

## REGULAR CITY COUNCIL MEETING RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS AUGUST 13, 2019 7:00 PM

#### **INTRODUCTORY PROCEEDINGS**

Call to order

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Pledge of Allegiance

Approval of the Minutes of the: (1) City Council Work Session of July 23, 2019; (2) Regular City Council meeting of July 23, 2019; and (3) City Council Work Session of July 30, 2019.

#### **PRESENTATIONS**

1. Presentation on Richfield Health Resource Center

#### **COUNCIL DISCUSSION**

2. Hats Off to Hometown Hits

#### AGENDA APPROVAL

- 3. Approval of the Agenda
- 4. Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.
  - A. Consideration of the reappointment, the firm of BerganKDV as the City's auditor for the financial reporting fiscal years 2019 and 2020, and to authorize the City Manager and Mayor to execute an agreement for such services.

#### Staff Report No. 93

B. Consideration of the adoption of a resolution authorizing the purchase of three temporary construction easements and three permanent right-of-way easements at 6600 Lyndale Ave S, 6701 Lyndale Ave S and 6801 Lyndale Ave S as related to the Lyndale Ave Reconstruction Project.

Staff Report No. 94

C. Consideration of transfer of funds to close out a certain capital project fund.

Staff Report No. 95

D. Consideration of the approval of the purchase of a truck chassis from Nuss Truck and Equipment for \$106,953 and dump box/snow fighting equipment from Towmaster, Inc. for \$104,668, totaling \$211,621 plus taxes and licensing in 2020 for use by the Public Works Department.

Staff Report No. 96

5. Consideration of items, if any, removed from Consent Calendar

#### RESOLUTIONS

6. Consideration of the adoption of resolutions to approve conditional use permits to allow small wireless facilities at multiple locations throughout the City.

Staff Report No. 97

7. Consideration of the adoption of a resolution appointing a representative to the Board of Directors of the Richfield Tourism Promotion Board.

Staff Report No. 98

#### **CITY MANAGER'S REPORT**

8. City Manager's Report

#### **CLAIMS AND PAYROLLS**

9. Claims and Payrolls

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

10. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.



### CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## City Council Work Session July 23, 2019

#### **CALL TO ORDER**

The meeting was called to order by Mayor Regan Gonzalez at 5:00p.m. in the Bartholomew Room.

Council Members

Maria Regan Gonzalez, Mayor; Edwina Garcia; Mary Supple;

Present:

Simon Trautmann; and Ben Whalen

Staff Present:

Katie Rodriguez, City Manager; Pam Dmytrenko, Administrative Services Director/Assistant City Manager; Kristin Asher, Public Works Director; John Stark, Community Development Director; Amy Markle, Recreation Services Director; Chris Regis, Finance Director; Wayne Kewitsch, Fire Chief; Mike Flaherty, Deputy Public Safety Director/Deputy Chief; Bill Fillmore, Liquor Operations Director; Neil Ruhland, Communications and Engagement

Manager; Kari Sinning, Deputy City Clerk

ITEM #1

#### **DISCUSSION OF PROPOSED 2019-2020 GOALS & OBJECTIVES**

City Manager Rodriguez gave a presentation on the goals and objectives that City Staff and Council agreed upon. There was discussion on a few items to focus on such as equity being a staple in all things that we do.

Council Member Trautmann thanked the City Staff for their work on this project.

Mayor Regan Gonzalez also thanked City Staff and advocates for the use of the City's strong suits to become a better community for all.

ITEM #2

PROVIDE UPDATED KEY FINANCIAL STRATEGIES INFORMATION AND PROPOSED 2020 CAPITAL IMPROVEMENT BUDGET (CIB) AND 2021-2024 CAPITAL IMPROVEMENT PLAN (CIP) BASED ON COUNCIL DIRECTION AT THE MAY 14, 2019 WORK SESSION

City Manager Rodriguez presented an overview of the budget schedule and stated that there will be more information to come on August 27.

Finance Director Regis went over the capital improvement budget and capital improvement plan.

There was general discussion about the prioritization of the City projects to help residents.

Community Development Director Stark shared the reasoning behind the HRA deficits in the future.

Public Works Director Asher presented the utility rates increase and stated that water usage has been going down. Council Member Trautmann asked if there could be incentives for those that use less water. Mayor Regan Gonzalez commended the City on its water and the residents should know more about the water quality that the City of Richfield provides.

With the impending projects, there was discussion about the storm water run-off and where it would go. Public Works Director Asher also proposed two different options for the increase of storm water of which the Council agreed with a steady increase versus a variable increase.

Mayor Regan Gonzalez asked about organized recycling/organics and how that could affect the residents. Recreation Services Director Markle explained the benefits of organized recycling/organics for homeowners as the City would be able to negotiate a lower price with the vendors. Council Member Trautmann urged for communication to the residents about the organized collection.

Mayor Regan Gonzalez asked Fire Chief Kewitsch about the change in office staff. Fire Chief Kewitsch stated that the additional staff will help with the amount of inspections that the Fire Chief has to process throughout the City.

Council Member Supple asked about \$10,000 that the Arts Commission has for public art and where that money is found. City Manager Rodriguez stated that this will have to be looked into.

Council Member Garcia asked about \$500 for each commission. Assistant City Manager Dmytrenko stated that the staff liaison for the commission is in charge of the monies and she would have to check on the procedure that is followed.

Council Member Whalen asked about Local Government Aid (LGA) and how that can be used. Mayor Regan Gonzalez also asked about the history of LGA for the City. Assistant City Manager Dmytrenko shared that the monies from LGA are not always there and the City cannot count on it.

Mayor Regan Gonzalez thanked City Staff on their work on the budget.

#### **ADJOURNMENT**

The work session was adjourned by unanimous consent at 6:34 p.m.

| Date Approved: August 13, 2019    |                                 |
|-----------------------------------|---------------------------------|
|                                   | Maria Regan Gonzalez<br>Mayor   |
| Kari Sinning<br>Deputy City Clerk | Katie Rodriguez<br>City Manager |



#### CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

### **Regular Meeting**

July 23, 2019

#### CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 7:00 p.m. in the Council Chambers.

Council Members

Maria Regan Gonzalez, Mayor; Mary Supple; Edwina Garcia; Simon

Present:

Trautmann; and Ben Whalen

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Amy Markle,

Recreation Services Director; Wayne Kewitsch, Fire Chief; Mike Flaherty, Deputy Public Safety Director/Deputy Chief; John Stark, Community Development Director; Jennifer Anderson, Support Services Supervisor; Rick

Regnier, Chief Building Official; and Kari Sinning, Deputy City Clerk

#### **OPEN FORUM**

Jeanne Streitz, 6701 17<sup>th</sup> Ave S, requests permission to build a home on the southeast side of Veteran's Park.

Robert Hall, 7309 Oliver Ave S, spoke in support of Jeanne Streitz's request to build.

#### PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

M/Trautmann, S/Supple to approve the minutes of the: (1) Special Concurrent City Council and Planning Commission work session of June 25, 2019; and (2) Regular City Council meeting of June 25, 2019.

Motion carried 5-0.

Item #1

#### **COUNCIL DISCUSSION**

Hats Off to Hometown Hits

Council Member Supple mentioned the sidewalk poetry that was installed along 66<sup>th</sup> Street and the event that was held in celebration; the Richfield Arts Commission webpage also has an interactive map of the locations of the displayed poems. Council Member Supple also stated that Mayor Regan Gonzalez attended the Orange Line Bus Rapid Transit ground breaking ceremony and is looking forward to the project to take place to offer residents more access. Council Member Supple expressed her excitement for Night to Unite on August 6.

Council Member Trautmann extended an invitation to all to attend or register for the Urban Wildland Half Marathon and 5K. He thanked Staff for their work to help make the race happen after the flooding and rerouting. Council Member Trautmann also promoted the Experience Adventures, joint program with Three Rivers District, which will take place in Taft Park on August 17 for free.

Council Member Garcia thanked Richfield- Bloomington Honda, specifically Tim Carter, for offering the use a vehicle for the 4<sup>th</sup> of July Parade for the City Council.

Council Member Whalen acknowledged and thanked the volunteers, staff, and organizations involved in Red, White & Blue Days. Council Member Whalen also wanted to up lift Dave Synder, who has been accomplishing some good works through the Community Housing Team along with Council Members Whalen and Supple, in doing some door knocking at apartments and talking with residents about housing and what their dreams are for the community.

Mayor Regan Gonzalez attended the 494 Business Update meeting with other businesses throughout the surrounding area at Best Buy Corporate to get an update on the 494 construction and how it will affect the community and businesses, and the timeline of the construction. Mayor Regan Gonzalez thanked City Staff for their work on everything that they do to keep the City going.

Item #2 APPROVAL OF THE AGENDA

M/Garcia, S/Whalen to approve the agenda.

Motion carried 5-0.

Item #3 CONSENT CALENDAR

City Manager Rodriguez presented the consent calendar.

A. Consideration of a resolution authorizing negative declaration on the need for an Environmental Impact Statement (EIS) for the 77th Street Underpass Project and approval of distribution of the Notice of Decision documenting this decision. (Staff Report No. 85)

RESOULTION NO. 11636
AUTHORIZING NEGATIVE DECLARATION ON THE NEED FOR AN EIS FOR SP 2758-82, SP 157-108-035,
AND SP 157-594-003 AND APPROVAL OF DISTRIBUTION OF NOTICE OF DECISION

B. Consideration of the approval of accepting the quotation of \$225,000 to replace play equipment at Jefferson, Nicollet, and Taft Parks from Northland Recreation and authorize the Recreation Services Director to execute the quotation. (Staff Report No. 86)

- C. Consideration of the approval of the continuation of an agreement with the City of Bloomington for the provision of food, pools and lodging inspection services for Richfield for 2020. (Staff Report No. 87)
- D. Consideration of the approval of a Temporary On Sale Intoxicating Liquor license for the Church of the Assumption, located at 305 77th Street East, for their annual festival taking place August 17-18, 2019. (Staff Report No. 88)
- E. Consideration of the approval of a two-year use and indemnification agreement between the City of Richfield and Tom Price for the use of a 4,690 square-foot strip of land along the edge of Lincoln Field. (Staff Report No. 89)
- F. Consideration of the adoption of a resolution authorizing the purchase of three temporary construction easements and three permanent right-of-way easements at 6999 Lyndale Ave S, 6645 Lyndale Ave S and 6749 Lyndale Ave S as related to the Lyndale Ave Reconstruction Project. (Staff Report No. 90)

RESOLUTION NO. 11637
AUTHORIZING THE CITY OF RICHFIELD TO MAKE PAYMENTS FOR THE PURCHASE OF TEMPORARY AND PERMANENT RIGHT-OF-WAY CONSTRUCTION EASEMENTS AT 6999 LYNDALE AVE S., 6645 LYNDALE AVE S., AND 6749 LYNDALE AVE S. AS PART OF THE LYNDALE AVENUE RECONSTRUCTION PROJECT

G. Consideration of the termination of the Marketing License Agreement between the City of Richfield, Minnesota, and Utility Service Partners Private Label, Inc., d/b/a Service Line Warranties of America. (Staff Report No. 91)

M/Supple, S/Trautmann to approve the consent calendar.

Council Member Whalen clarified the negative declaration for the environmental impact study means that no further studies are necessary for the project.

Council Member Trautmann made a note about the termination of the Marketing License Agreement between the City of Richfield and Service Line Warranties of America thanking Staff for bringing to the Council's attention and stating that the current contracts between individuals are not voided and urged residents to talk to their homeowner's insurance to add a rider to their policies.

Motion carried 5-0.

Item #4

CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR

None.

Item #5

PUBLIC HEARING AND CONSIDERATION OF THE REVOCATION OF EMPIRE TOBACCO LLC BUSINESS LICENSE FOR VIOLATIONS OF RICHFIELD CITY CODE AND MINNESOTA STATUTE 144.414. (STAFF REPORT NO. 92)

Support Services Supervisor Jennifer Anderson gave more information about the license and the compliancy.

Fire Chief Kewitsch presented the Fire Department's discoveries and violations within the building.

Council Member Garcia opened the public hearing.

Lensa and Lula Mohamed, 624 E Lake St Minneapolis, spoke on behalf of their business.

M/Garcia, S/Supple to close the public hearing.

#### Motion carried 5-0.

Council Member Supple asked if the revocation is permanent to which City Attorney Tietjen stated that it simply means revocation of this license and if they wanted to make the necessary changes for compliancy they could reapply for the license. City Attorney Tietjen also stated that the license is for the entire property.

Council Member Whalen shared that there currently is not a zoning code for a club and wanted clarification on that zoning. City Manager Rodriguez stated that an ordinance change would have to take place in order for the zoning to change.

Mayor Regan Gonzalez appreciated the business owners coming to share their story and explained why the license is being revoked.

Council Member Garcia thanked the staff for bringing it to their attention.

M/Garcia, S/Supple to approve revocation of the business license of Empire Tobacco LLC located at 6414 Nicollet Ave South, Richfield, Minnesota and furthermore, approve a resolution with findings supporting the revocation.

## RESOLUTION NO. 11638 REVOKING THE BUSINESS LICENSE OF EMPIRE TOBACCO LLC LOCATED AT 6414 NICOLLET AVENUE SOUTH, RICHFIELD, MN 55423

#### Motion carried 5-0.

| Item #6 | CITY MANAGER'S REPORT |
|---------|-----------------------|
|---------|-----------------------|

City Manager Rodriguez had nothing to report.

| Item #7 | CLAIMS AND PAYROLLS |
|---------|---------------------|
|---------|---------------------|

#### M/Garcia, S/Whalen that the following claims and payrolls be approved:

| U.S. Bank                                | 7/9/19             |
|--|--------------------|
| A/P Checks: 278720 - 279096              | \$<br>1,833,058.49 |
| Payroll: 146561 - 146943 ; 43049 - 43055 | <br>705,008.76     |
| TOTAL                                    | \$<br>2.538.067.25 |

|   | Checks: 279097 - 279528<br>oll: 146944- 147330 ; 43056 - 43057 | 7/23/19<br>\$ 2,034,523.71    |  |  |
|---|--|-------------------------------|--|--|
| Motio   | n carried 5-0.   |                               |  |  |
| OPEN FOR  | им   |                               |  |  |
| None  |  |                               |  |  |
| Item #8   | ADJOURNMENT  |                               |  |  |
| The meeting was adjourned by unanimous consent at 7:56 p.m. |  |                               |  |  |
| Date Approved: August 13, 2019                              |  |                               |  |  |
|   |  | Maria Regan Gonzalez<br>Mayor |  |  |

Katie Rodriguez City Manager

Kari Sinning Deputy City Clerk



#### CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## City Council Work Session July 30, 2019

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| The meeting was | called to   | order by N | Mayor Regan   | Gonzalez at 8:00 | am in the | Haradia Room   |
|-----------------|-------------|------------|---------------|------------------|-----------|----------------|
| The meeting was | , called to | oraer by r | viavoi Redani | Gunzalez al oluu | a.m. m me | : neregia Roon |

**Council Members** 

Maria Regan Gonzalez, Mayor; Edwina Garcia; Mary Supple; Simon

Present:

Trautmann; and Ben Whalen.

Staff Present: Katie Rodriguez, City Manager; Pam Dmytrenko, Assistant City

Manager/Administrative Services Director; Amy Markle, Recreation Services Director; Bill Fillmore, Liquor Operations Director; Chris Regis, Finance Director; Jay Henthorne, Chief of Police/Public Safety Director; John Stark, Community Development Director; Kristin Asher, Public Works Director; Wayne Kewitsch, Fire Chief; and Neil Ruhland, Communication and

Engagement Manager.

Others Present: Scott Morrell, Rebar Leadership.

Item #1 COUNCIL-STAFF RETREAT

Scott Morrell, Rebar Leadership, lead a facilitated discussion with City Council and City staff that included developing and approving the Standards of Engagement document; which are the standards that guide our interactions between and amongst the Richfield City Council and City Staff.

#### **ADJOURNMENT**

The work session was adjourned by unanimous consent at 11:52 a.m.

Date Approved: August 13, 2019

|                                   | Maria Regan Gonzalez<br>Mayor   |
|-----------------------------------|---------------------------------|
| Kari Sinning<br>Deputy City Clerk | Katie Rodriguez<br>City Manager |

AGENDA SECTION: AGENDA ITEM# CONSENT CALENDAR

4.A.



# STAFF REPORT NO. 93 CITY COUNCIL MEETING 8/13/2019

REPORT PREPARED BY: Chris Regis, Finance Director

DEPARTMENT DIRECTOR REVIEW: Chris Regis, Finance Director

7/24/2019

OTHER DEPARTMENT REVIEW: N/A.

CITY MANAGER REVIEW: Katie Rodriguez, City Manager

8/7/2019

#### ITEM FOR COUNCIL CONSIDERATION:

Consideration of the reappointment, the firm of BerganKDV as the City's auditor for the financial reporting fiscal years 2019 and 2020, and to authorize the City Manager and Mayor to execute an agreement for such services.

#### **EXECUTIVE SUMMARY:**

For the last six years the City of Richfield has used the auditing firm of Bergan KDV to perform the annual City, HRA and EDA audit. The engagement of that firm was the result of a selection process performed in the fall of 2013.

BerganKDV is a leader in the metro area in auditing municipalities. Many of their clients consistently receive the Government Finance Officer Associations Certificate of Achievement in Financial Reporting.

The City has received a proposal from BerganKDV for audit services for the fiscal years ending 2019 and 2020. They are proposing fees of \$45,150 for 2019 and \$46,050 for 2020. The fees represent a 2% increase each year.

City staff has developed a solid working relationship with BerganKDV and consequently recommend their reappointment for the audit of fiscal years ending 2019 and 2020.

#### RECOMMENDED ACTION:

By Motion: Approve the reappointment of the firm BerganKDV as the City's auditor for the financial reporting fiscal years 2019 and 2020, and to authorize the City Manager and the Mayor to execute an agreement for such services.

#### **BASIS OF RECOMMENDATION:**

#### A. HISTORICAL CONTEXT

N/A.

- B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
  - It is most important to note that the selection of an auditing firm is exclusively within the purview of the City Council. The function of any auditor is to audit work performed by staff and report

- directly to the City Council with the results.
- The agreement with BerganKDV will be for a two year period, fiscal years ending 2019 and 2020. The agreement will be subject to the annual review and recommendation of the Finance Director, satisfactory negotiation of terms and the concurrence of the City Council.

#### C. CRITICAL TIMING ISSUES:

• It is critical to select an audit firm now as firms are in the process of setting their schedules for the upcoming audit period.

#### D. **FINANCIAL IMPACT**:

• The fees submitted by BerganKDV for the fiscal years ending 2019 and 2020 are as follows:

Year Ending December 31, 2019 \$45,150Year Ending December 31, 2020 \$46,050

- BerganKDV is a leader in auditing municipalities in the Twin Cities' area and audits numerous municipalities that consistently receive the GFOA Certificate of Achievement.
- BerganKDV can also provide the City with considerable finance and accounting expertise in addition to their standard audit services.

#### E. **LEGAL CONSIDERATION:**

N/A.

#### **ALTERNATIVE RECOMMENDATION(S):**

• If the City Council does not wish to reappoint BerganKDV, staff could go and solicit bids from other firms; however, firms at this time are currently setting their audit schedules.

#### PRINCIPAL PARTIES EXPECTED AT MEETING:

None.

AGENDA SECTION: AGENDA ITEM# CONSENT CALENDAR

4.B.



# STAFF REPORT NO. 94 CITY COUNCIL MEETING 8/13/2019

REPORT PREPARED BY: Logan Vlasaty, Project Engineer

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director/City Engineer

8/5/2019

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager

8/7/2019

#### ITEM FOR COUNCIL CONSIDERATION:

Consideration of the adoption of a resolution authorizing the purchase of three temporary construction easements and three permanent right-of-way easements at 6600 Lyndale Ave S, 6701 Lyndale Ave S and 6801 Lyndale Ave S as related to the Lyndale Ave Reconstruction Project.

#### **EXECUTIVE SUMMARY:**

As part of the project, certain temporary and permanent right-of way easements must be acquired for construction. Permanent right-of-way and temporary construction easements are sometimes needed in order to implement major infrastructure projects and facilitate the construction thereof. Property owners receive compensation for both types of easements but for temporary construction easements the area remains under their ownership after construction is complete.

The three previously mentioned properties have accepted the offer to purchase and completed the necessary paperwork to finalize the transaction.

In order for the easements to become effective, City Council must approve the resolution authorizing payment to the property owners in the agreed upon amounts.

#### RECOMMENDED ACTION:

By motion: Adopt a resolution authorizing the purchase of three temporary construction easements and three permanent right-of-way easements at 6600 Lyndale Ave S, 6701 Lyndale Ave S and 6801 Lyndale Ave S as related to the Lyndale Ave Reconstruction Project.

#### **BASIS OF RECOMMENDATION:**

#### A. HISTORICAL CONTEXT

- The City Council approved the Lyndale Ave Reconstruction Project final design on April 9, 2019.
- Permanent right-of-way and temporary construction easements are sometimes needed in order to implement major infrastructure projects and facilitate their construction.
- These 3 easements are necessitated by the larger footprint of the new roundabouts compared to the footprint of the existing roadway design.
- The value of the easements are determined via negotiation between a real estate appraisal firm

and the property owners following standard appraisal practices.

#### B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- The city has authority to acquire easements through an "offer to purchase" and if no agreement can be reached the city can acquire property though eminent domain for public purposes.
- The subject properties have been identified as requiring easement purchase for the Lyndale Ave Reconstruction Project.

#### C. CRITICAL TIMING ISSUES:

• Timely payment for and acquisition of the easements will allow construction to continue progress as planned in through 2019.

#### D. FINANCIAL IMPACT:

- 6600 Lyndale Ave S (PID: 27-028-24-32-0347) requires a temporary construction easement payment of \$14,200.00; a permanent easement of \$53,100.00; and an additional settlement of \$5,000.00 for a total of \$72,300.00.
- 6701 Lyndale Ave S (PID: 27-028-24-32-0126) requires a temporary construction easement payment of \$1,475.00 and a permanent easement of \$11,725.00 for a total of \$13,200.00.
- 6801 Lyndale Ave S (PID: 27-028-24-33-0019) requires a temporary construction easement payment of \$748.00 and a permanent easement of \$1,002.00 for a total of \$1,750.00.
- Funding for the purchase of the easements required for the construction of the Lyndale Ave Reconstruction Project will be provided by City funds as part of the overall project costs.

#### E. **LEGAL CONSIDERATION:**

• The City Attorney will be available at the meeting to answer questions.

