use, but it is privately owned.

Our policy is to print and/or post only information that is related to Amateur Radio, and not items of a political or religious nature, unless it has an impact on Amateur Radio, such as antenna ordinances, etc.

If a member wishes to have printed/posted any topic that is not Amateur Radio related, they can submit a copy to the club newsletter editor, webmaster, e-mail reflector moderator or any club officer, and the matter will be discussed and decided upon by the Board of Directors. **No PERSONAL attacks** will be allowed in either the newsletter or on the reflector.

**Submissions are due on the 1st Friday after the 2nd Wednesday of each month!!**

## TREASURER'S REPORT MEETING MINUTES

Leon Helms N6VS



Balance as of November 1, 2008:	\$4548.09
Income:	
2009 membership renewals	120.00
Expenses:	0.00
Balance as of December 1, 2008	4668.09
Petty Cash on Hand:	20.00
Balance Checking/Petty Cash	\$4688.09

Eleven membership renewals have been received. Renewals due are: KU6A, K6AIL, K6AM, WH6ASW, N6AW, WB6BFG, W7BIA, W6BS, WA4CHI, W6CN, N7CW, N6CW, K6DLV, W6EUF, JA1FRQ, WB6FWS, K6GO, K6JL, K6JRF, K6KH, N6KI, W6KUT, WA6L, K6MC, KB5MY, K6MY, K6NA, W6NOW, KA6PEG, N0RR, KG6SXY, K6TQ, W6TUR, N7TY, N6UUW, NF6V, W6VNR, N6VS, N6WHK, W6WU, K0XB, AE6XG, N6XT, NG6Z, K6ZH, WA9ZWL, W6ZZ.

### San Diego DX Club

The San Diego DX Club held its regular monthly meeting on Wednesday, November 26, 2008 at the Sizzler Restaurant, Aero drive at Murphy Canyon Road. President Glenn Rattman, K6NA called the meeting to order at 7:05 pm. There were 23 members present.

There was no report from the scholarship committee.

Larry, N6NC gave a report on the proposed San Diego Tower ordinance. This ordinance if adopted as written would effectively prohibit amateur radio towers in the city, due to the likely imposition of several layers of expensive fees, the ability of neighbors to challenge any tower work, and time-consuming bureaucratic hoop-jumping. There was some spirited discussion on what should be done and who should do it. There was a feeling that SANDARC should play a major role in the offensive, but concerns were raised about the time it would take to get a response from SANDARC. Larry has found lawyer specializing in land a land use who will prepare a document pointing out the defects in the proposed ordinance for \$1000. Eight members volunteered \$100 each towards the fee. It was pointed out that an attempt to get the ARRL involved should also be pursued. A motion authorizing the board of directors to take whatever action they deemed necessary was offered and passed.

The program was a discussion of PSK31 presented by Dan N6ERD.

The meeting was adjourned at 9 PM.

Respectfully submitted by Leon Helms N6VS  
Secretary/Treasurer

## Club Checkpoints, DX Awards

As a service to members, helping to avoid having to send your valuable QSL cards away for checking, some of our own members have been appointed Local Checkpoints, and are available to verify your cards for major DXing awards. This is available for non-DX Club members, too, of course, so tell your friends. Our appointed members are:

For ARRL DXCC - Harry, W6YOO and Pat, WA6MHZ  
For CQ Magazine WAZ, CQ DX, and WPX Awards - Glenn, K6NA

Please review the submittal information, and how to get forms and update your records, on the appropriate website prior to asking for local card checks.

## Upcoming Events:

Current DX operations of interest (ending date), thanks Daily DX:

(Dec 19) 9Q1TB, by SM5DJZ

(Dec 31) FT5WO

(Dec 15) FT5YI

(Mar 7) VK0BP

(Dec 31) WA2YUN/KH9

(Dec 31) TT8JT, by E73Y

(Dec 31) A52RY

Jan 23-25 CQ 160m CW Contest (yes, there is DX on 160!); see <http://www.cq160.com/>

Jan 28 SDDXC meeting

April 17-19 Visalia DX convention, 60th anniversary edition; see <http://dxconvention.org/>

Have an event you would like to promote, send it to me!!

## No meeting in December!

**(Disregard any Yahoo Notice)**

## See you next year!

# San Diego Tries Again to Ban Ham Radio Antennas

By Howard White KY6LA

San Diego has a long notorious history of trying to harm ham radio...

## **PRB-1**

By 1987, San Diego's nefarious efforts had been deemed so serious by the Federal Government that the City of San Diego was specifically cited by the FCC. It published as part of PRB-1 stating that San Diego as notorious example of why the FCC had to issue PRB-1 to stop Cities like San Diego from harming ham radio. PRB-1 is the Federal Pre-emption that requires Cities to "Reasonably Accommodate" ham radio antennas and effectively invalidated most municipal antenna restrictions through subsequent court victories by hams.

