



August 22, 2022

AT&T Mobility
c/o Pramira
Attn: Genesis Alban, Authorized Agent
5001 Executive Parkway
San Ramon, CA 94583

Via Email: genesis.alban@pramira.com

RE: 5480 Nave Drive; Eligible Facilities Request
Approval Letter; File No. P2022-062; APN 155-020-42

Dear Ms. Alban:

This letter is regarding the eligible facilities request (EFR) application submitted on May 24, 2022, to the City of Novato for AT&T's existing wireless facility at 5480 Nave Drive, including the following scope of work:

AT ANTENNA LEVEL:

- REMOVE (4) (E) KATHREIN PANEL ANTENNA, (2) PER SECTOR (4) TOTAL.
- REMOVE (2) (E) KATHREIN PANEL ANTENNA, (1) PER SECTOR (2) TOTAL.
- REMOVE (2) (E) RRUS-11 B12 (1) PER SECTOR (2) TOTAL.
- REMOVE (2) (E) RRUS-12 B2 (1) PER SECTOR (2) TOTAL.
- INSTALL (2) (N) COMMSCOPE PANEL ANTENNA, (1) PER SECTOR, (2) TOTAL.
- INSTALL (2) (N) QUNTEL PANEL ANTENNA, (1) PER SECTOR, (2) TOTAL.
- INSTALL (2) (N) ERICSSON PANEL ANTENNA, (1) PER SECTOR (2) TOTAL
- INSTALL (2) (N) ERICSSON CBAND AIR PANEL ANTENNA, (1) PER SECTOR (2) TOTAL
- INSTALL (2) (N) RRUS-4478 B14, (1) PER SECTOR (2) TOTAL.
- INSTALL (2) (N) RRUS-4449 B5/B12, (1) PER SECTOR (2) TOTAL.
- INSTALL (2) (N) RRUS-4415 B25, (1) PER SECTOR (2) TOTAL.
- INSTALL (1) (N) DC9 SQUID SURGE SUPPRESSOR, (1) TOTAL.

AT EQUIPMENT LEVEL:

- INSTALL (1) (N) STRING OF 165AH BATTERIES WITHIN (E) BATTERY RACK.
- INSTALL (2) (N) RECTIFIERS WITHIN DC POWER PLANT.
- INSTALL (1) (N) DC POWER SHELF.
- INSTALL (1) (N) POWER AND (1) (N) FIBER TRUNK.
- INSTALL CAUTION SIGNS AS REQUIRED

Pursuant to the requirements of Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, as well as City of Novato Ordinance No. 1654 adopted by the Novato City Council on October 8, 2019, staff has found the proposal, as described above, meets the requirements of an eligible facilities request. Accordingly, the EFR is approved based on the following findings:

- a. The application and supporting materials accurately and sufficiently document the proposal meets the criteria of an eligible facilities request; and
- b. The wireless facility at issue is found to remain in compliance with design and conditions of approval applicable to the permit(s) originally approving the existing wireless facility.

Approval Indemnity and Time Limits

- a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.
- b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- c. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- d. Unless a shorter period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
- e. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

If you have any questions regarding this matter please contact Brett Walker, Senior Planner at 415-493-4711 or bwalker@novato.org.

Sincerely,



Steve Marshall, Planning Manager
For the Community Development Director