#### **ALTERNATIVE RECOMMENDATION(S):**

None

#### PRINCIPAL PARTIES EXPECTED AT MEETING:

None

#### **ATTACHMENTS:**

|   | Description           | туре               |
|---|-----------------------|--------------------|
| D | 6600 Lyndale Easement | Contract/Agreement |
| D | 6701 Lyndale Easement | Contract/Agreement |
| D | 6801 Lyndale Easement | Contract/Agreement |
| D | Easement Resolution   | Resolution Letter  |



510 N Chestnut Street, Ste 200 Chaska, MN 55318 952.448.4630 800.448.4630 toll free www.henningprofessionalservices.com

### **Letter of Transmittal**

| July 18, 2019  |  |   | Regular Mail   |  |  |
|--|--|---|--|--|--|
| Logan Vlasaty Richfield Maintenance Facility 1901 E. 66th Street Richfield, MN 55423                     |  |   | Fax<br>Fax and Mail<br>Hand Deliver  |  |  |
| •  |  |   |  |  |  |
| nclosing:  | Permanent Easement Temporary Construction Easement Payment Request W-9 Multiple right of entry letters     |   |  |  |  |
| Your: Review X Records X Approval Information  |  |   |  |  |  |
| Please send or email a copy of the check back to Henning Professional Services for the acquisition file. |  |   |  |  |  |
|  | Logan Vlasa<br>Richfield Mai<br>1901 E. 66th<br>Richfield, MN<br>Lyndale Ave<br>City Bella on<br>nclosing: | Logan Vlasaty Richfield Maintenance Facility 1901 E. 66th Street Richfield, MN 55423  Lyndale Ave. Reconstruction City Bella on Lyndale (6600 Lyndale Ave)  nclosing:  Permanent Easement Temporary Construction Easement Payment Request W-9 Multiple right of entry letters  Review X Records X Approval Info | Richfield Maintenance Facility  1901 E. 66th Street Richfield, MN 55423  Lyndale Ave. Reconstruction City Bella on Lyndale (6600 Lyndale Ave)  nclosing:  Permanent Easement Temporary Construction Easement Payment Request W-9 Multiple right of entry letters  Review X Records X Approval Information Please send or email a copy of the check back to Hen |  |  |

From: Leah Traxler



510 N Chestnut Street, Ste 200 Chaska, MN 55318 952.448.4630 800.448.4630 toll free

Date: July 17, 2019

To: Logan Vlasaty, City of Richfield

Cc: Sarah Lloyd, Bolton & Menk

Tim Lamkin, Bolton & Menk

From: Leah Traxler, Henning Professional Services

Re: Lyndale Ave. Reconstruction

City Bella on Lyndale Document recording Lender approval fees

The City Bella mortgage loan is a Commercial Mortgage Backed Security. As a condition of the loan, City Bella was required to gain their lenders approval prior to conveying the easements to the City of Richfield. If City Bella were to convey the easements, they would have been in default. The lender reviewed the easements, appraisal and offer. A requirement by the mortgage company for approval was for City Bella to obtain an endorsement to their title policy. The title company writing the endorsement for City Bella's title policy is recording a set of original, signed easement documents as a part of their process.

The City of Richfield does not need to record the enclosed easements. A scanned copy of the recorded easements will be provided to the City.

City Bella is eligible to be reimbursed for actual, reasonable lender service fees charged for the lender approval. A separate claim will be prepared and submitted on a later date.



510 N Chestnut Street, Ste 200 Chaska, MN 55318 952.448.4630 800.448.4630 toll free www.henningprofessionalservices.com

Date: July 17, 2019

To: Logan Vlasaty

City of Richfield

From: Leah Traxler, Henning Professional Services, Inc.

Re: PAYMENT REQUEST

Lyndale Ave Reconstruction

PID:

27-028-24-32-0347

Property Address:

6600 Lyndale Ave. S, Richfield, MN

Make Check Payable to:

City Bella on Lyndale

Mail to:

Barry Kushner, Board Treasurer

6000 Lyndale Ave. S. #1404

Richfield, MN 55423

Payment Amount:

\$72,300.00

SSN/EIN:

Provided on attached W-9

| Settlement / Payment Summary |             |  |
|------------------------------|-------------|--|
| Permanent Easement           | \$53,100.00 |  |
| Temporary Easement           | \$14,200.00 |  |
| Additional Settlement        | \$5,000.00  |  |
| TOTAL (rounded to):          | \$72,300.00 |  |

#### Memorandum of Understanding for Settlement City of Richfield Lyndale Ave. Project

Fee Owner: City Bella on Lyndale Property Address: 6600 Lyndale Ave. S.

PIN: 27-028-24-32-0347

Ug i

On this day of July, 2019., City Bella on Lyndale, Owners of the above described parcel of property located in the County of Hennepin, State of Minnesota, did execute and deliver a conveyance of real estate to the City of Richfield.

It is hereby acknowledged and agreed upon between the parties that:

The Owner has been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate.

The Owner understands and acknowledges that the Agent for the City of Richfield has no direct, indirect, present, or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

That in full compensation for the conveyance of said property, the City of Richfield shall pay the Owner the sum of Seventy-Two Thousand Three Hundred and no/100 dollars (\$72,300.00) for easement(s) and damages.

| Permanent Easement    | \$53,100.00 |
|-----------------------|-------------|
| Temporary Easement    | \$14,200.00 |
| Additional Settlement | \$ 5,000.00 |
| Rounded Total         | \$72,300.00 |

In the event of a clerical error, Grantor, whether one or more, agrees to cooperate in correcting the error including but not limited to resigning all documents.

City of Richfield

Date: 5/30/19

Logan Vlasorty, Project Engineer

City Bella on Lyndale

Date: 7/16/2019

Date: 7/16/2019





### MINNESOTA SECRETARY OF STATE AMENDMENT OF ARTICLES OF INCORPORATION OF A COOPERATIVE Chapter's 308A and 308B

READ THE INSTRUCTIONS BEFORE COMPLETING THIS FORM

**COOPERATIVE NAME:** 

The Gramercy Club at City Bella

The following amendments of articles or modifications to the statutory requirements regulating the above cooperative were adopted: (Insert full text of newly amended or modified article(s), indicating which article(s) is (ale) being amended or added. If the full text of the amendment will not fit in the space provided, please do not use this form. Instead, retype the amendment on a separate sheet or sheets using this format.)

ARTICLE I, NAME

1.1 Name. The name of the Cooperative is "City Bella on Lyndale".

This amendment was adopted by the vote of a majority of those voting on the amendment and a duly noticed and validly held meeting of the members, after the amendment was approved by the board of directors.

I certify that I am authorized to execute this amendment and I further certify that I understand that by signing this amendment, I am subject to the penalties of perjury as set for in section 609.48 as if I had signed this amendment under oath.

Signature of an individual authorized by MN law to sign on behalf of the cooperative. (See instructions for further details.)

Name of a Contact Person

George Thomas

Daytime Phone Number

612 236-1344

STATE OF MINNESOTA PARTMENT OF STATE

FILED

INSTRUCTIONS

APR 27 2010

1. Please Type or Print Legibly in Black Ink.

2. Filing Fee: \$35.00 Payable to the MN Secretary of State

Mark Ritchie Secretary of State

3. Signature Requirements: For a 308A cooperative, the chair, vice-chair, president, vice-president, secretary or assistant secretary may sign this amendment; for a 308B cooperative, the chair, vide chair, records officer or assistant records officer may sign this amendment.

FILE IN-PERSON OR MAIL TO:

Minnesota Secretary of State - Business Services Retirement Systems of Minnesota Building 60 Empire Drive, Suite 100 St Paul, MN 55103 (Staffed 8:00 - 4:00, Monday - Friday, excluding holidays)

All of the information on this form is public. Minnesota law requires certain information to be provided for this type of filing. If that information is not included, your document may be returned unfiled. This document can be made available in alternative formats, such as large print, Braille or audio tape, by calling (651)296-2803/voice. For a TTY/TTD (deaf and hard of hearing) communication, contact the Minnesota Relay Service at 1-800-627-3529 and ask them to place a call to (651)296-2803. The Secretary of State's Office does not discriminate on the basis of race, creed, color, sex, sexual of ientation, national origin, age, marital status, disability, religion, reliance on public assistance or political opinions or affiliations in employment or the provision of service.



#### PERMANENT EASEMENT

City of Richfield Lyndale Ave. Project

FOR VALUABLE CONSIDERATION, City Bella on Lyndale, a Minnesota Cooperative Corporation, Grantor, hereby grants and conveys unto the City of Richfield, its contractors, permittees, successors and assigns, Grantee, an easement for roadway purposes to grade, construct, operate, maintain, use, alter, repair and remove a public roadway, trails, sidewalks, bridges, structures, storm sewer, sanitary sewer, other public facilities and utilities, boulevards and appurtenances, including for drainage and utility purposes, together with all other rights necessary and convenient for the enjoyment and unrestricted use of same over, under and across the real property situated in Hennepin County, State of Minnesota, as described, to wit:

A perpetual easement for roadway, drainage and utility purposes over, under and across that part of Tract A, Registered Land Survey No. 1745, on file and of record in the Office of the Registrar of Titles, Hennepin County, Minnesota, being part of CIC No. 1174, The Gramercy Club at City Bella, A Condominium, according to the CIC Declaration on file and of record in said Office of the Registrar of Titles, described as follows:

Commencing at the most southerly corner of said Tract A; thence on an assumed bearing of North 20 degrees 20 minutes 29 seconds East along the southeast line of said Tract A, also being the northwesterly right-of-way line of Lyndale Avenue South, a distance of 113.33 feet to the point of beginning of the easement to be described; thence North 20 degrees 31 minutes 35 seconds West, a distance of 18.87 feet; thence North 73 degrees 09 minutes 27 seconds West, a distance of 17.68 feet; thence North 20 degrees 20 minutes 29 seconds East, a distance of 65.04 feet; thence South 69 degrees 39 minutes 31 seconds East, a distance of 5.46 feet; thence North 54 degrees 13 minutes 39 seconds East, a distance of 32.31 feet to the southeast line of said Tract A, also being said northwesterly right-of-way line of Lyndale Avenue South; thence southwesterly along the southeasterly lines of said Tract A and said northwesterly right-of-way line to the point of beginning.

Grantor hereby conveys all grass, shrubs, trees, natural growth, earthen materials, landscaping, improvements and structures existing or that may be planted or grown on the easement described herein. Grantor hereby agrees to not damage, destroy or remove any grass, trees, shrubs or natural growth replaced by Grantee on the easement described herein.

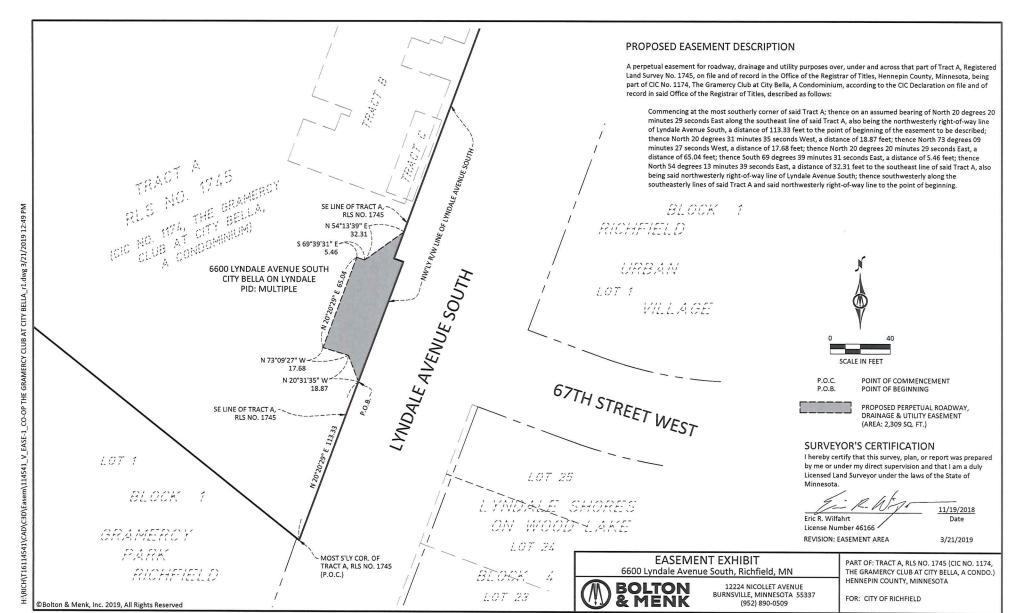
Grantor hereby releases Grantee from any and all claims for damages to the premises resulting from the uses and purposes granted herein and lying within the boundaries of the easement described herein. Grantee shall have the right to use and remove all grass, shrubs, trees (including overhanging branches), earthen materials, structures and improvements, which lie within the boundaries of the easement described herein.

To have and hold same, together with all of the rights and appurtenances belonging thereto, all of which shall run with the land and be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

City Bella on Lyndale

|  |            | ı ı  |
|--|------------|--|
|  |            | Peggy D. Japp  |
|  |            | Its PRESIDENT  |
|  |            | - Barbara Daniel   |
|  |            | Its Vice President   |
| STATE OF MN  |            |  |
| COUNTY OF <u>HENDERIN</u>  | ) SS.<br>) |  |
| On this 10 day of July   |            | , 20 , before me, a Notary Public  |
| within and for said County, personally appear  | eared      |  |
| PEGGY DE LAPP  | and        | BARBARA DANIELS  |
| (Print Name) to me personally known, who by me duly s  |            |  |
| PRESIDENT  | and        | Vice President   |
| (title)  |            | (title)  |
| of City Bella on Lyndale, a Minnesota Coo<br>instrument, and that they are authorized to<br>on behalf of said limited liability company. | sign said  | Corporation, named in the foregoing dinstrument as the free act and deed for and |
| (Seal)   |            |  |
| JESSICA MARGARET HAMILTON  | Notary     | y Public   |
| NOTARY PUBLIC MINNESOTA My Commission Expires Jan. 31, 2020  | Ja         | nuary 31,2020  |
|  | My Co      | ommission Expires  |

Drafted by: The City of Richfield Public Works Department 1901 E. 66th St. Richfield, MN 55423



H:\RICH\T18114541\CAD\C3D\SDB\_114541\_G

JOB NUMBER: T16.114541 FIELD BOOK:

DRAWN BY: ARK

FILE NO. 5314

S27-T28-R24-32

#### TEMPORARY CONSTRUCTION EASEMENT

City of Richfield Lyndale Ave. Project

FOR VALUABLE CONSIDERATION, City Bella on Lyndale, a Minnesota Cooperative Corporation, Grantor, whether one or more, hereby grants and conveys unto the City of Richfield, its contractors, permittees, successors and assigns, Grantee, a temporary easement for construction purposes for work space, construction operations and to grade and construct slopes both cuts and fills associated with construction or reconstruction of a public roadway, trail and pedestrian facilities, together with all other rights necessary and convenient for the enjoyment and use of same, over, under and across the real property situated in Hennepin County, the State of Minnesota as described, to wit:

#### See attached Exhibit A

Temporary easement shall start June 11, 2019 and expire December 31, 2019.

Grantor hereby agrees that all earthen material, other material, trees and vegetation excavated, removed or taken by Grantee from within said temporary easement shall become the property of Grantee.

Upon restoration of disturbed areas per plans and specifications determined by Grantee, Grantor does hereby release Grantee from any claims or damages resulting from the construction of said slopes associated with the road project and all work in connection therewith.

This agreement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

| EXECUTED as of this day of July ,2019.   |
|--|
| City Bella on Lyndale  |
| Peggy Di Lapp  |
| Its PRESIDENT  |
| Its Vere President   |
| STATE OF MN  COUNTY OF Henneon  SS.  |
|  |
| On this \( \lambda \) day of \( \lambda \) day of \( \lambda \), 20 \( \lambda \), before me, a Notary Public  |
| within and for said County, personally appeared  |
| PEGGY DELAPP and BARBARA DANIELS  (Print Name)  (Print Name)  (Print Name)  (Print Name)   |
| to me personally known, who by me duly sworn did say that they are the   |
| PRESIDENT and Dice President (title)   |
| of City Bella on Lyndale, a Minnesota Cooperative Corporation, named in the foregoing instrument, and that they are authorized to sign said instrument as the free act and deed for and on behalf of said limited liability company. |
| (Seal) Notary Public   |
| JESSICA MARGARET HAMILTON NOTARY PUBLIC MINNESOTA My Commission Expires My Commission Expires  |

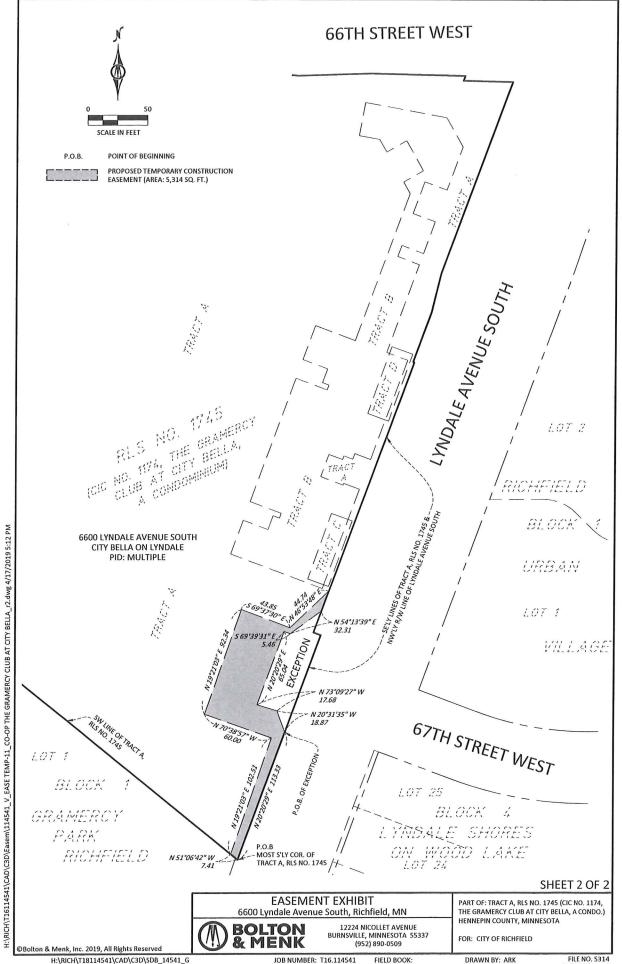
#### Exhibit A

A temporary easement for construction purposes over, under and across that part of Tract A, Registered Land Survey No. 1745, on file and of record in the Office of the Registrar of Titles, Hennepin County, Minnesota, being part of CIC No. 1174, The Gramercy Club at City Bella, A Condominium, according to the CIC Declaration on file and of record in said Office of the Registrar of Titles, described as follows:

Beginning at the most southerly corner of said Tract A; thence on an assumed bearing of North 51 degrees 06 minutes 42 seconds West along a southwest line of said Tract A, a distance of 7.41 feet; thence North 19 degrees 21 minutes 03 seconds East, a distance of 102.51 feet; thence North 70 degrees 38 minutes 57 seconds West, a distance of 60.00 feet; thence North 19 degrees 21 minutes 03 seconds East, a distance of 92.34 feet; thence South 69 degrees 37 minutes 30 seconds East, a distance of 43.85 feet; thence North 46 degrees 53 minutes 48 seconds East, a distance of 44.74 feet to the southeast line of said Tract A, also being the northwesterly right-of-way line of Lyndale Avenue South; thence southwesterly along the southeasterly lines said Tract A and said northwesterly right-of-way line to the point of beginning.

#### EXCEPT that part thereof described as follows:

Commencing at the most southerly corner of said Tract A; thence on an assumed bearing of North 20 degrees 20 minutes 29 seconds East along the southeast line of said Tract A, also being the northwesterly right-of-way line of Lyndale Avenue South, a distance of 113.33 feet to the point of beginning of the exception to be described; thence North 20 degrees 31 minutes 35 seconds West, a distance of 18.87 feet; thence North 73 degrees 09 minutes 27 seconds West, a distance of 17.68 feet; thence North 20 degrees 20 minutes 29 seconds East, a distance of 65.04 feet; thence South 69 degrees 39 minutes 31 seconds East, a distance of 5.46 feet; thence North 54 degrees 13 minutes 39 seconds East, a distance of 32.31 feet to the southeast line of said Tract A, also being said northwesterly right-of-way line of Lyndale Avenue South; thence southwesterly along the southeasterly lines said Tract A and said northwesterly right-of-way line to the point of beginning.



#### PROPOSED EASEMENT DESCRIPTION

A temporary easement for construction purposes over, under and across that part of Tract A, Registered Land Survey No. 1745, on file and of record in the Office of the Registrar of Titles, Hennepin County, Minnesota, being part of CIC No. 1174, The Gramercy Club at City Bella, A Condominium, according to the CIC Declaration on file and of record in said Office of the Registrar of Titles, described as follows:

Beginning at the most southerly corner of said Tract A; thence on an assumed bearing of North 51 degrees 06 minutes 42 seconds West along a southwest line of said Tract A, a distance of 7.41 feet; thence North 19 degrees 21 minutes 03 seconds East, a distance of 102.51 feet; thence North 70 degrees 38 minutes 57 seconds West, a distance of 60.00 feet; thence North 19 degrees 21 minutes 03 seconds East, a distance of 92.34 feet; thence South 69 degrees 37 minutes 30 seconds East, a distance of 43.85 feet; thence North 46 degrees 53 minutes 48 seconds East, a distance of 44.74 feet to the southeast line of said Tract A, also being the northwesterly right-of-way line of Lyndale Avenue South; thence southwesterly along the southeasterly lines said Tract A and said northwesterly right-of-way line to the point of beginning.