## **1994 Restrictions Failed**

Subsequent to PRB-1, in 1994 the San Diego tried again to restrict antennas. Under the inspired leadership of ARRL San Diego Section Manager Art Smith, a group of more than 250 hams loudly shouted down City Council at a riotous meeting that forced the City to back down. (Being nice to City Hall never seems to work in San Diego)

One would think that with such overwhelming opposition, that the City would stop trying to harm hams but subsequent to that the City has attacked lots of SD DX Club hams individually ... but were stymied by PRB-1.

## **AB1228**

In 2003, the State of California passed AB1228 which stated that Cities "MUST reasonably accommodate Amateur Radio Antennas". State laws can be even more effective as Cities because by some upside down logic tend to obey to them before Federal Regulations.

## **2005 Restrictions Failed**

Unfortunately the City of San Diego seems to feel that they are exempt from both State and Federal legislation so in 2005, they tried to introduce yet another set of (likely illegal) restrictive legislation in an effort to ban ham radio towers.

Under the leadership of Mike Maston, Chairman of SANDARC, Tuck Miller, ARRL Southwestern Division Vice Director, and Steve Early, Chairman Legislative Action Committee, Hams mobilized SANDARC to set up a Legislative Action Committee and raised money for a Legislative Action Fund.

They established the San Diego Bioterrorism and Disaster Defense Group reflector.

They got a number of Served Agencies to support Ham Radio Antennas.

In March 2006, hams were successful in convincing Mayor Sanders that he would have a very expensive fight on his hands so he tabled the issue. (Being nice did not work)

So with all this opposition and facing an even more severe budget crisis, one would think that the City of San Diego Staff would have better things to do with their limited time and resources than to attack the 2 or 3 hams who try to put up new antenna every year.

## **2008 Attempted Restrictions**

Unfortunately in November 2008, City Staff tried again to restrict antennas. This latest legislation seems to be a "Lame Duck" effort by outgoing councilor Scott Peters to show a couple of narcissistic well healed La Jolla residents that he "Did Something" in case he ever wants to run again....

<http://www.sandiego.gov/development/services/industry/amateurradio.shtml>

One needs to understand that the proposed legislation is likely illegal under both Federal PRB-1 and California 2003AB1228 and probably would not survive a court challenge. The City is very aware of this but with the current mind set that runs San Diego, the fact that the legislation would likely be overturned by the courts does not seem to stop them from trying to harm Ham Radio.

In what is perhaps yet another incredible example of abuse of power, the City Staff seem to be working under the assumption that Hams will not have the determination and/or the funds for the expensive court challenge to invalidate the proposed laws. This is true for most individual hams, but as a group we are more than strong

enough to fight them. (BTW the ARRL has just contributed \$5,000 to hams in Palmdale to fight a similar illegal ordinance)

Needless to say, like hams have done in the past, hams can stop this legislation by showing determination and numbers now before they enact the legislation...

Like the previous cases, hams can convince City Hall that it is going to be too expensive (economically and politically) for them to continue.

Even if you do not live in the City, these restrictions will affect you as most San Diego County towns follow the City's lead.

To stop this legislation you need to write your objections to;

### *Amateur Radio Communication Amendments*

*Staff is requesting public review and comments of proposed amendments to the Land Development Code related to Amateur Radio Communication. Please submit comments by email to [dsdlc@sandiego.gov](mailto:dsdlc@sandiego.gov). Comments can also be mailed to the:*

*City of San Diego,  
Development Services Department,  
1222 First Avenue, MS 501;  
San Diego, CA 92101-4155;  
Attention Amanda Lee, Senior Planner.  
The public comment period for this draft ends January 2,*

*2009.*

Every Ham needs to write a letter or email.

Suggested Points of objection:

- That your concern as a taxpayer that the City is wasting your money on such unimportant matters when it is so broke that the City chooses to spend its limited capital on a frivolous attempt to modify a law when that attempt will likely result in substantial unnecessary legal fees and costs to the City and that the laws will likely be overturned after an expensive court challenge.
- that as the law is vague, is facially unconstitutional and preempted by Federal law, that "minimum" , means no aesthetic or soft criteria.... and
- that the law will have the effect of barring amateur radio antennas which is clearly in violation of state law 2003 AB1228.
- that the law will have the effect of banning amateur radio antennas because it will make the permit application process prohibitively expensive which clearly is in violation of the "minimum practical regulation" of 2003 AB1228.
- that as a Citizen you are appalled by this apparent abuse of power that will force ordinary citizens to spend time and money to invalidate these illegal laws.
- that Ham emergency services communications such as the Medical Operations Center and all the Hospitals, the Red Cross, Salvation Army, Office of Emergency Service, Sheriff, RACES will be unable to install ham antennas under the proposed legislation.
- that Ham Radio has a long proud history of defending the public during times of emergencies such as the 2003 and 2007 Firestorms.

