

ATTACHMENT "A"

CITY OF PASADENA AT&T PROJECT U-VERSE PROJECT CONDITIONS

1. These conditions of approval apply to all of AT&T's aboveground Lightspeed equipment cabinets.
2. At the time of permit request, and after a location has been chosen in conjunction with the Department of Public Works, AT&T shall notify the abutting property owner about the installation location by letter, USPS Delivery Confirmation, approved by the Department of Public Works. The letter shall include a "frequently asked questions and answers" sheet.
3. No later than 48 hours prior to installation, AT&T shall distribute door tags in a form approved by the Department of Public Works to properties adjacent to and within a sight line of the installation location.
4. The equipment cabinets shall be either beige or green. The choice between these colors shall be reviewed and approved by the Department of Public Works. The applicant is responsible for the on-going maintenance of the equipment cabinets, which shall be kept in good condition. If prior to installation, other color options become available, AT&T shall immediately inform the City and shall change the color of any cabinets so designated by the City.
5. In the event the parkway adjacent the applicant's aboveground facilities is disturbed or altered in the process of installation, the applicant shall restore the parkway to the condition in which it existed prior to installation. Alternatively, and at the discretion of the Department of Public Works, AT&T shall install vegetative screening in the area surrounding the equipment cabinet, as approved by the Department of Public Works. The landscaping shall be of a sufficient height and density to soften the visibility of the cabinets from the public right-of-way. The applicant will coordinate the choice of landscaping materials with the Department of Public Works, but is not required to maintain the landscaping.
6. No modifications to aboveground cabinets, including those related to size, color, and shape of the housing, may be made by the applicant without first having obtained approval from the Department of Public Works.
7. Aboveground equipment cabinets must be properly maintained in accordance with the following procedures:
 - a. All necessary repairs, including graffiti removal, should be completed, to the extent commercially practicable, within 48 hours after discovery of the need for such repairs by applicant's personnel or notification from the City Engineer or other designated representative of the City of Pasadena.

- b. The applicant must provide routine maintenance (e.g., leveling, equipment cabinet replacement, fastening to base) within 90 working days after the discovery of the need for such maintenance by applicant's personnel or notification from a resident, the City Engineer, or other designated representative of the City of Pasadena.
 - c. The applicant must replace its aboveground equipment cabinets if routine or emergency maintenance is not sufficient to return the facility to a safe condition.
- 8. Equipment cabinets shall be Model 248C (26" x 48" x 49.5") rather than Model 52B (20.8" x 43.5" x 63.0"), where feasible, and use of Model 52B shall require approval of the Department of Public Works. In the event that smaller cabinets become feasible at any time prior to installation, AT&T shall immediately inform the City and work with the Department of Public Works on determining the feasibility of installing the smaller cabinet.
- 9. If the aboveground equipment cabinets become obsolete, discontinued, or abandoned (e.g. wireless technology replaces wireline technology) the applicant shall immediately notify the Department of Public Works, remove the equipment, and restore the site to the previous condition within 180 days of notification of discontinuance.
- 10. The applicant has the right to engage in active construction during which heavy equipment operates at no less than 15 cabinet sites on any single day. AT&T has an obligation to restore sites promptly.
- 11. AT&T shall, at the request of the City Engineer, attend regular meetings with City staff to discuss priority locations for work, neighborhood concerns, traffic control matters, and other issues regarding timely completion of construction permits.
- 12. The applicant shall comply with the applicable provisions of the City Trees and Tree Protection Ordinance.
- 13. The applicant shall comply with the applicable provisions of the City Noise Ordinance.
- 14. To the satisfaction of the Pasadena Department of Transportation, no maintenance of AT&T Lightspeed Equipment in the public right-of-way shall occur during peak travel periods (as established by the Department of Transportation) with the exception of emergency service calls.
- 15. Any construction activity and occupation of the public right of way shall require an encroachment permit issued by the Pasadena Department of Public Works.
- 16. Elements in the public right of way shall be installed so that they are not unlawful under the Americans with Disabilities Act, do not act as visual or physical

obstacles or barriers to traffic sight lines or pedestrians, or otherwise impede safe movement on sidewalks or streets.

17. All encroachment permits issued for AT&T Lightspeed Equipment shall include traffic control measures for construction on roadways where the posted speed limit is 35 miles per hour or greater or on major thoroughfares. Said traffic control measures shall be developed and implemented in accordance with guidelines and review procedures established by the Pasadena Department of Transportation.
18. Maintenance and installation of the equipment cabinets shall only occur during non-peak travel times, as determined by the Department of Transportation. A maintenance and installation schedule shall be reviewed and approved by the Department of Transportation and the Public Works Department prior to construction of any cabinet.
19. A permit issued for the installation of any private equipment cabinet in or over any public sidewalk or parkway, shall comply with the following installation standards:
 - a. All private equipment cabinets shall comply with the American with Disabilities Act;
 - b. Each cabinet shall be securely attached to a concrete foundation;
 - c. The City and applicant will review citing locations on a site-by-site basis, and determine the separation between aboveground equipment and other private equipment cabinets (excluding the existing SAI cabinets), unless such cabinets are grouped for screening purposes after discussion with the applicant's engineer and the City Engineer. Where reasonably possible, there will be a separation ranging from 3 to 350 feet. There shall be no more than one equipment cabinet, of any kind per each residential frontage (i.e., two or more equipment cabinets of any kind shall not be placed in front of any one residence, unless approved by the Department of Public Works);
 - d. No cabinet shall be placed, installed, or maintained, unless otherwise approved by the City Engineer:
 1. Within five (5) feet of any marked crosswalk;
 2. Within fifteen (15) feet of the curb return of any unmarked crosswalk;
 3. Within five (5) feet of any fire hydrant, traffic signal controller, traffic signals, or other emergency facility;
 4. Within three (3) feet of any utility meter, manhole, service box, street light pole or other utility;

5. Within ten (10) feet minimum of any driveway, alley approach, or intersection. The applicant shall coordinate with the Department of Public Works to determine the appropriate distance based on each location.
 6. Within five (5) feet ahead of, and twenty-five (25) feet to the rear of, any sign marking a designated bus stop;
 7. Within six (6) feet of any bus bench or bus shelter;
 8. At any location where the clear space for the passageway of pedestrians is reduced to fewer than five (5) feet unless the City Engineer approves a passageway of fewer than five (5) feet;
 9. Within three (3) feet of any permitted sidewalk dining area or within three (3) feet of any display window of any building abutting the sidewalk or parkway or in such manner as to impede or interfere with the reasonable use of such window for display purposes unless approved by the Public Works Department;
 10. Within the boundary of a valet parking zone or loading/unloading zone;
 11. At any location where street furniture may not generally be installed because of potential harm to subterranean structures (Ord. 6869 § 2 (part), 2001); and
 12. On any street that has a parkway width of less than five feet. A parkway is defined as that portion of a street other than a roadway or a sidewalk. (Ord. 4143 § 1 (1.01) (part), 1950).
20. Prior to the construction of an aboveground equipment cabinet, the applicant shall demonstrate to the satisfaction of the Department of Public Works that the construction will comply with Government Code Sections 4216 *et seq.*
21. No cabinets shall be installed in front of any property which is also burdened by a former cable provider cabinet, unless and until the former cable provider cabinet is removed. Where an AT&T cabinet is proposed for installation within close proximity to a former cable provider cabinet and the City Engineer so directs, if feasible, a new AT&T cabinet may be installed at the location of a former cable provider cabinet.
22. AT&T agrees to sign the Indemnity and Release in substantially the form set forth in Exhibit A.