EXCEPT that part thereof described as follows:

Commencing at the most southerly corner of said Tract A; thence on an assumed bearing of North 20 degrees 20 minutes 29 seconds East along the southeast line of said Tract A, also being the northwesterly right-of-way line of Lyndale Avenue South, a distance of 113.33 feet to the point of beginning of the exception to be described; thence North 20 degrees 31 minutes 35 seconds West, a distance of 18.87 feet; thence North 73 degrees 09 minutes 27 seconds West, a distance of 17.68 feet; thence North 20 degrees 20 minutes 29 seconds East, a distance of 65.04 feet; thence South 69 degrees 39 minutes 31 seconds East, a distance of 5.46 feet; thence North 54 degrees 13 minutes 39 seconds East, a distance of 32.31 feet to the southeast line of said Tract A, also being said northwesterly right-of-way line of Lyndale Avenue South; thence southwesterly along the southeasterly lines said Tract A and said northwesterly right-of-way line to the point of beginning.

| Said | temporary | easement shall expire on |  |
|------|-----------|--------------------------|--|

#### SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota

1/24/2019 Eric R. Wilfahrt License Number 46166

REVISION: EASEMENT AREA

3/21/2019

Date

SHEET 1 OF 2

**EASEMENT EXHIBIT** 

**BOLTON** & MENK

12224 NICOLLET AVENUE BURNSVILLE, MINNESOTA 55337 (952) 890-0509 PART OF: TRACT A, RLS NO. 1745 (CIC NO. 1174. THE GRAMERCY CLUB AT CITY BELLA, A CONDO.) HENNEPIN COUNTY, MINNESOTA

FOR: CITY OF RICHFIELD

©Bolton & Menk, Inc. 2019, All Rights Reserved H:\RICH\T18114541\CAD\C3D\SDB\_114541\_G

H:\RICH\T16114541\CAD\C3D\Easem\114541\_V\_EASE TEMP-11\_CO-OP THE GRAMERCY CLUB AT CITY BELLA\_12.dwg 4/17/2019 5:12 PM

6600 Lyndale Avenue South, Richfield, MN

JOB NUMBER: T16.114541



OFFICE 952.448.4630 800.448.4630 FAX 952.448.4676

510 N. Chestnut Street Suite 200 Chaska, Minnesota 55318

WWW.WILSONDEVELOPMENTSERVICES.COM

Date: June 11, 2019

To: Logan Vlasaty

City of Richfield

From: Leah Traxler, Wilson Development Services

Re: PAYMENT REQUEST

Lyndale Ave Reconstruction

Property Owner:

Paul J Zilka and Ann Zilka

Property Address:

6701 Lyndale Ave. S. Richfield, MN 55423

Property Tax ID:

27-028-24-32-0126

Make Check Payable to:

Paul J Zilka and Ann Zilka

Mail to:

6611 Knox Ave. S. Richfield, MN 55423

Payment Amount:

\$13,200.00

SSN/EIN:

Provided on attached W-9

#### Please Record Easement Document(s) and provide copy of check to Leah Traxler.

#### **Settlement / Payment Summary**

| Permanent Easement  | \$11,725.00 |
|---------------------|-------------|
| Temporary Easement  | \$1,475.00  |
|                     |             |
| TOTAL (rounded to): | \$13,200.00 |



OFFICE 952.448.4630 800.448.4630 FAX 952.448.4676

510 N. Chestnut Street Suite 200 Chaska, Minnesota 55318

WWW.WILSONDEVELOPMENTSERVICES.COM

## **Letter of Transmittal**

| Date:     | June 11, 20                    | 19   | X        | Regular Mail                    |
|-----------|--------------------------------|--|----------|---------------------------------|
| То:       | Logan Vlasa                    | nty  |          | Fax                             |
|           | Richfield Maintenance Facility |  |          | Fax and Mail                    |
|           | 1901 E. 66th                   |  |          | Hand Deliver                    |
|           | Richfield, M                   | N 55423                                    |          |                                 |
|           |                                |  |          |                                 |
|           |                                |  | 1        |                                 |
| Re:       | ,                              | . Reconstruction                           |          |                                 |
|           | Zilka (6701                    | Lyndale Ave)                               |          |                                 |
|           |                                |  |          |                                 |
|           |                                |  |          |                                 |
| We are e  | nclosing:                      | Memorandum of Understanding for Settl      | eme      | ent                             |
|           | · ·                            | Permanent Easement                         |          | ·                               |
|           |                                | Temporary Construction Easement            |          |                                 |
|           |                                | Payment Request                            |          |                                 |
|           |                                | W-9  |          |                                 |
|           |                                |  |          |                                 |
| For Your: | Rev                            | iew X Records X Approval Info              | orma     | ation                           |
| Domorko   |                                |  |          |                                 |
| Remarks   |                                | end or email a copy of the check back to \ | ۸/ile    | on Development Services for the |
|           | acquisition                    |  | / V II 3 | on bevelopment dervices for the |
|           | acquisiti                      | 511 IIIO.                                  |          |                                 |
|           |                                |  |          |                                 |
|           |                                | From: Leah                                 | Tr       | avler                           |

#### Memorandum of Understanding for Settlement City of Richfield Lyndale Ave. Project

Fee Owner: Paul J. Zilka and Ann Zilka Property Address: 6701 Lyndale Ave. S.

PIN: 27-028-24-32-0126

46

On this 44 day of \_\_\_\_\_\_, 20 1 Paul J. Zilka and Ann Zilka, husband and wife, Owners of the above described parcel of property located in the County of Hennepin, State of Minnesota, did execute and deliver a conveyance of real estate to the City of Richfield.

It is hereby acknowledged and agreed upon between the parties that:

The Owner has been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate.

The Owner understands and acknowledges that the Agent for the City of Richfield has no direct, indirect, present, or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

That in full compensation for the conveyance of said property, the City of Richfield shall pay the Owner the sum of Thirteen Thousand Two Hundred and no/100 dollars (\$13,200.00) for easement(s) and damages.

| Permanent Easement | \$11,725.00 |
|--------------------|-------------|
| Temporary Easement | \$ 1,475.00 |
| Rounded Total      | \$13,200.00 |

In the event of a clerical error, Grantor, whether one or more, agrees to cooperate in correcting the error including but not limited to resigning all documents.

City of Richfield

By:

ogan Vlasaty, Project Engineer

By:

Paul J. Zilka

Ann Zilka

#### PERMANENT EASEMENT

City of Richfield Lyndale Ave. Project

FOR VALUABLE CONSIDERATION, Paul J. Zilka and Ann Zilka, husband and wife, Grantor, whether one or more, hereby grants and conveys unto the City of Richfield, its contractors, permittees, successors and assigns, Grantee, an easement for roadway purposes to grade, construct, operate, maintain, use, alter, repair and remove a public roadway, trails, sidewalks, bridges, structures, storm sewer, sanitary sewer, other public facilities and utilities, boulevards and appurtenances, including for drainage and utility purposes, together with all other rights necessary and convenient for the enjoyment and unrestricted use of same over, under and across the real property situated in Hennepin County, State of Minnesota, as described, to wit:

A perpetual easement for roadway, drainage and utility purposes over, under and across that part of Lot 25, Block 4, LYNDALE SHORES ON WOOD LAKE, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Beginning at the northwest corner of said Lot 25; thence southeasterly along the northerly line of said Lot 25, a distance of 44.04 feet; thence southwesterly to a point on the westerly line of said Lot 25, distant 25.78 feet southwesterly of said northwest corner; thence northeasterly along said westerly line to the point of beginning. EXCEPT that part thereof lying within the existing right-of-way of Lyndale Avenue South, being the westerly 4.00 feet of said Lot 25 as described in Document No. T952770, on file and of record in the Office of the Registrar of Titles, said Hennepin County.

Grantor hereby conveys all grass, shrubs, trees, natural growth, earthen materials, landscaping, improvements and structures existing or that may be planted or grown on the easement described herein. Grantor hereby agrees to not damage, destroy or remove any grass, trees, shrubs or natural growth replaced by Grantee on the easement described herein.

Grantor hereby releases Grantee from any and all claims for damages to the premises resulting from the uses and purposes granted herein and lying within the boundaries of the easement described herein. Grantee shall have the right to use and remove all grass, shrubs, trees (including overhanging branches), earthen materials, structures and improvements, which lie within the boundaries of the easement described herein.

which shall run with the land and be binding upon and inure to the benefit of the parties hereto, their successors and assigns. Ann Zilka STATE OF MINNESOTA COUNTY OF HENNEPI The foregoing instrument was acknowledged before me on the Haday of, June \_\_\_\_\_, 2019, by Paul J. Zilka and Ann Zilka, husband and wife as their free act and deed. My Commission Expires

To have and hold same, together with all of the rights and appurtenances belonging thereto, all of

#### TEMPORARY CONSTRUCTION EASEMENT

City of Richfield Lyndale Ave. Project

FOR VALUABLE CONSIDERATION, Paul J. Zilka and Ann Zilka, husband and wife, Grantor, whether one or more, hereby grants and conveys unto the City of Richfield, its contractors, permittees, successors and assigns, Grantee, a temporary easement for construction purposes for work space, construction operations and to grade and construct slopes both cuts and fills associated with construction or reconstruction of a public roadway, trail and pedestrian facilities, together with all other rights necessary and convenient for the enjoyment and use of same, over, under and across the real property situated in Hennepin County, the State of Minnesota as described, to wit:

A temporary easement for construction purposes over, under and across those parts of Lots 24 and 25, Block 4, LYNDALE SHORES ON WOOD LAKE, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Commencing at the northwest corner of said Lot 25; thence on an assumed bearing of South 69 degrees 40 minutes 27 seconds East along the northerly line of said Lot 25, a distance of 44.04 feet to the point of beginning of the easement to be described; thence continuing South 69 degrees 40 minutes 27 seconds East along said northerly line, a distance of 5.94 feet; thence South 80 degrees 00 minutes 21 second West, a distance of 41.75 feet; thence South 20 degrees 24 minutes 52 seconds West, a distance of 17.13 feet; thence North 68 degrees 05 minutes 15 seconds West, a distance of 4.52 feet; thence South 21 degrees 01 minute 38 seconds West, a distance of 45.97 feet; thence South 30 degree 01 minute 01 second West to the southerly line of said Lot 24; thence westerly along said southerly line to the southwest corner of said Lot 24; thence northerly along the westerly lines of said Lots 24 and 25 to a point distant 25.78 feet southerly of said northwest corner; thence northeasterly to the point of beginning.

EXCEPT those parts thereof lying within the existing right-of-way of Lyndale Avenue South, being the westerly 4.00 feet of said Lots 24 and 25 as described in Document No. T952770, on file and of record in the Office of the Registrar of Titles, said Hennepin County.

Temporary easement shall start June 11, 2019 and expire July 1, 2020.

Grantor hereby agrees that all earthen material, other material, trees and vegetation excavated, removed or taken by Grantee from within said temporary easement shall become the property of Grantee.

Upon restoration of disturbed areas per plans and specifications determined by Grantee, Grantor does hereby release Grantee from any claims or damages resulting from the construction of said slopes associated with the road project and all work in connection therewith.

This agreement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

EXECUTED as of this He day of June 2019.

Paul J. Zilka

STATE OF MINNESOTA

COUNTY OF HENNEPIN

SS.

The foregoing instrument was acknowledged before me on the Hay of, June

\_, 2019, by Paul J. Zilka and Ann Zilka, husband and wife as their free act and deed.

RICHARD L. ZILKA

NOTARY PUBLIC MINNESOTA

My Commission Expires

January 31, 2020

My Commission Expires

Notary Publ



510 N Chestnut Street, Ste 200 Chaska, MN 55318 952.448.4630 800.448.4630 toll free www.henningprofessionalservices.com

## **Letter of Transmittal**

| Date:<br>To: | July 19, 201<br>Logan Vlasa<br>Richfield Ma<br>1901 E. 66th<br>Richfield, M | aty<br>aintenance Facility<br>n Street  | X      | Regular Mail<br>Fax<br>Fax and Mail<br>Hand Deliver |
|--------------|---|---|--------|---|
| Re:          |   | e. Reconstruction<br>shley Marin (6801 Lyndale Ave)                             |        |   |
| We are e     | nclosing:   | Permanent Easement<br>Temporary Construction Easement<br>Payment Request<br>W-9 | ж.     |   |
| For Your:    | Revi  | ew X Records X Approval I   | nforma | tion  |
| Remarks:     | 1   | end or email a copy of the check back to<br>n file.                             | o Henr | ning Professional Services for the                  |
|              |   |   |        |   |

From:

Leah Traxler



510 N Chestnut Street, Ste 200 Chaska, MN 55318 952.448.4630 800.448.4630 toll free www.henningprofessionalservices.com

Date: July 19, 2019

To: Logan Vlasaty

City of Richfield

From: Leah Traxler, Henning Professional Services, Inc.

Re: PAYMENT REQUEST

Lyndale Ave Reconstruction

PID: 27-028-24-33-0019

Property Address: 6801 Lyndale Ave. S, Richfield, MN

Make Check Payable to: Jorge Roy Marin and Ashley Jo Marin

Payment Amount: \$1,750.00

SSN/EIN: Provided on attached W-9

### Please Record Easement Document(s) and provide copy of check to Leah Traxler.

| Settlement / Payment Summary |            |  |
|------------------------------|------------|--|
| Permanent Easement           | \$1,002.00 |  |
| Temporary Easement           | \$748.00   |  |
| TOTAL (rounded to):          | \$1,750.00 |  |

#### PERMANENT EASEMENT

City of Richfield Lyndale Ave. Project

FOR VALUABLE CONSIDERATION, Jorge Roy Marin f/k/a Jorge Roy Marin Durazo a/k/a Jorge Roy Marin Durazo and Ashley Jo Marin, f/k/a Ashley Jo Bronk, spouses married to each other, Grantor, whether one or more, hereby grants and conveys unto the City of Richfield, its contractors, permittees, successors and assigns, Grantee, an easement for roadway purposes to grade, construct, operate, maintain, use, alter, repair and remove a public roadway, trails, sidewalks, bridges, structures, storm sewer, sanitary sewer, other public facilities and utilities, boulevards and appurtenances, including for drainage and utility purposes, together with all other rights necessary and convenient for the enjoyment and unrestricted use of same over, under and across the real property situated in Hennepin County, State of Minnesota, as described, to wit:

A perpetual easement for roadway, drainage and utility purposes over, under and across that part of Lot 6, Block 4, M. P. Johnson's Lyndale Shores on Wood Lake Addition, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Beginning at the northwest corner of said Lot 6; thence easterly along the north line of said Lot 6, a distance of 17.32 feet; thence southwesterly to a point on the west line of said Lot 6, distant 7.99 feet southerly of said northwest corner; thence northerly along said west line to the point of beginning.

Grantor hereby conveys all grass, shrubs, trees, natural growth, earthen materials, landscaping, improvements and structures existing or that may be planted or grown on the easement described herein. Grantor hereby agrees to not damage, destroy or remove any grass, trees, shrubs or natural growth replaced by Grantee on the easement described herein.

Grantor hereby releases Grantee from any and all claims for damages to the premises resulting from the uses and purposes granted herein and lying within the boundaries of the easement described herein. Grantee shall have the right to use and remove all grass, shrubs, trees (including overhanging branches), earthen materials, structures and improvements, which lie within the boundaries of the easement described herein.

To have and hold same, together with all of the rights and appurtenances belonging thereto, all of which shall run with the land and be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

| Jul/him         |  |
|-----------------|--|
| Jorge Roy Marin |  |

| STATE OF   | Minnisota |   | ~~  |
|------------|-----------|---|-----|
| COUNTY OF_ | Hennepm   | ) | SS. |

The foregoing instrument was acknowledged before me on the day of, day of, by Jorge Roy Marin f/k/a Jorge Roy Marin Durazo a/k/a Jorge Roy Marin Durazo married to Ashley Jo Marin, f/k/a Ashley Jo Bronk, as his free act and deed.

**STAMP** 



Notary Public

My Commission Expires

{remainder of page intentionally left blank}

| STATE OF MINNESOTA ) SS. COUNTY OF Handen ) SS.  |   |
|--|---|
| The foregoing instrument was acknowledged before, 2019, by, <u>Ashley Jo Marin f/k/a Ashley Jo I</u><br>Jorge Roy Marin Durazo a/k/a Jorge Roy Marin Dur | me on the day of,<br>Bronk, married to Jorge Roy Marin f/k/a<br>zao as her free act and deed. |
| STAMP  | who Lubah Track   |
| <del></del>  | Notary Public   |

#### TEMPORARY CONSTRUCTION EASEMENT

City of Richfield Lyndale Ave. Project

FOR VALUABLE CONSIDERATION, Jorge Roy Marin f/k/a Jorge Roy Marin Durazo a/k/a Jorge Roy Marin Durazo and Ashley Jo Marin, f/k/a Ashley Jo Bronk spouses married to each other, Grantor, whether one or more, hereby grants and conveys unto the City of Richfield, its contractors, permittees, successors and assigns, Grantee, a temporary easement for construction purposes for work space, construction operations and to grade and construct slopes both cuts and fills associated with construction or reconstruction of a public roadway, trail and pedestrian facilities, together with all other rights necessary and convenient for the enjoyment and use of same, over, under and across the real property situated in Hennepin County, the State of Minnesota as described, to wit:

A temporary easement for construction purposes over, under and across that part of the herein described Parcel A, being a strip of land 2.00 feet wide, lying southeasterly of and adjoining the following described line and its extensions:

Commencing at the northwest corner of said Parcel A; thence easterly along the north line of said Parcel A, a distance of 17.32 feet to the point of beginning of the line to be described; thence southwesterly to a point on the west line of said Parcel A, distant 7.99 feet southerly of said northwest corner, and said line there terminating.

#### **AND**

Together with a temporary easement for construction purposes over, under and across that part of said Parcel A, described as follows:

Commencing at the northwest corner of said Parcel A; thence on an assumed bearing of South 13 degrees 30 minutes 30 seconds West along the west line of said Parcel A, a distance of 38.09 feet to the point of beginning of the easement to be described; thence South 79 degrees 22 minutes 20 seconds East, a distance of 18.12 feet; thence South 00 degrees 25 minutes 12 seconds East, a distance of 5.91 feet; thence South 70 degrees 22 minutes 09 seconds West, a distance of 13.44 feet; thence South 05 degrees 05 minutes 08 seconds West, a distance of 17.10 feet; thence South 29 degrees 27 minutes 46 seconds West to the south line of said Parcel A; thence westerly along said south line to

the southwest corner of said Parcel A; thence northerly along said west line to the point of beginning.

Parcel A:

(Certificate of Title No. 1454507)

That part of Lot 5 lying Northerly of the Southerly line of the Northerly 8 feet of that part of said Lot 5 described as follows: Beginning at the Southwesterly corner of said lot; thence Northeasterly along the Westerly boundary line of said Lot a distance of 25 feet; thence Easterly parallel with the Southerly boundary line of said lot to a point on the Easterly boundary line of said Lot, 25 feet from the Southeasterly corner thereof; thence to the Southeasterly corner thereof; thence along the Southerly boundary line of said lot to the place of beginning, and

Lot 6,

Block 4, M. P. Johnson's Lyndale Shores On Wood Lake Addition.

Temporary easement shall start June 11, 2019 and expire July 1, 2020.

Grantor hereby agrees that all earthen material, other material, trees and vegetation excavated, removed or taken by Grantee from within said temporary easement shall become the property of Grantee.

Upon restoration of disturbed areas per plans and specifications determined by Grantee, Grantor does hereby release Grantee from any claims or damages resulting from the construction of said slopes associated with the road project and all work in connection therewith.

This agreement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

EXECUTED as of this \_\_\_\_\_\_ day of \_\_\_\_\_\_

.201

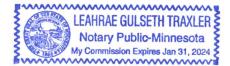
{signature page to follow}

Jorge Roy Marin

| STATE OF Minnesota | _) | aa  |
|--------------------|----|-----|
| COUNTY OF HENDER   | _) | SS. |

The foregoing instrument was acknowledged before me on the 18 day of, 2019, by Jorge Roy Marin f/k/a Jorge Roy Marin Durazo a/k/a Jorge Roy Marin Durazo married to Ashley Jo Marin, f/k/a Ashley Jo Bronk, as his free act and deed.

**STAMP** 



Notary Public

My Commission Expires \_\_\_

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| 11/1/10/1911  |     | MARIA            |  |
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| A.I.I. T. DAT | 110 | 11/10/1/00       |  |
| Ashley Jo Mai | ım  |                  |  |

| STATE OF Minnesota  |  |
|---|--|
| COUNTY OF Hennephn  | ) SS.<br>_)                                      |
| The foregoing instrument was acknowledge, 2019, by, Ashley Jo Marin f/k/a As Jorge Roy Marin Durazo a/k/a Jorge Roy M | shley Jo Bronk, married to Jorge Roy Marin f/k/a |
| STAMP   |  |
| LEAHRAE GULSETH TRAXLER  Notary Public-Minnesota  My Commission Expires Jan 31, 2024                                  | Notary Public                                    |
|   | My Commission Expires 1/3/1/24                   |

RESOLUTION AUTHORIZING THE CITY OF RICHFIELD TO MAKE PAYMENTS FOR THE PURCHASE OF TEMPORARY CONSTRUCTION AND PERMANENT RIGHT-OF-WAY EASEMENTS AT 6600 LYNDALE AVE S., 6701 LYNDALE AVE S. AND 6801 LYNDALE AVE S. AS PART OF THE LYNDALE AVENUE RECONSTRUCTION PROJECT

**WHEREAS**, the City Council of the City of Richfield is the official governing body of the City of Richfield; and

**WHEREAS**, the City, a Minnesota municipal corporation acting by and through its City Council, is authorized by law to acquire land and other interests in real estate which are needed for public use or purpose; and

**WHEREAS**, the City Council finds that public safety and convenience required that the City undertake and complete improvements known as the Lyndale Avenue Reconstruction Project to improve the pavement conditions, replace deteriorating sidewalks and upgrade aging underground utilities while improving operational safety for pedestrians, bicyclists and vehicles; and

**WHEREAS**, it is necessary to acquire temporary construction and permanent right-of-way easements encumbering each property described above; and

**WHEREAS**, the good faith efforts of employees and agents of the City, in addition to the property owners, has resulted in the acceptance of offers to purchase the aforementioned easements without need for further negotiations.

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Richfield hereby authorizes the Mayor and the City Manager to make payments to each property owner and make effective the agreed upon easements to ensure timely progression of the project in 2019.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of August, 2019.

|                                | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| ATTEST:                        |                             |
|                                |                             |
| Elizabeth VanHoose, City Clerk |                             |

4.C.



# STAFF REPORT NO. 95 CITY COUNCIL MEETING 8/13/2019

REPORT PREPARED BY: Chris Regis, Finance Director

DEPARTMENT DIRECTOR REVIEW: Chris Regis, Finance Director

7/24/2019

OTHER DEPARTMENT REVIEW: N/A.

CITY MANAGER REVIEW: Katie Rodriguez, City Manager

8/7/2019

#### ITEM FOR COUNCIL CONSIDERATION:

Consideration of transfer of funds to close out a certain capital project fund.

#### **EXECUTIVE SUMMARY:**

The City has one capital project fund where the project has been completed or there has been little or no activity. For the purposes of the Engineering division this project can be closed out. The project fund is the Portland Avenue Reconstruction.

#### **RECOMMENDED ACTION:**

By Motion: Approve the transfer of funds to close out a certain capital project fund.

### **BASIS OF RECOMMENDATION:**

#### A. HISTORICAL CONTEXT

N/A.