This legislation will cause harm to the public because it will restrict the ability of hams to help their neighbors.

Finally: **Only You can Save Ham Radio...**

**Please write a letter or send an Email...**

***Disclaimer: This article is the position of the writer and not necessarily the position of the San Diego DX club.***



## Southwestern Division

# E-Communicator

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Here's your update on major items of interest to us in the ARRL Southwestern Division...

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### **ARRL Antenna Defense Fund Contributes \$5,000 toward WB6X Lawsuit**

The ARRL's Amateur Radio Legal Defense and Assistance Committee has voted to contribute \$5,000 toward the costs of a lawsuit against the City of Palmdale in the Antelope Valley of Los Angeles County. The suit was filed by ARRL Volunteer Counsel Len Shaffer, WA6QHD, on behalf of Alec Zubarau, WB6X, who was forced by the City to remove an antenna tower erected under a valid building permit. The permit revocation followed complaints of radio frequency interference by some of Alec' neighbors. Those complaints were never substantiated and, in any case, are a matter of federal preemption and not within the jurisdiction of the city.

Over \$1,500 has already been contributed by clubs and their members from throughout the Southwestern Division, and this contribution from the League-managed Antenna Defense Fund will further help defray the expenses of preparing for the February, 2009 court date. Len Shaffer is performing the legal work pro bono, but even just compiling the record to present in court can be costly. ARRL Defense Committee Chair Jay Bellows, KØQB noted that, although the case has not yet reached the appellate level, the egregious nature of Palmdale's actions, including ordering removal of a previously approved antenna tower, the potential impact on a large number of amateurs and the existence of substantial local financial support from the ham community were significant factors in the Committee's decision to provide support for this case.

Any individual or organization wishing to help support this legal challenge may send their contributions to the trust account. Make checks payable to: Leonard J. Shaffer, Esq. and include "WB6X Defense Fund" on the memo line. Mail to: P.O. Box 570936, Tarzana, CA 91357

### **Palmdale Antenna Ordinance Activity**

Shortly after issuing the WB6X permit revocation order, the City of Palmdale began drafting an amended antenna ordinance that places severe restrictions on all Amateur Radio antennas. The draft was released just before Thanksgiving, and a hearing was scheduled for December 4. At the request of Vice-Director Marty Woll, N6VI, who attended the Palmdale Planning Commission meeting along with about a dozen local

hams and supporters, ARRL General Counsel Chris Imlay, W3KD, wrote a lengthy letter to the City Attorney pointing out numerous flaws in the proposed ordinance and explaining why many of its provisions are unenforceable due to federal and state preemption. Thanks to help from Keith Hoyt K6GXO, Eugene Humphreys KG6SLC and others in the Antelope Valley ARC, Marty Woll has an opportunity to meet with management of the Palmdale Public Safety Department, which is supportive of hams. He and Keith Hoyt are also scheduled to meet with the Planning Department and Assistant City Attorney in early January. The proposed ordinance has been the subject of considerable discussion in Amateur Radio circles. Local hams and Division and National League representatives are devoting considerable time and effort toward resolving the issue.

### **San Diego Antenna Ordinance Activity**

Meanwhile, the City of San Diego has also proposed a modification of its antenna zoning rules. Up to now, ham antennas have not been subject to the height restrictions applicable to buildings and other structures. Under the modification, however, those restrictions will apply unless the amateur obtains a time-consuming and cost-prohibitive Process Three Site Development Permit-- the City's most onerous procedure, which requires site plans, engineering studies, public hearings, and perhaps hiring a land use attorney, even after which he or she may be denied the request for a height increase.

Attorney Larry Serra N6NC, San Diego DX Club President Glenn Rattmann K6NA, Section Manager Steve Early AD6VI and others are staying on top of this proposal, which has a short comment deadline of January 2, 2009. The local ham community has engaged a prominent local land-use attorney to prepare and file a comment on their behalf. Meanwhile, ARRL General Counsel Chris Imlay is preparing a League response to the City. Concerned hams who wish to help can contact SM Steve Early, at [AD6VI@arrl.org](mailto:AD6VI@arrl.org).

### **ARRL Policies**

Vice Director Marty Woll, N6VI, and I both welcome opportunities to address your radio clubs about ARRL national issues, and welcome your inputs regarding ARRL policies.