#### B. **POLICIES** (resolutions, ordinances, regulations, statutes, etc):

- The City's financial policies do not directly address the closing out of City funds.
- The City's auditors have recommended that non-budgeted transfers between funds be approved by the City Council.

#### C. CRITICAL TIMING ISSUES:

N/A.

#### D. **FINANCIAL IMPACT**:

• The following tables reflect the funds to close and the corresponding funding sources or recipients.

| Fund to Close   | <u>Balance</u> | Funding Recipient | <u>Amount</u> |
|-----------------|----------------|-------------------|---------------|
| Portland Avenue |                |                   |               |
| Reconstruction  | 29,024         | MSA Fund          | 29,024        |

#### E. **LEGAL CONSIDERATION:**

N/A.

### **ALTERNATIVE RECOMMENDATION(S):**

None.

### PRINCIPAL PARTIES EXPECTED AT MEETING:

None.

AGENDA SECTION:
AGENDA ITEM#

CONSENT CALENDAR

4.D.



# STAFF REPORT NO. 96 CITY COUNCIL MEETING 8/13/2019

REPORT PREPARED BY: Chris Link, Operations Superintendent

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director/City Engineer

8/5/2019

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager

8/7/2019

#### ITEM FOR COUNCIL CONSIDERATION:

Consideration of the approval of the purchase of a truck chassis from Nuss Truck and Equipment for \$106,953 and dump box/snow fighting equipment from Towmaster, Inc. for \$104,668, totaling \$211,621 plus taxes and licensing in 2020 for use by the Public Works Department.

#### **EXECUTIVE SUMMARY:**

The Public Works Department currently has seven dump trucks to provide routine snow removal and various other services to the public. Public Works plans to decommission and auction off an old tandem-axle truck that is at the end of its useful lifespan and replace it with this smaller single-axle truck. This smaller single-axle truck is more maneuverable and responsive and will be dedicated to managing the City's newer and more complex streetscapes.

#### RECOMMENDED ACTION:

By Motion: Approve the purchase of a Truck Chassis from Nuss Truck and Equipment for \$106,953 and dump box/snow plowing equipment from Towmaster, Inc. for \$106,953 plus taxes and licensing in 2020 for use by the Public Works Department.

#### **BASIS OF RECOMMENDATION:**

#### A. HISTORICAL CONTEXT

Replacement schedules are set for each piece of equipment once purchased. The following are taken into consideration when deciding on when to replace vehicles:

- Year of purchase
- Replacement date/depreciation
- History of repairs
- Technology upgrades

#### B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Purchasing supplies, materials, and equipment through a cooperative purchasing program allows the City to purchase items at a lower cost due to the purchasing power of a large group.
- The City of Richfield currently purchases from four cooperative sources:
  - Hennepin County Cooperative Purchasing Program
  - State of Minnesota Cooperative Purchasing Program

- National Joint Powers Agreement Cooperative Purchasing Program
- Houston Galveston Area Council
- The State of Minnesota Cooperative Purchasing Program will be used for the purchase of the new dump truck and equipment.

### C. **CRITICAL TIMING ISSUES:**

• Approval at this meeting will ensure delivery of the vehicle in the year it is budgeted (2020).

#### D. FINANCIAL IMPACT:

- The 2019 Revised/2020 Proposed Budget includes \$220,000 for this purchase.
- The quoted price for the equipment totals \$211,621 not accounting for the vehicle sales tax and licensing fees.

#### E. **LEGAL CONSIDERATION:**

 According to Minnesota Statutes, when the purchase of materials, merchandise, equipment, or construction exceeds \$175,000, authority to purchase shall be submitted to the City Council for consideration.

### **ALTERNATIVE RECOMMENDATION(S):**

• None

### PRINCIPAL PARTIES EXPECTED AT MEETING:

None

AGENDA SECTION: AGENDA ITEM# RESOLUTIONS

6.



# STAFF REPORT NO. 97 CITY COUNCIL MEETING 8/13/2019

REPORT PREPARED BY: Melissa Poehlman, Asst. Community Development Director

DEPARTMENT DIRECTOR REVIEW: Melissa Poehlman, Acting Community Development Director

8/6/2019

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager

8/7/2019

#### ITEM FOR COUNCIL CONSIDERATION:

Consideration of the adoption of resolutions to approve conditional use permits to allow small wireless facilities at multiple locations throughout the City.

### **EXECUTIVE SUMMARY:**

SAC Wireless, on behalf of AT&T (Applicant) is requesting approval of conditional use permits (CUPs) in order to allow the installation of small wireless facilities in several residential areas. The Applicant is proposing to replace four City-owned light poles and two utility poles with new poles that will accommodate the attachment of small wireless facilities. The poles are located in the right-of-way, but are adjacent to the following residential properties: 7044 Harriet Avenue, 7100 James Avenue, 6645 Thomas Avenue, 6845 Thomas Avenue, 7400 Nicollet Avenue, and 7444 Upton Avenue. These sites were identified by AT&T's radiofrequency engineers as areas where cellular coverage was lacking and where light poles, utility poles, or other structures that could feasibly hold a small wireless facility were present. The small wireless facilities are able to fill pockets of poor cellular coverage that signals from a traditional tower cannot reach. In order to better-coordinate with the Lyndale Avenue reconstruction project, the installation proposed for approximately 7108 Lyndale Avenue has been withdrawn.

In order to approve a conditional use permit, the Council must find that the request is consistent with the purpose and goals of the City's Comprehensive Plan and Zoning Code; complies with applicable performance standards; and will not cause "undue adverse impacts" on governmental facilities, utilities or services; or on the public health, safety, or welfare.

The proposed installations do not conflict with the City's Comprehensive Plan or Zoning Code. The placement of the installations on existing (or replacement) poles limits aesthetic impacts in the Single-Family Zone, and the supplied frequency studies indicate that radiofrequency emissions will be within the acceptable limits for the general public set by the Federal Communications Commission. A full discussion of CUP requirements can be found in an attachment to this report.

Finding that the proposal meets requirements, staff recommends approval of the CUPs.

#### **RECOMMENDED ACTION:**

By motion: Approve several resolutions for conditional use permits to allow small wireless facilities at multiple locations throughout the City.

#### **BASIS OF RECOMMENDATION:**

#### A. HISTORICAL CONTEXT

State law gives "telecommunications right of way users" the right to install facilities in the right of way. This right is subject to local governmental authority to manage right of way permitting. In 2017, the Minnesota Legislature amended the definition of a "telecommunications right of way user" to include persons deploying facilities to provide "wireless service." Wireless providers may deploy a "small wireless facility" or a "wireless support structure" in the right-of-way.

While the City's authority to deny permits in the right-of-way is limited, cities may make such facilities or structures a conditional use in right-of-way located in "a district or area zoned for single-family residential use or within a historic district." The City Council held a work session to discuss this issue on July 25, 2017 and directed City staff to move forward with an amendment to make these facilities a conditional use in single-family residential areas. This process allows the Council to attach "reasonable conditions" to an approval.

#### B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Small wireless facilities are a conditionally permitted use in the Single-Family Residential (R)
  District.
- The Federal Communications Commission (FCC) has established guidelines for human exposure to Radio Frequency Electromagnetic Fields. Separate evaluations of each individual site are included as attachments to this report. All sites will comply with established FCC guidelines.
- A full discussion of general CUP requirements and required findings can be found as an attachment to this report.
- A public hearing was held at the July 22 Planning Commission Meeting. Several residents raised concerns over the health impacts of the proposed installations. While issuance of a Conditional Use Permit requires the Council to find that the proposed use will not have undue adverse impacts on the public health, safety, or welfare, Attorney Andrew Biggerstaff of Kennedy and Graven explained that in order to reject an application based on health impacts of the installations, the City would have to show (with evidence) that the Federal Government's ruling on the exposure limits were wrong.
- Establishing setbacks or buffers from residents diagnosed with Electromagnetic Hypersensitivity
  (EHS) was also discussed at the Planning Commission Meeting. Further investigation has shown
  that EHS is not currently recognized as a medical diagnosis by the World Health Organization
  therefore the City Attorney does not recommend establishing a policy to require a buffer.
- A policy to prevent a proliferation of installations in residential neighborhoods was also discussed.
  The Director of RAN Engineering at AT&T has indicated that the required spacing to avoid signal
  interference between small cell facilities is approximately a one to two block radius. A policy
  related to spacing seems unnecessary at this time.

#### C. CRITICAL TIMING ISSUES:

60-DAY RULE: The 60-day clock 'started' when a complete application was received on July 12, 2019. A decision is required by September 10, 2019 or the Council must notify the Applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

#### D. **FINANCIAL IMPACT**:

None. All installations and maintenance will be the responsibility of the Applicant.

#### E. LEGAL CONSIDERATION:

- A public hearing was held on July 22, 2019.
- Several members of the public spoke at the public hearing. Draft minutes from the Planning Commission Meeting are attached to this report.
- The Planning Commission recommended approval (6-0).

#### **ALTERNATIVE RECOMMENDATION(S):**

None

### PRINCIPAL PARTIES EXPECTED AT MEETING:

Joe Goldshlack, SAC Wireless Valerie Bruggeman, AT&T

### **ATTACHMENTS:**

|   | Description                              | Type              |
|---|--|-------------------|
| D | Resolutions                              | Resolution Letter |
| D | Site Plans                               | Exhibit           |
| D | Required Findings                        | Exhibit           |
| D | Zoning Map                               | Backup Material   |
| D | Frequency Study - 6645 Thomas Ave        | Backup Material   |
| D | Frequency Study - 6845 Thomas Ave        | Backup Material   |
| D | Frequency Study - 7400 Nicollet Ave      | Backup Material   |
| D | Frequency Study - 7444 Upton Ave         | Backup Material   |
| D | Frequency Study - 7044 Harriet Ave       | Backup Material   |
| D | Frequency Study - 7100 James Ave         | Backup Material   |
| D | Draft Planning Commission Minutes 072219 | Exhibit           |

# RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SMALL WIRELESS FACILITY IN THE RIGHT-OF-WAY ADJACENT TO 7444 UPTON AVENUE

**WHEREAS**, an application has been filed with the City of Richfield which requests a conditional use permit for a small wireless facility to be co-located on a city-owned light pole in the right-of-way on land generally located at 7444 Upton Avenue, legally described as:

That part of Upton Avenue South adjacent to Lot 8, Block 2, Penn Lake Terrace 2<sup>nd</sup> Add

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing for the requested conditional use permit at its July 22, 2019 meeting; and

**WHEREAS**, the Planning Commission recommended approval of the conditional use permit for a small wireless facility; and

**WHEREAS**, notice of the public hearing was published in the Sun Current on July 11, 2019 and mailed to properties within 350 feet of the subject property on July 9, 2019; and;

**WHEREAS**, the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

- 1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
- 2. A conditional use permit is issued to allow a small wireless facility on the Subject Property legally described above.
- 3. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - a) The recipient of this approval shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7; and
  - b) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated July 2, 2019, and compliance with all other City and State regulations.
  - c) Approval does not constitute approval of the Small Cell Pole Attachment permit required by the Public Works Department or the Electrical Permit required by the Inspections Department.
  - d) Separate approval of an antenna permit is not required.

- 4. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.
- 5. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of August 2019.

|                                | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| ATTEST:                        |                             |
|                                |                             |
| Elizabeth VanHoose, City Clerk |                             |

# RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SMALL WIRELESS FACILITY IN THE RIGHT-OF-WAY ADJACENT TO 6645 THOMAS AVENUE

**WHEREAS**, an application has been filed with the City of Richfield which requests a conditional use permit for a small wireless facility to be co-located on a city-owned light pole in the right-of-way on land generally located at 6645 Thomas Avenue, legally described as:

That part of Thomas Avenue South adjacent to Lot 15, Block 4, "Tingdale Bros.'Lincoln Hills".

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing for the requested conditional use permit at its July 22, 2019 meeting; and

**WHEREAS**, the Planning Commission recommended approval of the conditional use permit for a small wireless facility; and

**WHEREAS**, notice of the public hearing was published in the Sun Current on July 11, 2019 and mailed to properties within 350 feet of the subject property on July 9, 2019; and;

**WHEREAS,** the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

- 1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
- 2. A conditional use permit is issued to allow a small wireless facility on the Subject Property legally described above.
- 3. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - a) The recipient of this approval shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7; and
  - b) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated July 2, 2019, and compliance with all other City and State regulations.
  - c) Approval does not constitute approval of the Small Cell Pole Attachment permit required by the Public Works Department or the Electrical Permit required by the Inspections Department.
  - d) Separate approval of an antenna permit is not required.

- 4. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.
- 5. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of August 2019.

|                                | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| ATTEST:                        |                             |
|                                |                             |
| Elizabeth VanHoose, City Clerk |                             |

# RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SMALL WIRELESS FACILITY IN THE RIGHT-OF-WAY ADJACENT TO 6845 THOMAS AVENUE

**WHEREAS**, an application has been filed with the City of Richfield which requests a conditional use permit for a small wireless facility to be co-located on a city-owned light pole in the right-of-way on land generally located at 6845 Thomas Avenue, legally described as:

That part of W 69<sup>th</sup> Street adjacent to Lot 13, Block 4, "Tingdale Bros.'Lincoln Hills Third Addition"

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing for the requested conditional use permit at its July 22, 2019 meeting; and

**WHEREAS**, the Planning Commission recommended approval of the conditional use permit for a small wireless facility; and

**WHEREAS**, notice of the public hearing was published in the Sun Current on July 11, 2019 and mailed to properties within 350 feet of the subject property on July 9, 2019; and;

**WHEREAS,** the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

- 1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
- 2. A conditional use permit is issued to allow a small wireless facility on the Subject Property legally described above.
- 3. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - a) The recipient of this approval shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7; and
  - b) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated July 2, 2019, and compliance with all other City and State regulations.
  - c) Approval does not constitute approval of the Small Cell Pole Attachment permit required by the Public Works Department or the Electrical Permit required by the Inspections Department.
  - d) Separate approval of an antenna permit is not required.

- 4. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.
- 5. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of August 2019.

|                                | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| ATTEST:                        |                             |
|                                |                             |
| Elizabeth VanHoose, City Clerk |                             |

# RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SMALL WIRELESS FACILITY IN THE RIGHT-OF-WAY ADJACENT TO 7044 HARRIET AVENUE

**WHEREAS**, an application has been filed with the City of Richfield which requests a conditional use permit for a small wireless facility to be co-located on a city-owned light pole in the right-of-way on land generally located at 7044 Harriet Avenue, legally described as:

That part of W 71<sup>st</sup> Street adjacent to Lot 9, Block 4, Augsburg Park

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing for the requested conditional use permit at its July 22, 2019 meeting; and

**WHEREAS**, the Planning Commission recommended approval of the conditional use permit for a small wireless facility; and

**WHEREAS**, notice of the public hearing was published in the Sun Current on July 11, 2019 and mailed to properties within 350 feet of the subject property on July 9, 2019; and:

**WHEREAS,** the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

- 1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
- 2. A conditional use permit is issued to allow a small wireless facility on the Subject Property legally described above.
- 3. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - a) The recipient of this approval shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7; and
  - b) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated July 2, 2019, and compliance with all other City and State regulations.
  - c) Approval does not constitute approval of the Small Cell Pole Attachment permit required by the Public Works Department or the Electrical Permit required by the Inspections Department.
  - d) Separate approval of an antenna permit is not required.
- 4. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been

issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.

5. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of August 2019.

|                                | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| ATTEST:                        |                             |
| Elizabeth VanHoose, City Clerk |                             |

# RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SMALL WIRELESS FACILITY IN THE RIGHT-OF-WAY ADJACENT TO 7100 JAMES AVENUE

**WHEREAS**, an application has been filed with the City of Richfield which requests a conditional use permit for a small wireless facility to be co-located on a city-owned light pole in the right-of-way on land generally located at 7100 James Avenue, legally described as:

That part of James Avenue South adjacent to Lot 1, Block 6, "Forest Lawn"

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing for the requested conditional use permit at its July 22, 2019 meeting; and

**WHEREAS**, the Planning Commission recommended approval of the conditional use permit for a small wireless facility; and

**WHEREAS**, notice of the public hearing was published in the Sun Current on July 11, 2019 and mailed to properties within 350 feet of the subject property on July 9, 2019; and:

**WHEREAS,** the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

- 1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
- 2. A conditional use permit is issued to allow a small wireless facility on the Subject Property legally described above.
- 3. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - a) The recipient of this approval shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7; and
  - b) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated July 2, 2019, and compliance with all other City and State regulations.
  - c) Approval does not constitute approval of the Small Cell Pole Attachment permit required by the Public Works Department or the Electrical Permit required by the Inspections Department.
  - d) Separate approval of an antenna permit is not required.
- 4. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been

issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.

5. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of August 2019.

|                                | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| ATTEST:                        |                             |
| Elizabeth VanHoose, City Clerk |                             |

# RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SMALL WIRELESS FACILITY IN THE RIGHT-OF-WAY ADJACENT TO 7400 NICOLLET AVENUE

**WHEREAS**, an application has been filed with the City of Richfield which requests a conditional use permit for a small wireless facility to be co-located on a city-owned light pole in the right-of-way on land generally located at 7400 Nicollet Avenue, legally described as:

That part of Nicollet Avenue South adjacent to Lot 1, Block 1, "Nicollet View Gardens"

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing for the requested conditional use permit at its July 22, 2019 meeting; and

**WHEREAS**, the Planning Commission recommended approval of the conditional use permit for a small wireless facility; and

**WHEREAS**, notice of the public hearing was published in the Sun Current on July 11, 2019 and mailed to properties within 350 feet of the subject property on July 9, 2019; and;

**WHEREAS**, the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09; and

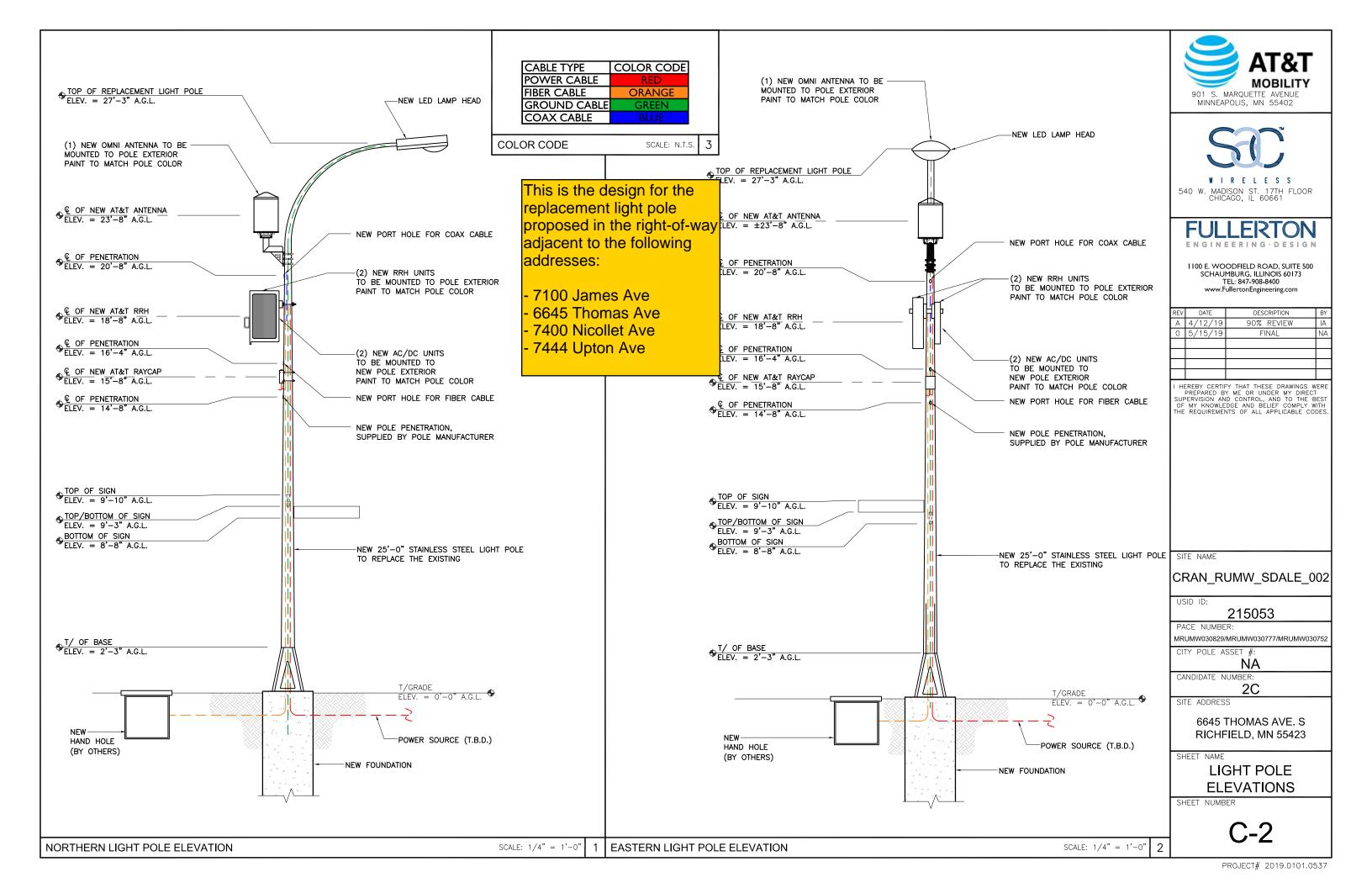
**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

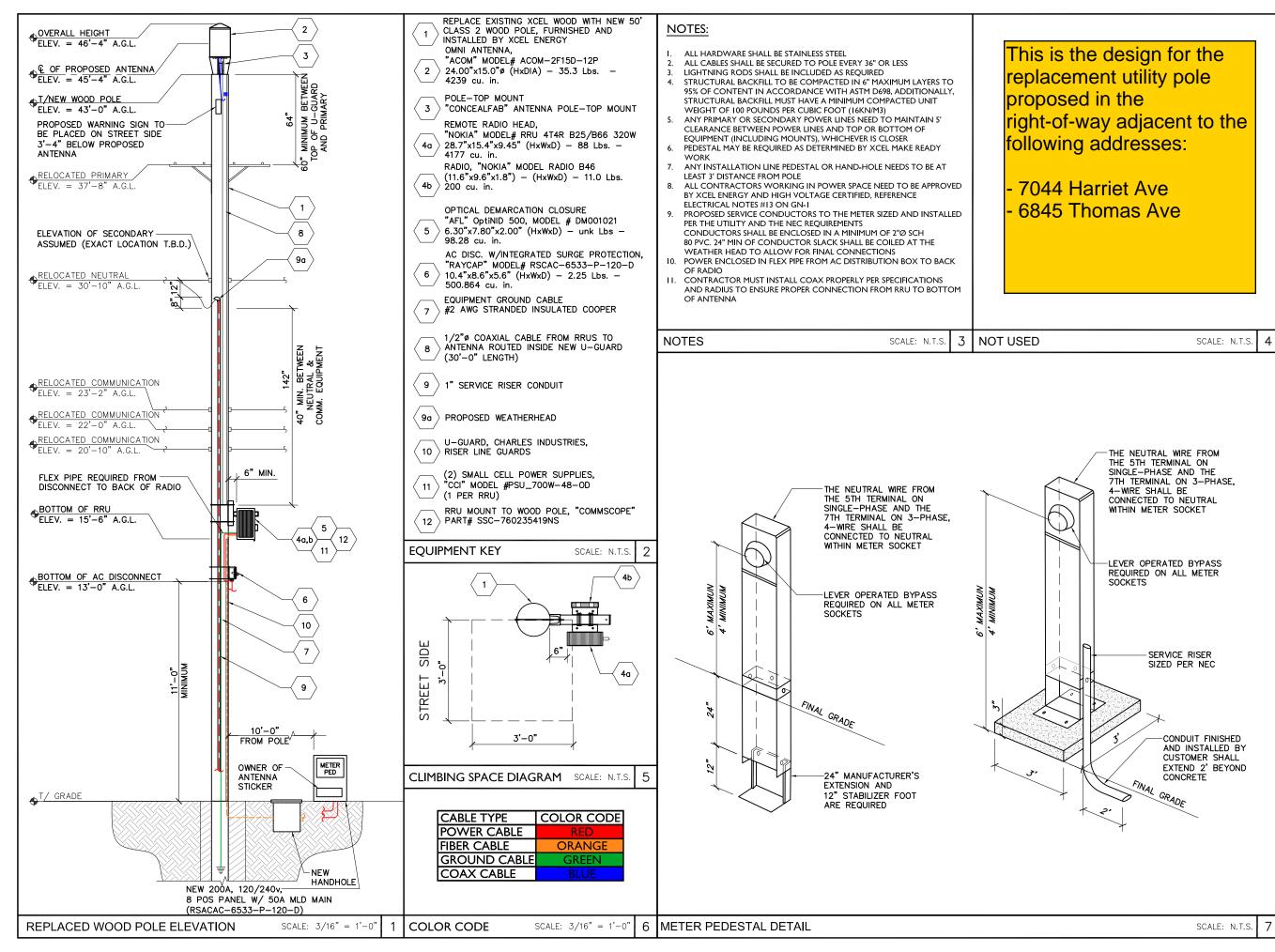
- 1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
- 2. A conditional use permit is issued to allow a small wireless facility on the Subject Property legally described above.
- 3. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - a) The recipient of this approval shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7; and
  - b) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated July 2, 2019, and compliance with all other City and State regulations.
  - c) Approval does not constitute approval of the Small Cell Pole Attachment permit required by the Public Works Department or the Electrical Permit required by the Inspections Department.
  - d) Separate approval of an antenna permit is not required.

- 4. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.
- 5. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of August 2019.

|                                | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| ATTEST:                        |                             |
|                                |                             |
| Elizabeth VanHoose, City Clerk |                             |









I 100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

DESCRIPTION

4/9/19 90% REVIEW 5/16/19 FINAL **REVISION** 

I HEREBY CERTIFY THAT THESE DRAWINGS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE CODES.

SITE NAME

CRAN RUMW SDALE 005

USID ID:

215057

PACE NUMBER

MRUMW030831/MRUMW030754/MRUMW03078

CITY POLE ASSET #

37682379

CANDIDATE NUMBER

5B

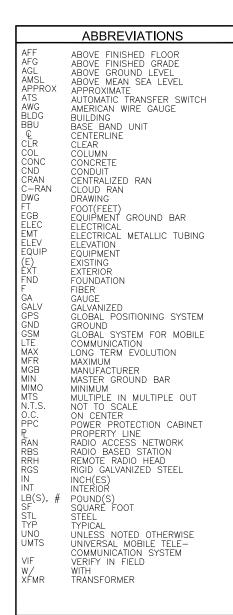
SITE ADDRESS

6845 THOMAS AVENUE SOUTH RICHFIELD, MN 55423

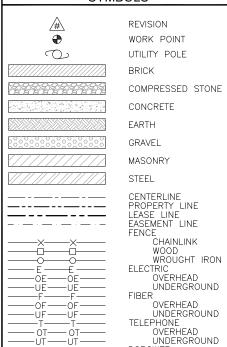
SHEET NAME

LIGHT POLE ELEVATION & DETAILS

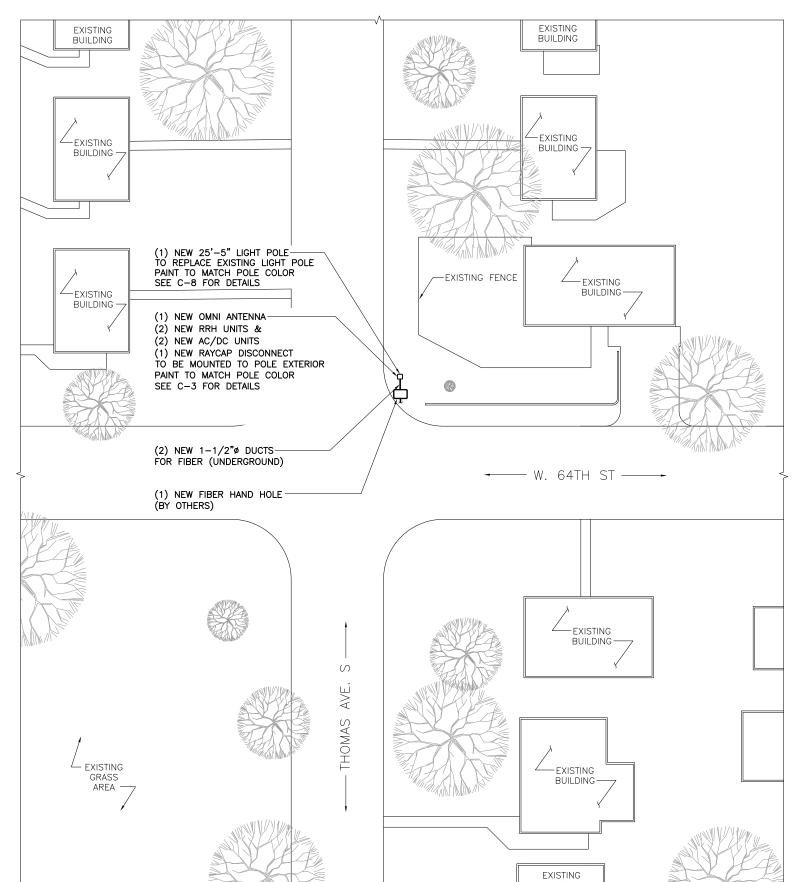
SHEET NUMBER



#### SYMBOLS



SECTION REFERENCE



LATITUDE: 44.88183° LONGITUDE: -93.31363° RICHFIELD POLE ID: N/A





I 100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE    | DESCRIPTION | BY |
|-----|---------|-------------|----|
| Α   | 4/12/19 | 90% REVIEW  | ΙA |
| 0   | 5/15/19 | FINAL       | NA |
|     |         |             |    |
|     |         |             |    |
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|     |         |             |    |

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SITE NAME

CRAN\_RUMW\_SDALE\_002

USID ID:

215053

PACE NUMBER:

MRUMW030829/MRUMW030777/MRUMW030752

CITY POLE ASSET CANDIDATE NUMBER:

NA

2C

SITE ADDRESS

6645 THOMAS AVE. S RICHFIELD, MN 55423

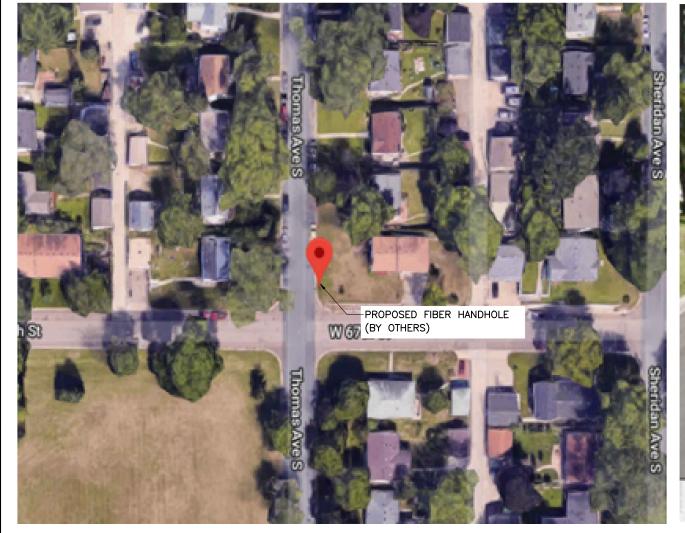
SHEET NAME

PARTIAL SITE PLAN

SHEET NUMBER

PARTIAL SITE PLAN SCALE: 1/32" = 1'-0"

## 6645 Thomas Ave









540 W. MADISON ST. 17TH FLOOR CHICAGO, IL 60661

## FULLERTON

1100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE    | DESCRIPTION | BY |
|-----|---------|-------------|----|
| Α   | 4/12/19 | 90% REVIEW  | IA |
| 0   | 5/15/19 | FINAL       | NA |
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SITE NAME

CRAN\_RUMW\_SDALE\_002

USID II

215053

PACE NUMBER

MRUMW030829/MRUMW030777/MRUMW030752

CITY POLE ASSET #:

CANDIDATE NUMBER:

NΑ

2C

SITE ADDRESS

6645 THOMAS AVE. S RICHFIELD, MN 55423

SHEET NAME

SCALE: N.T.S.

FIBER ROUTE

SHEET NUMBER

C-9

LATITUDE: 44.87821\* LONGITUDE: -93.31357\* XCEL POLE ID: 37682379





I 100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE    | DESCRIPTION | BY |
|-----|---------|-------------|----|
| Α   | 4/9/19  | 90% REVIEW  | WI |
| 0   | 5/16/19 | FINAL       | KK |
| 1   | 6/5/19  | REVISION    | МІ |
|     |         |             |    |
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SITE NAME

CRAN RUMW SDALE 005

USID ID:

215057

PACE NUMBER

MRUMW030831/MRUMW030754/MRUMW03078

CITY POLE ASSET #:

37682379

CANDIDATE NUMBER:

5B

SITE ADDRESS

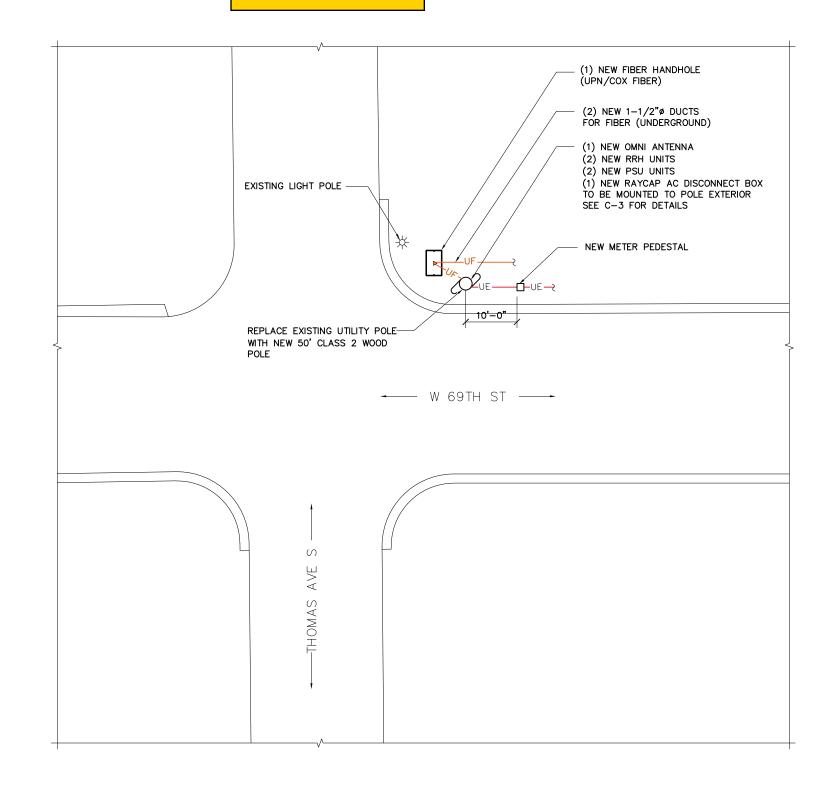
6845 THOMAS AVENUE SOUTH RICHFIELD, MN 55423

SHEET NAME

PARTIAL SITE PLAN

SHEET NUMBER

### 6845 Thomas Ave



SYMBOLS

TRANSFORMER

**ABBREVIATIONS** 

ABOVE MEAN SEA LEVEL
APPROXIMATE
AUTOMATIC TRANSFER SWITCH

ABOVE FINISHED FLOOR

ABOVE FINISHED GRADE ABOVE GROUND LEVEL

AMERICAN WIRE GAUGE BUILDING

BASE BAND UNIT CENTERLINE

CONDUIT CENTRALIZED RAN

EQUIPMENT GROUND BAR

ELECTRICAL METALLIC TUBING ELEVATION

GLOBAL POSITIONING SYSTEM GROUND

GLOBAL SYSTEM FOR MOBILE COMMUNICATION

MULTIPLE IN MULTIPLE OUT NOT TO SCALE ON CENTER POWER PROTECTION CABINET

POWER PROTECTION CABIN PROPERTY LINE RADIO ACCESS NETWORK RADIO BASED STATION REMOTE RADIO HEAD RIGID GALVANIZED STEEL

UNLESS NOTED OTHERWISE UNIVERSAL MOBILE TELE—

COMMUNICATION SYSTEM VERIFY IN FIELD

LONG TERM EVOLUTION

COLUMN

CLOUD RAN DRAWING

EQUIPMENT EXISTING

EXTERIOR FOUNDATION

GAUGE GALVANIZED

MAXIMUM MANUFACTURER MASTER GROUND BAR MINIMUM

INCH(ES)

POUND(S) SQUARE FOOT STEEL TYPICAL

AGL AMSL

BLDG BBU

CLR CONC CONC CND CRAN

C-RAN

FOUIF

FND

GND GSM LTE

ŘΔN

LB(S), #

UNO UMTS

W/ XFMR

# **(1)** 0 REVISION WORK POINT UTILITY POLE

BRICK 

COMPRESSED STONE CONCRETE

EARTH

CENTERLINE

PROPERTY LINE LEASE LINE

EASEMENT LINE FENCE CHAINLINK

WOOD

GRAVEL MASONRY STEEL

\_---

-ŬĒ ---ŬĒ --OF -----OF --

WROUGHT IRON ELECTRIC OVERHEAD UNDERGROUND FIRER OVERHEAD UNDERGROUND TELEPHONE OVERHEAD UNDERGROUND

> PARTIAL SITE PLAN SECTION REFERENCE

SCALE: 1" = 20'-0"

NOTE:
FIBER INFORMATION SHOWN WAS PROVIDED TO FULLERTON BY SAC WRELESS AND IS PRELIMINARY IN NATURE AND DOES NOT REPRESENT A FINAL DESIGN. CONTRACTOR SHALL CONFIRM FINAL ROUTING AND CONNECTION POINTS WITH SAC WIRELESS AND UTILITY COMPANY REPRESENTATIVE PRIOR TO CONSTRUCTION.



1100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| _ |    |             |         |     |
|---|----|-------------|---------|-----|
| ] | BY | DESCRIPTION | DATE    | REV |
| 1 | WI | 90% REVIEW  | 4/9/19  | Α   |
| ] | KK | FINAL       | 5/16/19 | 0   |
| 1 | MI | REVISION    | 6/5/19  | 1   |
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| 1 |    |             |         |     |
| 1 |    |             |         |     |

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SITE NAME

CRAN\_RUMW\_SDALE\_005

215057

PACE NUMBER:

MRUMW030831/MRUMW030754/MRUMW030782

CITY POLE ASSET #:

37682379

CANDIDATE NUMBER: 5B

SITE ADDRESS

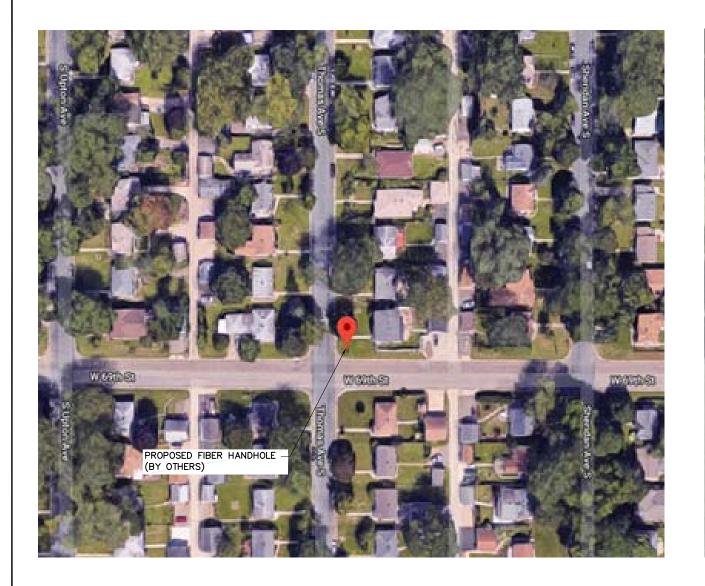
6845 THOMAS AVENUE SOUTH RICHFIELD, MN 55423

SHEET NAME

FIBER ROUTE

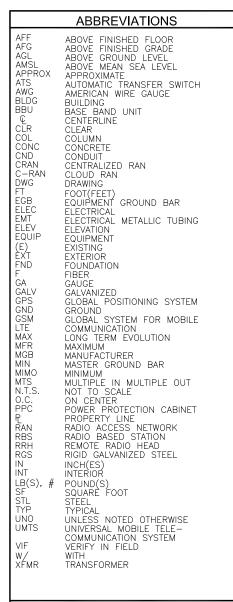
SHEET NUMBER

## 6845 Thomas Ave

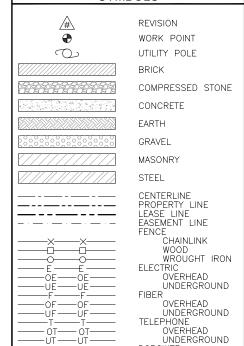




FIBER PLAN

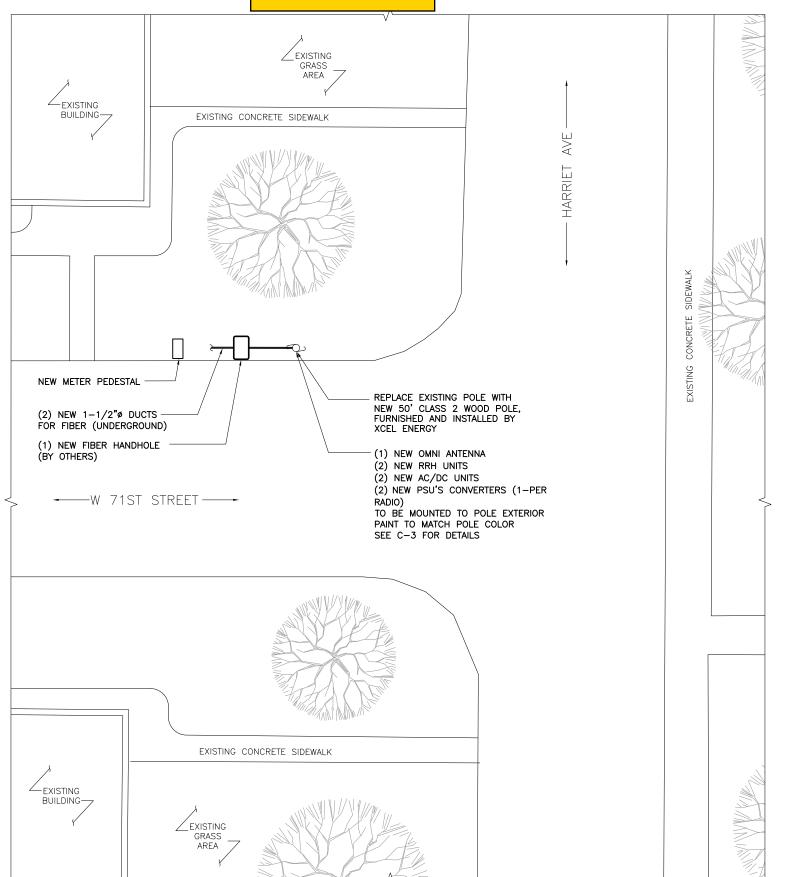


#### SYMBOLS



SECTION REFERENCE





LATITUDE: 44.87454° LONGITUDE: -93.28600° XCEL POLE ID: 3767819





I 100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE     | DESCRIPTION | BY |
|-----|----------|-------------|----|
| Α   | 03/25/19 | 90% REVIEW  | МТ |
| 0   | 5/9/19   | FINAL       | WI |
| 1   | 7/10/19  | REVISION    | IA |
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|     |          |             |    |
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SITE NAME

CRAN RUMW GALCT 002

USID ID:

217402

PACE NUMBER

MRUMW030143 CITY POLE ASSET #

3767819

CANDIDATE NUMBER:

2D

SITE ADDRESS

7044 HARRIET AVE RICHFIELD, MN 55423

SHEET NAME

SCALE: 1/16" = 1'-0"

PARTIAL SITE PLAN

SHEET NUMBER

PARTIAL SITE PLAN

PROJECT# 2019.0101.0550

## NOTE: FIBER MAP WILL BE ADDED WHEN AVAILABLE

7044 Harriet Ave







## FULLERTON FING DESIGN

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| REV | DATE     | DESCRIPTION | BY |
|-----|----------|-------------|----|
| Α   | 03/25/19 | 90% REVIEW  | МТ |
| 0   | 5/9/19   | FINAL       | WI |
| 1   | 7/10/19  | REVISION    | IΑ |
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SITE NAME

CRAN\_RUMW\_GALCT\_002

USID I

217402

PACE NUMBE

MRUMW030143

3767819

CANDIDATE NUMBER:

2D

SITE ADDRES

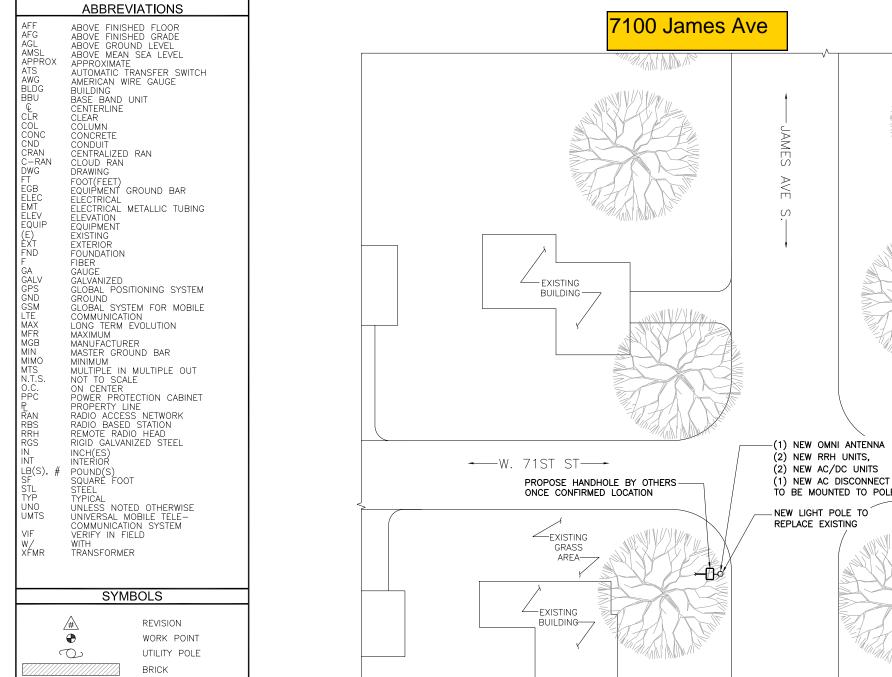
7044 HARRIET AVE RICHFIELD, MN 55423

SHEET NAME

FIBER ROUTE

SHEET NUMBER

C-8



COMPRESSED STONE

CONCRETE

EARTH

GRAVEL

STEEL

MASONRY

CENTERLINE

PROPERTY LINE LEASE LINE EASEMENT LINE

FENCE CHAINLINK

WOOD WROUGHT IRON

OVERHEAD UNDERGROUND

OVERHEAD UNDERGROUND

OVERHEAD UNDERGROUND TELEPHONE

SECTION REFERENCE

LATITUDE: 44.87441° LONGITUDE: -93.30104° RICHFIELD POLE ID: NA





I 100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE    | DESCRIPTION | BY |
|-----|---------|-------------|----|
| Α   | 2/12/19 | 90% REVIEW  | ΙA |
| 0   | 4/12/19 | FINAL       | ЕМ |
| 1   | 7/10/19 | REVISION    | DB |
|     |         |             |    |
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SITE NAME

CRAN\_RUMW\_GALCT\_005

USID ID:

217097

PACE NUMBER:

MRUMW030146/MRUMW030213

CITY POLE ASSET

CANDIDATE NUMBER:

NA

5A

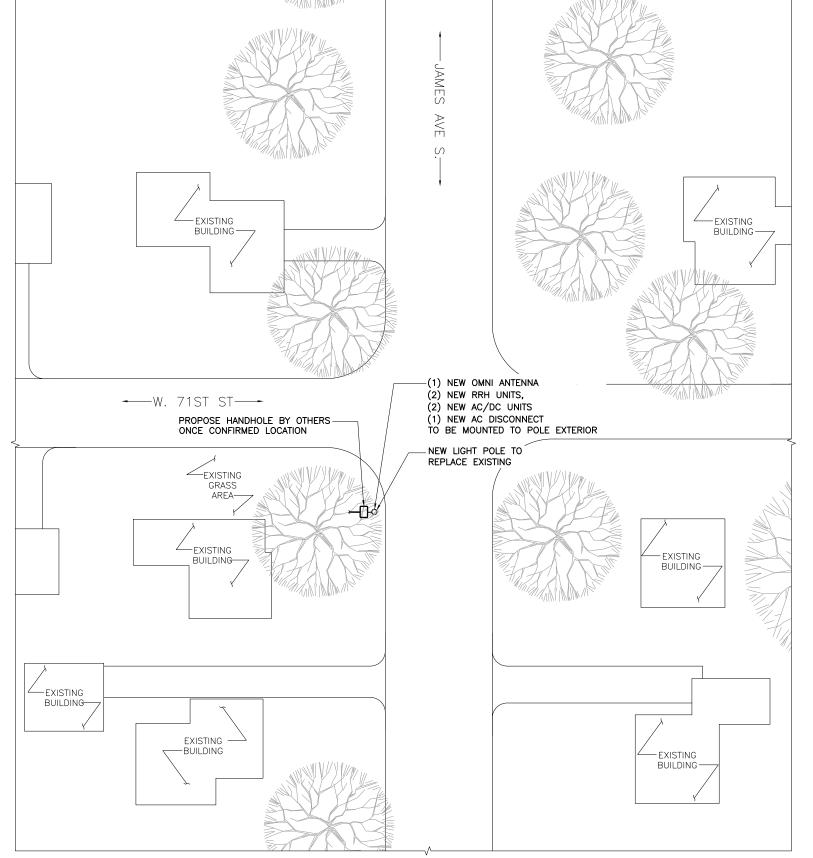
SITE ADDRESS

7100 JAMES AVE RICHFIELD, MN 55423

SHEET NAME

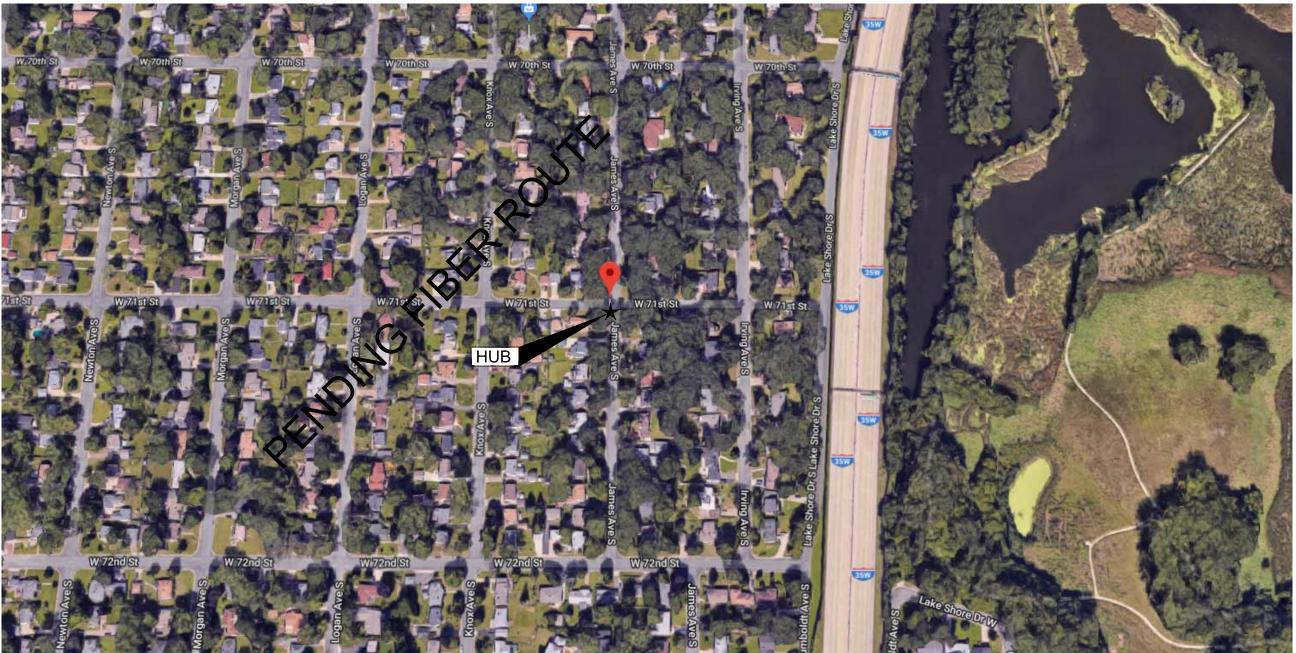
PARTIAL SITE PLAN

SHEET NUMBER



PARTIAL SITE PLAN SCALE: 1/32" = 1'-0"

# 7100 James Ave







1100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE    | DESCRIPTION | BY |
|-----|---------|-------------|----|
| Α   | 2/12/19 | 90% REVIEW  | IΑ |
| 0   | 4/12/19 | FINAL       | ЕМ |
| 1   | 7/10/19 | REVISION    | DB |
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I HEREBY CERTIFY THAT THESE DRAWINGS WERE PEPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE CODES.

SITE NAME

CRAN\_RUMW\_GALCT\_005

217097

PACE NUMBER:

MRUMW030146/MRUMW030213

CITY POLE ASSET #: CANDIDATE NUMBER:

NA

5A

SITE ADDRESS

7100 JAMES AVE RICHFIELD, MN 55423

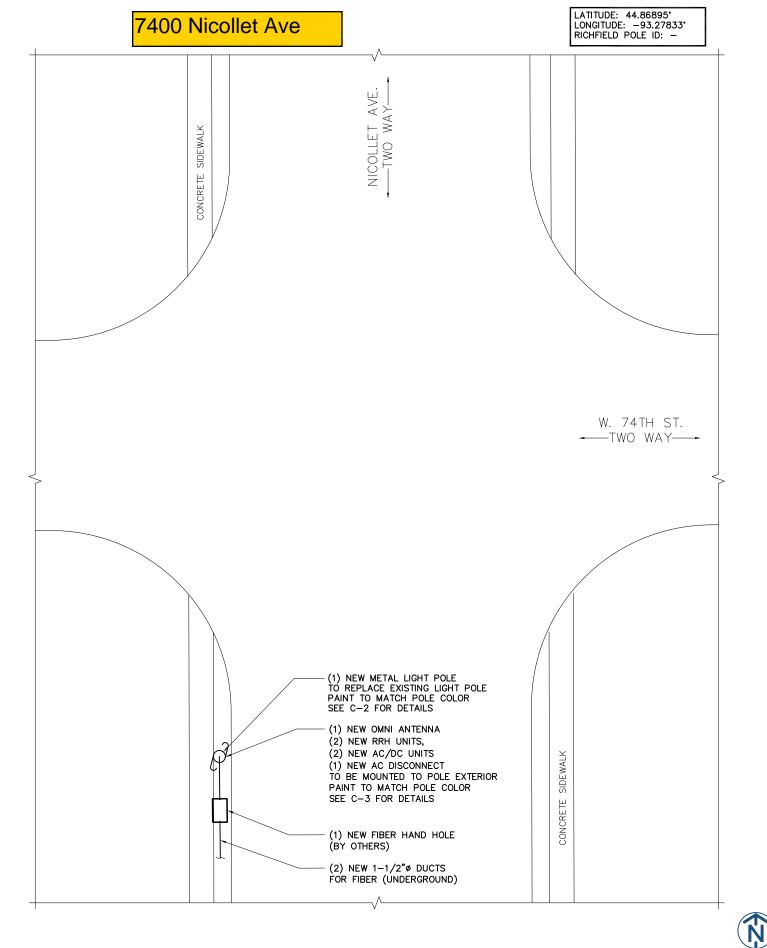
SHEET NAME

FIBER ROUTE

SHEET NUMBER

FIBER ROUTE SCALE: N.T.S.









1100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE    | DESCRIPTION | BY |
|-----|---------|-------------|----|
| Α   | 2/8/19  | 90% REVIEW  | ЕМ |
| 0   | 4/12/19 | FINAL       | KK |
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|     |         |             |    |

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SITE NAME

CRAN\_RUMW\_GALCT\_001

USID ID:

217104

PACE NUMBER:

MRUMW027858/MRUMW030209/MRUMW03025

CITY POLE ASSET #:

N/A

1C

CANDIDATE NUMBER:

SITE ADDRESS

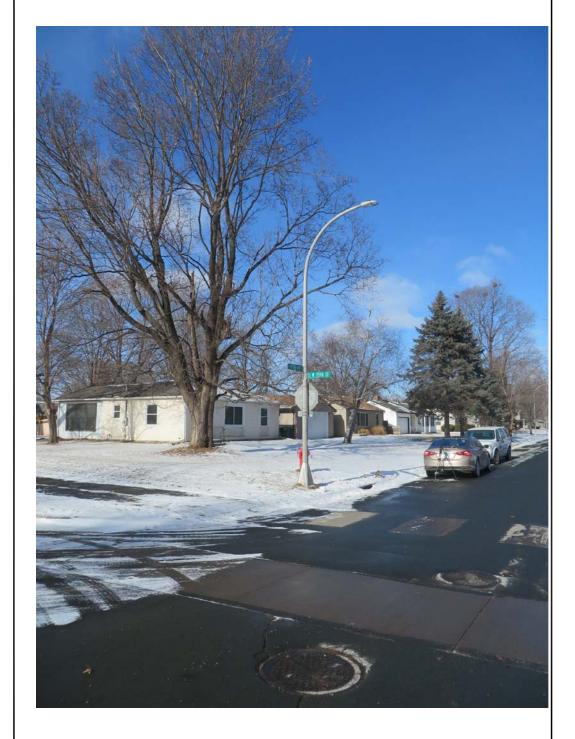
7400 NICOLLET AVENUE RICHFIELD, MN 55423

SHEET NAME

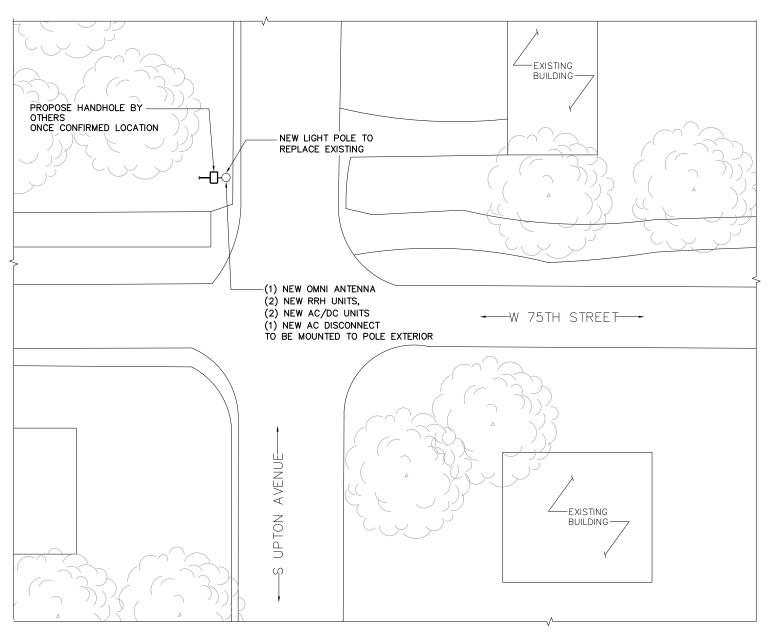
PARTIAL SITE PLAN

SHEET NUMBER

PHOTO SCALE: 1/16" = 1'-0"SCALE: N.T.S. PARTIAL SITE PLAN



# 7444 Upton Ave







1100 E. WOODFIELD ROAD, SUITE 500 SCHAUMBURG, ILLINOIS 60173 TEL: 847-908-8400 www.FullertonEngineering.com

| REV | DATE    | DESCRIPTION | BY |
|-----|---------|-------------|----|
| Α   | 3/13/19 | 90% REVIEW  | TJ |
| 0   | 4/10/19 | FINAL       | ЕМ |
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SITE NAME

CRAN\_RUMW\_SDALE\_007

215058

PACE NUMBER

MRUMW030816/MRUMW030757

CITY POLE ASSET #:

CANDIDATE NUMBER:

7A

SITE ADDRESS

7444 SOUTH UPTON AVENUE RICHFIELD, MN 55423

SHEET NAME

PARTIAL SITE PLAN

SHEET NUMBER

SCALE: 1/32" = 1'-0"

PHOTO

SCALE: N.T.S.

PARTIAL SITE PLAN

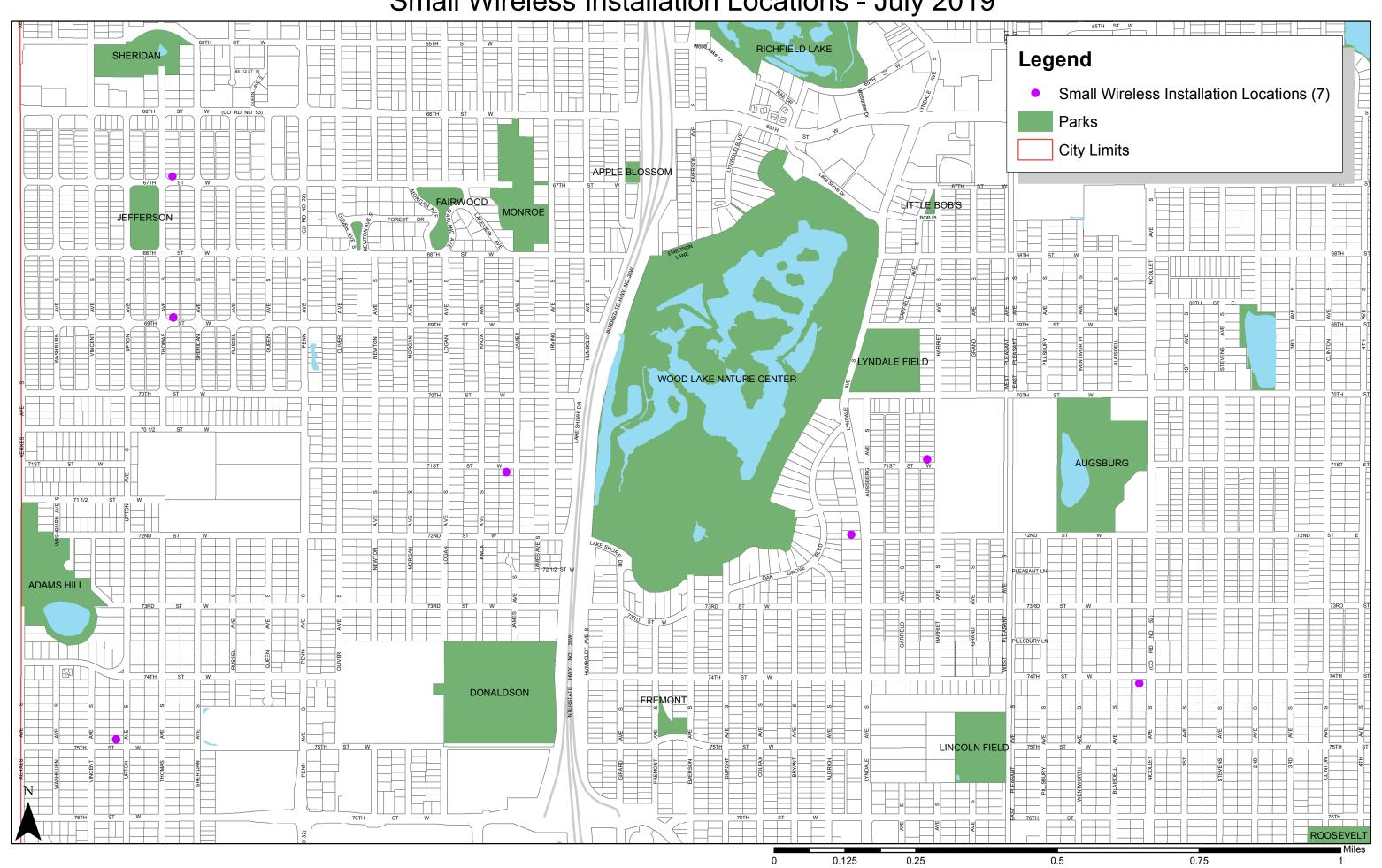
#### **Code Requirements / Required Findings**

**Part 1 – Conditional Use Permit:** The findings necessary to issue a Conditional Use Permit (CUP) are as follows (547.09, Subd. 6):

- 1. The proposed use is consistent with the goals, policies, and objectives of the City's Comprehensive Plan. This requirement is met. The locations of these facilities are designated as "Low-Density Residential". The Utilities section of the Comprehensive Plan states that the provision of public and private utilities is essential to a healthy community. This proposal to upgrade privately owned wireless equipment is consistent with the Comprehensive Plan.
- 2. The proposed use is consistent with the purposes of the Zoning Code and the purposes of the zoning district in which the applicant intends to locate the proposed use. This requirement is met. The purpose of the Zoning Code is to protect and promote the public health, safety, comfort, aesthetics, economic viability, and general welfare of the City. The proposed use is not inconsistent with these intentions. The properties are in the Single-Family Residential (R) District. The purpose of the R District is to provide residential locations that are safe, attractive and quiet. The proposed use of attaching small wireless facilities to existing poles in the right-of-way does not pose threat to this and is conditionally permitted in this district. Given that there is not currently an excessive concentration of small wireless facilities in this location, this requirement is met.
- 3. The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines. There are no specific redevelopment plans that apply to the properties.
- 4. The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code. Section 544 of the code does not apply to small wireless facilities in the Single-Family Residential District.
- 5. The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed improvements. Small wireless facilities located in the right-of-way require a permit from Public Works and are required to meet certain conditions. The facilities will be co-located with existing utilities. The City's Public Works and Engineering Departments have reviewed the proposal and do not anticipate any issues.
- 6. The use will not have undue adverse impacts on the public health, safety, or welfare. No adverse impacts are anticipated.
- 7. There is a public need for such use at the proposed location. Maintaining and providing up-to-date wireless facilities at multiple locations is necessary to maintain a thriving community.

| 8. | The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit. This requirement is met. |
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# Small Wireless Installation Locations - July 2019







SAC Wireless, LLC on behalf of AT&T Mobility, LLC
Site FA – 14826417
USID – 215053
Site Name –
CRAN\_RUMW\_SDALE\_002
(MRUMW030829)
6645 THOMAS AVE. SOUTH
RICHFIELD, MN 55423

Latitude: N44-52-54.59 Longitude: W93-18-49.07 Structure Type: Light Pole

Report generated date: May 3, 2019

Report by: Scott Broyles

Customer Contact: Ryan Peck

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

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## 1 General Site Summary

### 1.1 Report Summary

| AT&T Mobility, LLC                         | Summary                  |
|--|--------------------------|
| Max Cumulative Simulated RFE Level on the  | <1% General Public Limit |
| Ground                                     |                          |
| Compliant per FCC Rules and Regulations?   | Will Be Compliant        |
| Compliant per AT&T Mobility, LLC's Policy? | No                       |

The following documents were provided by the client and were utilized to create this report:

**RFDS**: 215053\_CRAN\_RUMW\_SDALE\_002\_MRUMW030829\_RFDS 4.16.19

CD's: 215053\_CRAN\_RUMW\_SDALE\_002\_MRUMW030829\_CDS (REV A) (1)

**RF Powers Used:** Customer Provided Powers

#### 1.2 Fall Arrest Anchor Point Summary

| Fall Arrest      | Parapet Available | Parapet Height | Fall Arrest Anchor |
|------------------|-------------------|----------------|--------------------|
| Anchor &         | (Y/N)             | (inches)       | Available (Y/N)    |
| Parapet Info     |                   |                |                    |
| Roof Safety Info | N                 | N/A            | N                  |



# 1.3 Signage Summary

a. Pre-Site Visit AT&T Signage (Existing Signage)

| AT&T<br>Signage<br>Locations | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning | Warning 2 | Barriers |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|---------|-----------|----------|
| Access                       |               |               |        |          |         |           |         |           |          |
| Point(s)                     |               |               |        |          |         |           |         |           |          |
| Alpha                        |               |               |        |          |         |           |         |           |          |
| Beta                         |               |               |        |          |         |           |         |           |          |
| Gamma                        |               |               |        |          |         |           |         |           |          |
| Delta                        |               |               |        |          |         |           |         |           |          |
| Epsilon                      |               |               |        |          |         |           |         |           |          |

b. Proposed AT&T Signage

| AT&T<br>Signage<br>Locations |               | INFORMATION   | Notice | Notice   | CAUTION | CAUTION   | WAINING | WAINING   | ¥ >      |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|---------|-----------|----------|
|                              | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning | Warning 2 | Barriers |
| Access                       |               |               |        |          |         |           |         |           |          |
| Point(s)                     |               |               |        |          |         |           |         |           |          |
| Alpha                        |               |               |        |          |         |           |         |           |          |
| Beta                         |               |               |        |          |         |           |         |           |          |
| Gamma                        |               |               |        |          |         |           |         |           |          |
| Delta                        |               |               |        |          |         |           |         |           |          |
| Epsilon                      |               |               |        | -        |         |           |         |           |          |

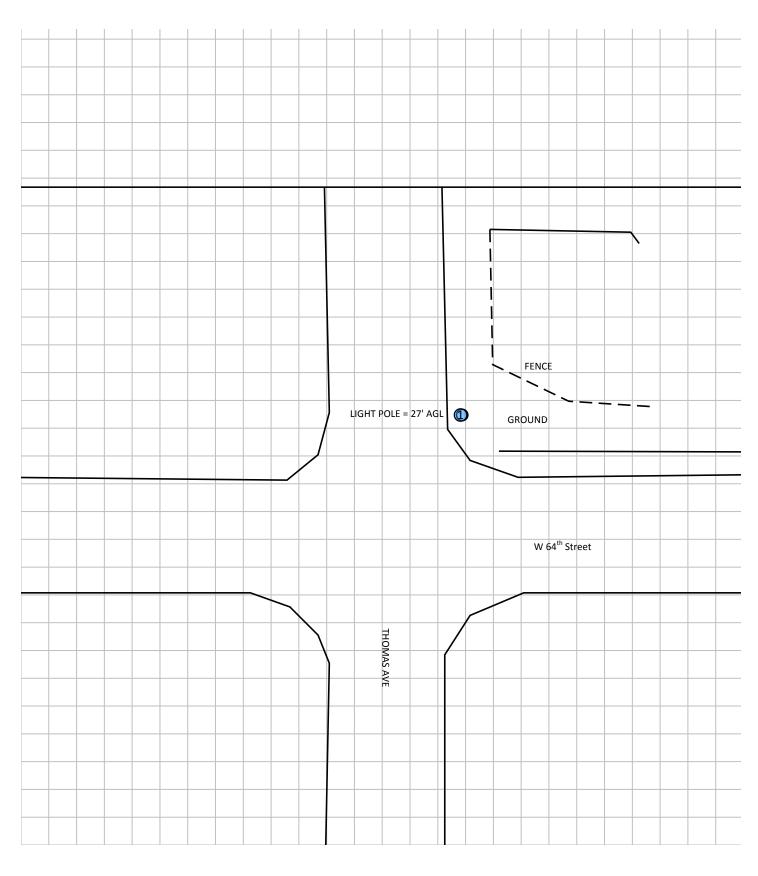


# 2 Scale Maps of Site

The following diagrams are included:

- Site Scale Map
- RF Exposure Diagram
- RF Exposure Diagram Alpha Sector Elevation View









### 3 Antenna Inventory

The following antenna inventory was obtained by the customer and was utilized to create the site model diagrams:

| Ant ID | Operator                     | Antenna Make &<br>Model          | Туре | TX Freq<br>(MHz) | Technology | Az<br>(Deg) | Hor BW<br>(Deg) | Ant<br>Len<br>(ft) | Power | Power<br>Type | Power<br>Unit | Misc<br>Loss | TX Count | Total ERP<br>(Watts) | Ant Gain<br>(dBd) |       | MDT | EDT |
|--------|------------------------------|----------------------------------|------|------------------|------------|-------------|-----------------|--------------------|-------|---------------|---------------|--------------|----------|----------------------|-------------------|-------|-----|-----|
| 1      | AT&T MOBILITY LLC (Proposed) | Ace Technology<br>ACOM-2F15D-12P | Omni | 1900             | LTE        | 0           | 360             | 2                  | 57.25 | TPO           | dBmW          | 0            | 1        | 2636.3               | 6.96              | 40.3' | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC (Proposed) | Ace Technology<br>ACOM-2F15D-12P | Omni | 2100             | LTE        | 0           | 360             | 2                  | 57.95 | TPO           | dBmW          | 0            | 1        | 3243.4               | 7.16              | 40.3' | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC (Proposed) | Ace Technology<br>ACOM-2F15D-12P | Omni | 5150             | LTE        | 0           | 360             | 2                  | 34.95 | TPO           | dBmW          | 0            | 1        | 5.4                  | 2.36              | 40.3' | 0°  | 0°  |

Note: The Z reference indicates the bottom of the antenna height above the main site level unless otherwise indicated. Effective Radiated Power (ERP) is provided by the operator or based on Sitesafe experience. The values used in the modeling may be greater than are currently deployed.



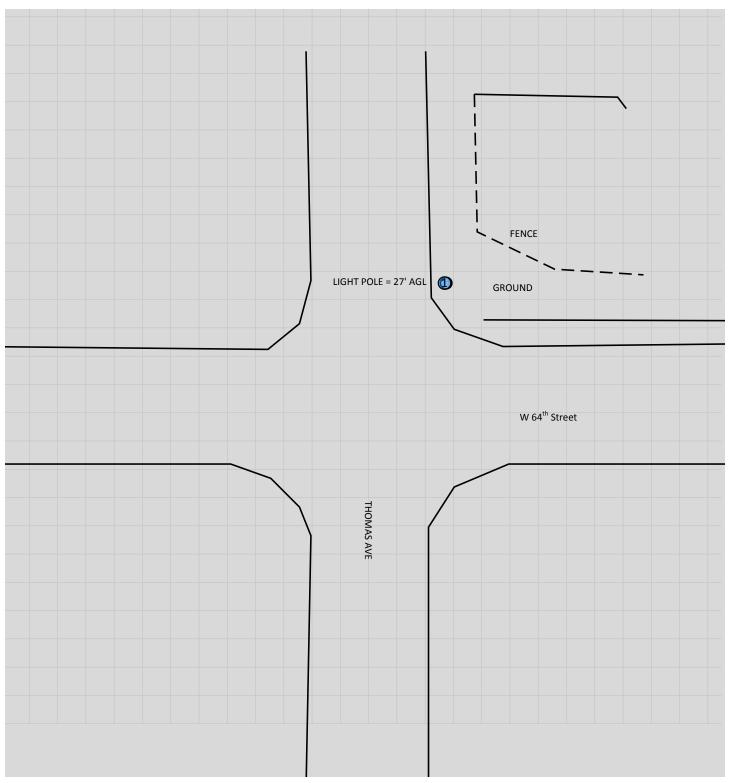
#### 4 Emission Predictions

In the RF Exposure Simulations below all heights are reflected with respect to main site level. In most rooftop cases this is the height of the main rooftop and in other cases this can be ground level. Each different height area, rooftop, or platform level is labeled with its height relative to the main site level. Emissions are calculated appropriately based on the relative height and location of that area to all antennas. The total analyzed elevations in the below RF Exposure Simulations are listed below.

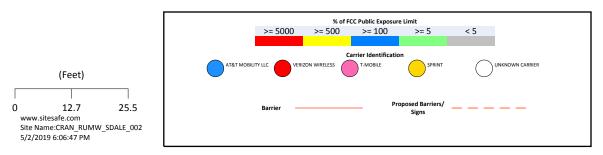
• Ground = 0'

The Antenna Inventory heights are referenced to the same level.



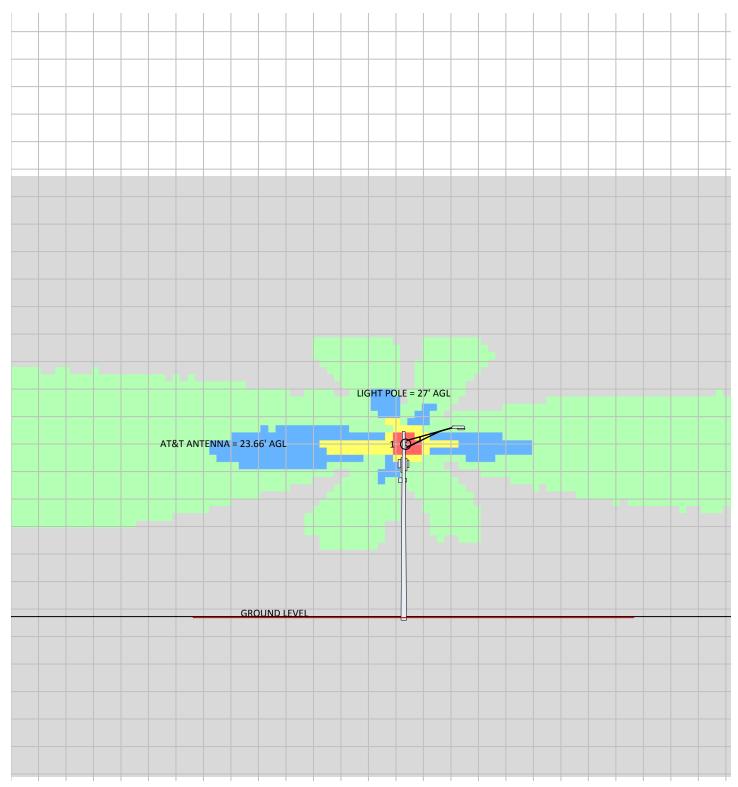


% of FCC Public Exposure Limit Spatial average 0' - 6'

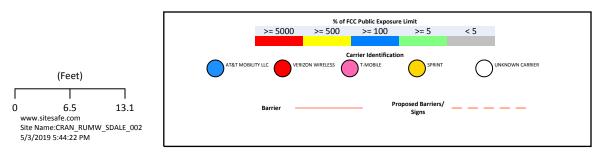


Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Spatially Averaged

## 



% of FCC Public Exposure Limit Spatial average 0' - 6'



Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Single Level (0)



#### Site Compliance 5

#### 5.1 **Site Compliance Statement**

Upon evaluation of the cumulative RF emission levels from all operators at this site, RF hazard signage and antenna locations, Sitesafe has determined that:

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

The compliance determination is based on General Public RFE levels derived from theoretical modeling, RF signage placement, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

Modeling is used for determining compliance and the percentage of MPE contribution.

#### 5.2 **Actions for Site Compliance**

Based on FCC regulations, common industry practice, and our understanding of AT&T Mobility, LLC RF Safety Policy requirements, this section provides a statement of recommendations for site compliance. Recommendations have been proposed based on our understanding of existing access restrictions, signage, and an analysis of predicted RFE levels.

AT&T Mobility, LLC will be made compliant if the following changes are implemented:

#### **Light Pole Access Location**

No Signs - Controlled access to the structure should be implemented by AT&T and the structure owner.

#### Notes:

- The area with the potential to exceed the General Public MPE limits is extends beyond 16' from the antenna. Sitesafe would normally recommend the appropriate RF signage on the structure at the vertical safe distance below the antenna; however, per AT&T's signage policy, no signage should be recommended in this instance and controlled access to the structure should be implemented by AT&T and the structure owner.
- MPE is calculated to be 15,113.26 at the antenna level and MPE safe Distance is 27' Horizontal and 4' vertical.
- Signage may already be in place. Sitesafe does not have record of any existing signage because there were no previous visits or data supplied regarding them. All remediation is based on a worst-case scenario.



#### 6 Reviewer Certification

The reviewer whose signature appears below hereby certifies and affirms:

That I am an employee of Site Safe, LLC, in Vienna, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Scott Broyles.

May 3, 2019



### Appendix A - Statement of Limiting Conditions

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, that Sitesafe became aware of during the normal research involved in creating this report. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data collected by Sitesafe provided by a second party and data collected by Sitesafe, the data will be used.



### Appendix B - Regulatory Background Information

#### **FCC Rules and Regulations**

In 1996, the Federal Communications Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to accessible areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

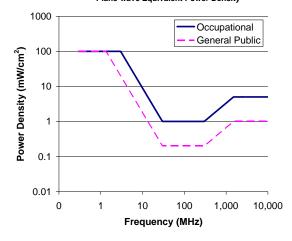
Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:







#### Limits for Occupational/Controlled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-3.0                     | 614  | 1.63                                       | (100)*                           | 6  |
| 3.0-30                      | 1842/f                                     | 4.89/f                                     | (900/f <sup>2</sup> )*           | 6  |
| 30-300                      | 61.4                                       | 0.163                                      | 1.0                              | 6  |
| 300-1500                    |  |  | f/300                            | 6  |
| 1500-                       |  |  | 5                                | 6  |
| 100,000                     |  |  |                                  |  |

#### Limits for General Population/Uncontrolled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-1.34                    | 614  | 1.63                                       | (100)*                           | 30   |
| 1.34-30                     | 824/f                                      | 2.19/f                                     | (180/f <sup>2</sup> )*           | 30   |
| 30-300                      | 27.5                                       | 0.073                                      | 0.2                              | 30   |
| 300-1500                    |  |  | f/1500                           | 30   |
| 1500-                       |  |  | 1.0                              | 30   |
| 100,000                     |  |  |                                  |  |

f = frequency in MHz

#### **OSHA Statement**

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

- (a) Each employer -
  - (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
  - (2) shall comply with occupational safety and health standards promulgated under this Act.
- (b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lockout/Tagout procedure aimed to control the unexpected energization or startup of machines when maintenance or service is being performed.

<sup>\*</sup>Plane-wave equivalent power density



#### Appendix C – Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

General Maintenance Work: Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a worker's understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet-based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

- Locked door or gate
- Alarmed door
- Locked ladder access
- Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

RF Signage: Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 4 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst-case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.



### Appendix D - RF Emissions

The RF Emissions Simulation(s) in this report display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as prescribed in OET Bulletin 65 and assumptions detailed in Appendix E.

The key at the bottom of each RF Emissions Simulation indicates percentages displayed referenced to FCC General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- Areas indicated as Gray are predicted to be below 5% of the MPE limits. Gray represents areas more than 20 times below the most conservative exposure limit. Gray areas are accessible to anyone.
- Green represents areas are predicted to be between 5% and 100% of the MPE limits. Green areas are accessible to anyone.
- Blue represents areas predicted to exceed the General Public MPE limits but are less than Occupational limits. Blue areas should be accessible only to RF trained
- Yellow represents areas predicted to exceed Occupational MPE limits. Yellow areas should be accessible only to RF trained workers able to assess current exposure levels.
- Red represents areas predicted to have exposure more than 10 times the Occupational MPE limits. Red indicates that the RF levels must be reduced prior to access. An RF Safety Plan is required which outlines how to reduce the RF energy in these areas prior to access.

If trained occupational personnel require access to areas that are delineated as above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.



### Appendix E - Assumptions and Definitions

#### **General Model Assumptions**

In this site compliance report, it is assumed that all antennas are operating at **full power** at all times. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The modeling is based on recommendations from the FCC's OET-65 bulletin with the following variances per AT&T guidance. Reflection has not been considered in the modeling, i.e. the reflection factor is 1.0. The near / far field boundary has been set to 1.5 times the aperture height of the antenna and modeling beyond that point is the lesser of the near field cylindrical model and the far field model taking into account the gain of the antenna.

The site has been modeled with these assumptions to show the maximum RF energy density. Areas modeled with exposure greater than 100% of the General Public MPE level may not actually occur but are shown as a prediction that could be realized. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

#### **Use of Generic Antennas**

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.



#### Appendix F - Definitions

5% Rule – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible for taking corrective actions to bring the site into compliance.

Compliance – The determination of whether a site complies with FCC standards with regards to Human Exposure to Radio Frequency Electromagnetic Fields from transmitting antennas.

**Decibel (dB)** – A unit for measuring power or strength of a signal.

Duty Cycle – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

Effective (or Equivalent) Isotropic Radiated Power (EIRP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Effective Radiated Power (ERP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to a half-wave dipole antenna.

Gain (of an antenna) - The ratio of the maximum power in a given direction to the maximum power in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antenna as compared to an omnidirectional antenna.

General Population/Uncontrolled Environment - Defined by the FCC as an area where RF exposure may occur to persons who are unaware of the potential for exposure and who have no control over their exposure. General Population is also referenced as General Public.

Generic Antenna – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use its industry specific knowledge of antenna models to select a worst-case scenario antenna to model the site.

*Isotropic Antenna* – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.

Maximum Measurement - This measurement represents the single largest measurement recorded when performing a spatial average measurement.

Maximum Permissible Exposure (MPE) – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.



Occupational/Controlled Environment – Defined by the FCC as an area where RF exposure may occur to persons who are aware of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

*OET Bulletin 65* – Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of RF exposure on humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit <a href="https://www.osha.gov">www.osha.gov</a>.

*Radio Frequency Exposure or Electromagnetic Fields* – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy a 6-foot tall human body will absorb while present in an electromagnetic field of energy.

*Transmitter Power Output (TPO)* – The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



#### Appendix G - References

The following references can be followed for further information about RF Health and Safety.

Site Safe, LLC

http://www.sitesafe.com

FCC Radio Frequency Safety

http://www.fcc.gov/encyclopedia/radio-frequency-safety

National Council on Radiation Protection and Measurements (NCRP)

http://www.ncrponline.org

Institute of Electrical and Electronics Engineers, Inc., (IEEE)

http://www.ieee.org

American National Standards Institute (ANSI)

http://www.ansi.org

Environmental Protection Agency (EPA)

http://www.epa.gov/radtown/wireless-tech.html

National Institutes of Health (NIH)

http://www.niehs.nih.gov/health/topics/agents/emf/

Occupational Safety and Health Agency (OSHA)

http://www.osha.gov/SLTC/radiofrequencyradiation/

International Commission on Non-Ionizing Radiation Protection (ICNIRP)

http://www.icnirp.org

World Health Organization (WHO)

http://www.who.int/peh-emf/en/

National Cancer Institute

http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones

American Cancer Society (ACS)

http://www.cancer.org/docroot/PED/content/PED 1 3X Cellular Phone Towers.asp?sit earea=PED

European Commission Scientific Committee on Emerging and Newly Identified Health Risks

http://ec.europa.eu/health/ph\_risk/committees/04\_scenihr/docs/scenihr\_o 022.pdf

Fairfax County, Virginia Public School Survey

http://www.fcps.edu/fts/safety-security/RFEESurvey/

UK Health Protection Agency Advisory Group on Non-Ionizing Radiation

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb C/1317133826368

Norwegian Institute of Public Health

http://www.fhi.no/dokumenter/545eea7147.pdf





SAC Wireless, LLC on behalf of AT&T Mobility, LLC Site FA – 14826418 USID – 215057 Site Name – CRAN\_RUMW\_SDALE\_005 (MRUMW030831)

6845 Thomas Avenue South Richfeld, MN 55423

Latitude: N44-52-41.56 Longitude: W93-18-48.85 Structure Type: Utility Pole

Report generated date: June 24, 2019

Report by: Zyotty Thamsil Customer Contact: Ryan Peck

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

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### 1 General Site Summary

### 1.1 Report Summary

| AT&T Mobility, LLC                               | Summary                  |
|--|--------------------------|
| Max Cumulative Simulated RFE Level on the Ground | <1% General Public Limit |
| Compliant per FCC Rules and Regulations?         | Will Be Compliant        |
| Compliant per AT&T Mobility, LLC's Policy?       | No                       |

|                          | Maximum Permissible Exposure (MPE) Summary                |   |                              |   |  |  |  |  |  |  |  |  |  |  |
|--------------------------|---|---|------------------------------|---|--|--|--|--|--|--|--|--|--|--|
| Location                 | % of FCC General<br>Public/Uncontrolled<br>Exposure Limit | % of FCC<br>Occupational/Controlled<br>Exposure Limit | Power<br>Density<br>(mW/cm²) | Occupational<br>Approach<br>Distance (in) | General<br>Public<br>Approach<br>Distance (in) |  |  |  |  |  |  |  |  |  |
|                          | Proposed Equipment  |   |                              |   |  |  |  |  |  |  |  |  |  |  |
| Antenna<br>Face<br>Level | 3,709.9   | 742.0   | 37.1                         | 60"                                       | 168"   |  |  |  |  |  |  |  |  |  |
| UE Relay<br>Level        | N/A   | N/A   | N/A                          | N/A                                       | N/A  |  |  |  |  |  |  |  |  |  |
| Ground                   | <1  | <1  | <0.01                        | N/A                                       | N/A  |  |  |  |  |  |  |  |  |  |

Note: Xcel Energy has a maximum occupational safety distance of 60" or 5'. The safety distance listed in section 1.1 is based on the reduced power that will produce a compliant site with Xcel Energy policy. The reduced powers are listed in the antenna table in section 3.

The following documents were provided by the client and were utilized to create this report:

**RFDS:** 215057\_CRAN\_RUMW\_SDALE\_005\_MRUMW030831\_RFDS.052119

**CD's:** 215057\_CRAN\_RUMW\_SDALE\_005\_MRUMW030831\_CDS REV 0\_5.17.2019\_

RF Powers Used: Provided by customer

#### 1.2 Fall Arrest Anchor Point Summary

| Fall Arrest Anchor & Parapet Info | Parapet Available (Y/N) | Parapet Height (inches) | Fall Arrest Anchor<br>Available (Y/N) |
|-----------------------------------|-------------------------|-------------------------|---------------------------------------|
| Roof Safety Info                  | N                       | N/A                     | N                                     |



# 1.3 Signage Summary

a. Pre-Site Visit AT&T Signage (Existing Signage)

| AT&T<br>Signage<br>Locations |               | INFORMATION   | Notice | Notice   | CAUTION | CALTION   | WAINTING | 10 AD (D) |          |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|----------|-----------|----------|
|                              | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning  | Warning 2 | Barriers |
| Access                       |               |               |        |          |         |           |          |           |          |
| Point(s)                     |               |               |        |          |         |           |          |           |          |
| Alpha                        |               |               |        |          |         |           |          |           |          |
| Beta                         |               |               |        |          |         |           |          |           |          |
| Gamma                        |               |               |        |          |         |           |          |           |          |
| Delta                        |               |               |        |          |         |           |          |           |          |
| Epsilon                      |               |               |        |          |         |           |          |           |          |

b. Proposed AT&T Signage

| AT&T<br>Signage<br>Locations |               | INFORMATION   | Notice | Notice   | CAUTION | CAUTION   | MARKING. | WARRING O |          |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|----------|-----------|----------|
| _                            | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning  | Warning 2 | Barriers |
| Access                       |               |               |        |          |         |           |          |           |          |
| Point(s)                     |               |               |        |          |         |           |          |           |          |
| Alpha                        |               |               |        |          |         | 3         |          |           |          |
| Beta                         |               |               |        |          |         |           |          |           |          |
| Gamma                        |               |               |        |          |         |           |          |           |          |
| Delta                        |               |               |        |          |         |           |          |           |          |
| Epsilon                      |               |               |        |          |         |           |          |           | -        |

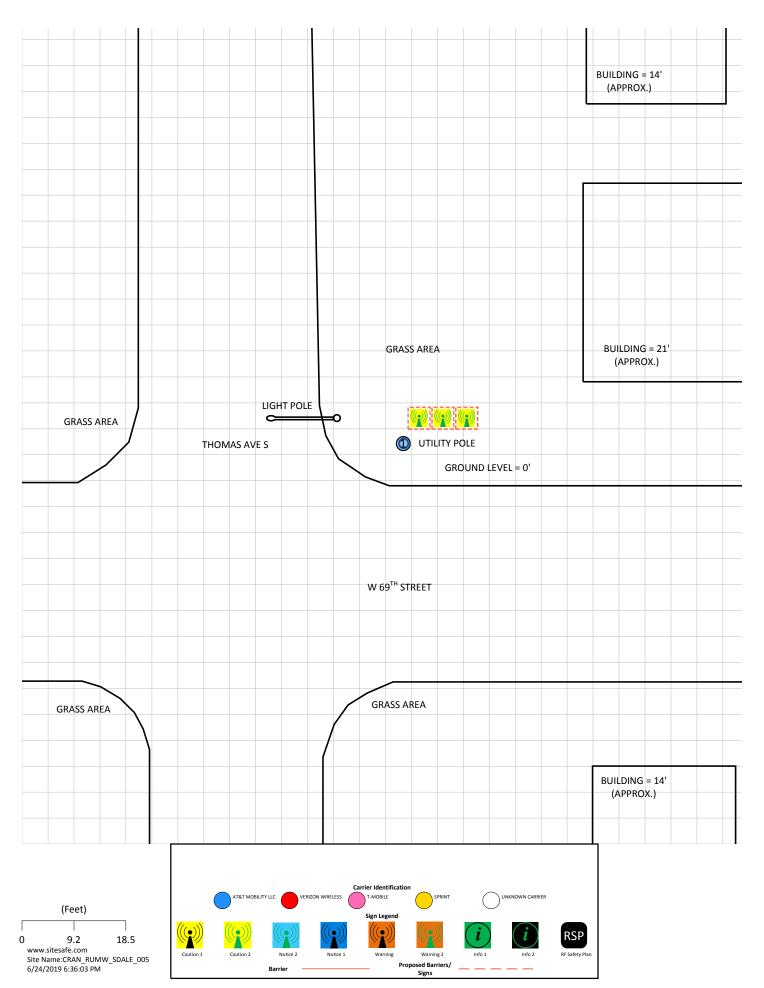


# Scale Maps of Site

The following diagrams are included:

Site Scale Map RF Exposure Diagram RF Exposure Diagram – Elevation View







#### 3 Antenna Inventory

The following antenna inventory was obtained by the customer and was utilized to create the site model diagrams:

NOTE: The powers shown in this antenna table are the maximum reduced power that will produce a compliant site with Xcel Energy policy with a maximum occupational safety distance of 60" or 5'.

| Ant ID | Operator                        | Antenna Make &<br>Model          | Туре | TX Freq<br>(MHz) | Technology | Az<br>(Deg) | Hor BW<br>(Deg) | Ant<br>Len<br>(ft) | Power | Power<br>Type | Power<br>Unit | Misc<br>Loss | TX Count | Total ERP<br>(Watts) | Ant Gain<br>(dBd) | Z<br>(AGL) | MDT | EDT |
|--------|---------------------------------|----------------------------------|------|------------------|------------|-------------|-----------------|--------------------|-------|---------------|---------------|--------------|----------|----------------------|-------------------|------------|-----|-----|
| 1      | AT&T MOBILITY LLC<br>(PROPOSED) | Ace Technology<br>ACOM-2F15D-12P | Omni | 1900             | LTE        | 0           | 360             | 2                  | 51.15 | TPO           | dBmW          | 0            | 1        | 647.1                | 6.96              | 44'        | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC<br>(PROPOSED) | Ace Technology<br>ACOM-2F15D-12P | Omni | 2100             | LTE        | 0           | 360             | 2                  | 51.85 | TPO           | dBmW          | 0            | 1        | 796.2                | 7.16              | 44'        | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC<br>(PROPOSED) | Ace Technology<br>ACOM-2F15D-12P | Omni | 5150             | LTE        | 0           | 360             | 2                  | 28.85 | TPO           | dBmW          | 0            | 1        | 1.3                  | 2.36              | 44'        | 0°  | 0°  |

Note: The Z reference indicates the bottom of the antenna height above the main site level unless otherwise indicated. Effective Radiated Power (ERP) is provided by the operator or based on Sitesafe experience. The values used in the modeling may be greater than are currently deployed. For other operators at this site the use of "Generic" as an antenna model or "Unknown" for a wireless operator means the information with regard to operator, their FCC license and/or antenna information was not available nor could it be secured while on site. Other operator's equipment, antenna models and powers used for modeling are based on obtained information or Sitesafe experience.



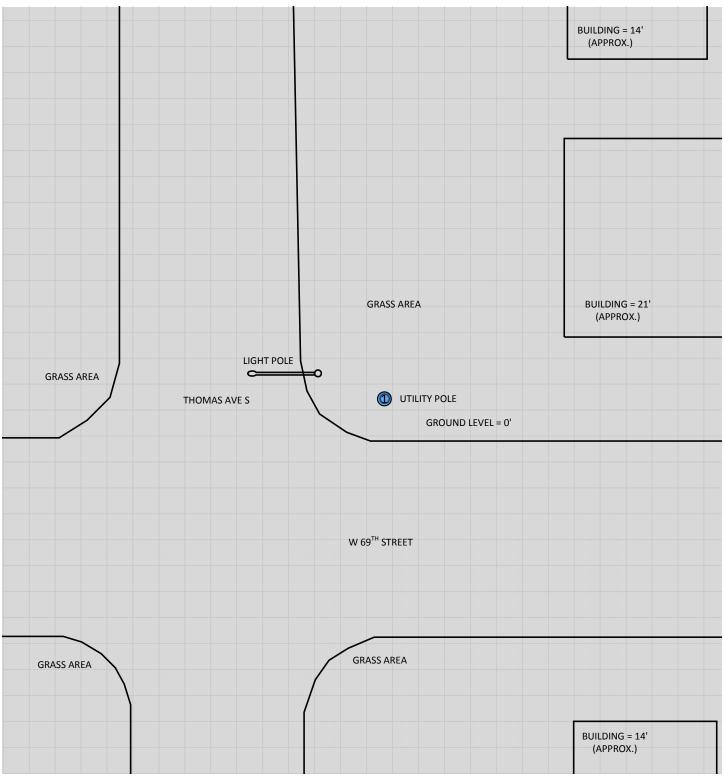
#### 4 Emission Predictions

In the RF Exposure Simulations below all heights are reflected with respect to main site level. In most rooftop cases this is the height of the main rooftop and in other cases this can be ground level. Each different height area, rooftop, or platform level is labeled with its height relative to the main site level. Emissions are calculated appropriately based on the relative height and location of that area to all antennas. The total analyzed elevations in the below RF Exposure Simulations are listed below.

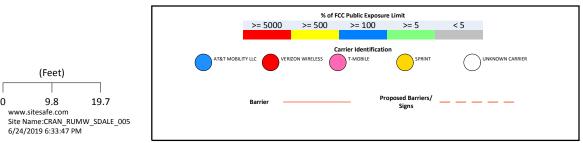
```
J Ground Level = 0'J Building = 14'J Building = 21'
```

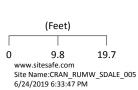
The Antenna Inventory heights are referenced to the same level.



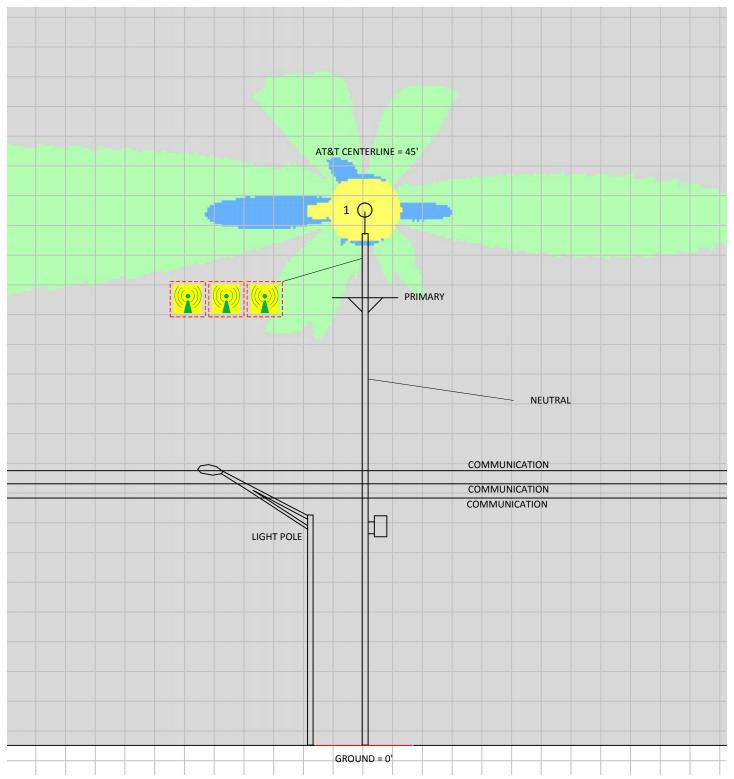


% of FCC Public Exposure Limit Spatial average 0' - 6'

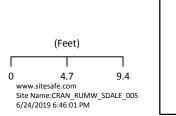


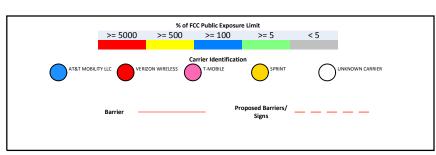


### 



% of FCC Public Exposure Limit







#### Site Compliance 5

#### 5.1 **Site Compliance Statement**

Upon evaluation of the cumulative RF emission levels from all operators at this site, RF hazard signage and antenna locations, Sitesafe has determined that:

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

The compliance determination is based on General Public RFE levels derived from theoretical modeling, RF signage placement, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

Modeling is used for determining compliance and the percentage of MPE contribution.

#### 5.2 **Actions for Site Compliance**

Based on FCC regulations, common industry practice, and our understanding of AT&T Mobility, LLC RF Safety Policy requirements, this section provides a statement of recommendations for site compliance. Recommendations have been proposed based on our understanding of existing access restrictions, signage, and an analysis of predicted RFE levels.

AT&T Mobility, LLC will be made compliant if the following changes are implemented:

### **Compliance Remediations**

Install three 17.25" x 17.25" Caution 2 signs in triangular format 4' below the antennas. The geometric center of each sign must be positioned at the bottom

The Caution sign text must specify that a distance of 14 feet must be kept from the antenna.

### Notes:

- Signage may already be in place. Sitesafe does not have record of any existing signage because there were no previous visits or data supplied regarding them. All remediation is based on a worst-case scenario.
- Any existing signage that conflicts with the proposed signage in this report should be removed per AT&T Signage Posting Rules.



### 6 Reviewer Certification

The reviewer whose signature appears below hereby certifies and affirms:

That I am an employee of Site Safe, LLC, in Vienna, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Zyotty Thamsil.

June 24, 2019



### Appendix A – Statement of Limiting Conditions

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, that Sitesafe became aware of during the normal research involved in creating this report. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data collected by Sitesafe provided by a second party and data collected by Sitesafe, the data will be used.



### Appendix B – Regulatory Background Information

### **FCC Rules and Regulations**

In 1996, the Federal Communications Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to accessible areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

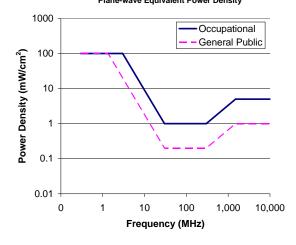
Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:







### Limits for Occupational/Controlled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-3.0                     | 614  | 1.63                                       | (100)*                           | 6  |
| 3.0-30                      | 1842/f                                     | 4.89/f                                     | (900/f <sup>2</sup> )*           | 6  |
| 30-300                      | 61.4                                       | 0.163                                      | 1.0                              | 6  |
| 300-1500                    |  |  | f/300                            | 6  |
| 1500-                       |  |  | 5                                | 6  |
| 100,000                     |  |  |                                  |  |

### Limits for General Population/Uncontrolled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-1.34                    | 614  | 1.63                                       | (100)*                           | 30   |
| 1.34-30                     | 824/f                                      | 2.19/f                                     | (180/f <sup>2</sup> )*           | 30   |
| 30-300                      | 27.5                                       | 0.073                                      | 0.2                              | 30   |
| 300-1500                    |  |  | f/1500                           | 30   |
| 1500-                       |  |  | 1.0                              | 30   |
| 100,000                     |  |  |                                  |  |

f = frequency in MHz

### **OSHA Statement**

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

- (a) Each employer -
  - (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
  - (2) shall comply with occupational safety and health standards promulgated under this Act.
- (b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lockout/Tagout procedure aimed to control the unexpected energization or startup of machines when maintenance or service is being performed.

<sup>\*</sup>Plane-wave equivalent power density



### Appendix C – Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

**General Maintenance Work:** Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a worker's understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet-based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

Alarmed door

Locked ladder access

Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

**RF Signage:** Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 4 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst-case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.



### Appendix D – RF Emissions

The RF Emissions Simulation(s) in this report display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as prescribed in OET Bulletin 65 and assumptions detailed in Appendix E.

The key at the bottom of each RF Emissions Simulation indicates percentages displayed referenced to FCC General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- Areas indicated as Gray are predicted to be below 5% of the MPE limits. Gray represents areas more than 20 times below the most conservative exposure limit. Gray areas are accessible to anyone.
- Green represents areas are predicted to be between 5% and 100% of the MPE limits. Green areas are accessible to anyone.
- Blue represents areas predicted to exceed the General Public MPE limits but are less than Occupational limits. Blue areas should be accessible only to RF trained workers.
- Yellow represents areas predicted to exceed Occupational MPE limits. Yellow areas should be accessible only to RF trained workers able to assess current exposure levels.
- Red represents areas predicted to have exposure more than 10 times the Occupational MPE limits. Red indicates that the RF levels must be reduced prior to access. An RF Safety Plan is required which outlines how to reduce the RF energy in these areas prior to access.

If trained occupational personnel require access to areas that are delineated as above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.



### Appendix E – Assumptions and Definitions

### **General Model Assumptions**

In this site compliance report, it is assumed that all antennas are operating at full power at all times. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The modeling is based on recommendations from the FCC's OET-65 bulletin with the following variances per AT&T guidance. Reflection has not been considered in the modeling, i.e. the reflection factor is 1.0. The near / far field boundary has been set to 1.5 times the aperture height of the antenna and modeling beyond that point is the lesser of the near field cylindrical model and the far field model taking into account the gain of the antenna.

The site has been modeled with these assumptions to show the maximum RF energy density. Areas modeled with exposure greater than 100% of the General Public MPE level may not actually occur but are shown as a prediction that could be realized. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

### **Use of Generic Antennas**

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.



### Appendix F – Definitions

5% Rule – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible for taking corrective actions to bring the site into compliance.

Compliance – The determination of whether a site complies with FCC standards with regards to Human Exposure to Radio Frequency Electromagnetic Fields from transmitting antennas.

**Decibel (dB)** – A unit for measuring power or strength of a signal.

**Duty Cycle** – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

Effective (or Equivalent) Isotropic Radiated Power (EIRP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Effective Radiated Power (ERP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to a half-wave dipole antenna.

Gain (of an antenna) - The ratio of the maximum power in a given direction to the maximum power in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antenna as compared to an omnidirectional antenna.

General Population/Uncontrolled Environment – Defined by the FCC as an area where RF exposure may occur to persons who are unaware of the potential for exposure and who have no control over their exposure. General Population is also referenced as General Public.

**Generic Antenna** – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use its industry specific knowledge of antenna models to select a worst-case scenario antenna to model the site.

**Isotropic Antenna** – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.

**Maximum Measurement** – This measurement represents the single largest measurement recorded when performing a spatial average measurement.

Maximum Permissible Exposure (MPE) – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.



Occupational/Controlled Environment - Defined by the FCC as an area where RF exposure may occur to persons who are **aware** of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

OET Bulletin 65 – Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of RF exposure on humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit www.osha.gov.

Radio Frequency Exposure or Electromagnetic Fields – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy a 6-foot tall human body will absorb while present in an electromagnetic field of energy.

Transmitter Power Output (TPO) - The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



### Appendix G - References

The following references can be followed for further information about RF Health and Safety.

Site Safe, LLC

http://www.sitesafe.com

FCC Radio Frequency Safety

http://www.fcc.gov/encyclopedia/radio-frequency-safety

National Council on Radiation Protection and Measurements (NCRP)

http://www.ncrponline.org

Institute of Electrical and Electronics Engineers, Inc., (IEEE)

http://www.ieee.org

American National Standards Institute (ANSI)

http://www.ansi.org

Environmental Protection Agency (EPA)

http://www.epa.gov/radtown/wireless-tech.html

National Institutes of Health (NIH)

http://www.niehs.nih.gov/health/topics/agents/emf/

Occupational Safety and Health Agency (OSHA)

http://www.osha.gov/SLTC/radiofrequencyradiation/

International Commission on Non-Ionizing Radiation Protection (ICNIRP)

http://www.icnirp.org

World Health Organization (WHO)

http://www.who.int/peh-emf/en/

National Cancer Institute

http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones

American Cancer Society (ACS)

http://www.cancer.org/docroot/PED/content/PED 1 3X Cellular Phone Towers.asp?sit earea=PED

European Commission Scientific Committee on Emerging and Newly Identified Health Risks

http://ec.europa.eu/health/ph risk/committees/04 scenihr/docs/scenihr o 022,pdf

Fairfax County, Virginia Public School Survey

http://www.fcps.edu/fts/safety-security/RFEESurvey/

UK Health Protection Agency Advisory Group on Non-Ionizing Radiation

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb C/1317133826368

Norwegian Institute of Public Health

http://www.fhi.no/dokumenter/545eea7147.pdf





SAC Wireless, LLC on behalf of AT&T Mobility, LLC
Site FA – 14826489
USID – 217104
Site Name –
CRAN\_RUMW\_GALCT\_001
(MRUMW027858)
7400 NICOLLET AVENUE
RICHFIELD, MN 55423

Latitude: N44-52-08.22 Longitude: W93-16-41.99 Structure Type: Light Pole

Report generated date: May 3, 2019

Report by: Scott Broyles

Customer Contact: Ryan Peck

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

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### 1 General Site Summary

### 1.1 Report Summary

| AT&T Mobility, LLC                         | Summary                  |
|--|--------------------------|
| Max Cumulative Simulated RFE Level on the  | <1% General Public Limit |
| Ground                                     |                          |
| Compliant per FCC Rules and Regulations?   | Will Be Compliant        |
| Compliant per AT&T Mobility, LLC's Policy? | No                       |

The following documents were provided by the client and were utilized to create this report:

RFDS: 217104\_CRAN\_RUMW\_GALCT\_001\_MRUMW027858\_ RFDS 4.16.19

CD's: 217104\_CRAN\_RUMW\_GALCT\_001\_MRUMW027858\_REV 0\_4.12.2019

RF Powers Used: Customer power used

### 1.2 Fall Arrest Anchor Point Summary

| Fall Arrest      | Parapet Available | Parapet Height | Fall Arrest Anchor |
|------------------|-------------------|----------------|--------------------|
| Anchor &         | (Y/N)             | (inches)       | Available (Y/N)    |
| Parapet Info     |                   |                |                    |
| Roof Safety Info | N                 | N/A            | N                  |



### 1.3 Signage Summary

a. Pre-Site Visit AT&T Signage (Existing Signage)

| AT&T<br>Signage<br>Locations | Information 1      | Information 2      | Notice | Notice 2 | Caution | Caution 2 | Warning  | Warning 2 | Barriers |
|------------------------------|--------------------|--------------------|--------|----------|---------|-----------|----------|-----------|----------|
| Access                       | i ilioittialiott i | IIIIOIIII Alioit 2 | Nonec  | TYONCO 2 | Caonon  | COOHOTTZ  | waning . | Wanning 2 | Damers   |
| Point(s)                     |                    |                    |        |          |         |           |          |           |          |
| Alpha                        |                    |                    |        |          |         |           |          |           |          |
| Beta                         |                    |                    |        |          |         |           |          |           |          |
| Gamma                        |                    |                    |        |          |         |           |          |           |          |
| Delta                        |                    |                    |        |          |         |           |          |           |          |
| Epsilon                      |                    |                    |        |          |         |           |          |           |          |

b. Proposed AT&T Signage

| AT&T<br>Signage<br>Locations |               | INFORMATION   | Notice | Notice   | CAUTION | CAUTION   | WARNING 6-10 | WAINING   |          |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|--------------|-----------|----------|
|                              | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning      | Warning 2 | Barriers |
| Access                       |               |               |        |          |         |           |              |           |          |
| Point(s)                     |               |               |        |          |         |           |              |           |          |
| Alpha                        |               |               |        |          |         |           |              |           |          |
| Beta                         |               |               |        |          |         |           |              |           |          |
| Gamma                        |               |               |        |          |         |           |              |           |          |
| Delta                        |               |               |        |          |         |           |              |           |          |
| Epsilon                      |               |               |        |          |         |           |              |           |          |

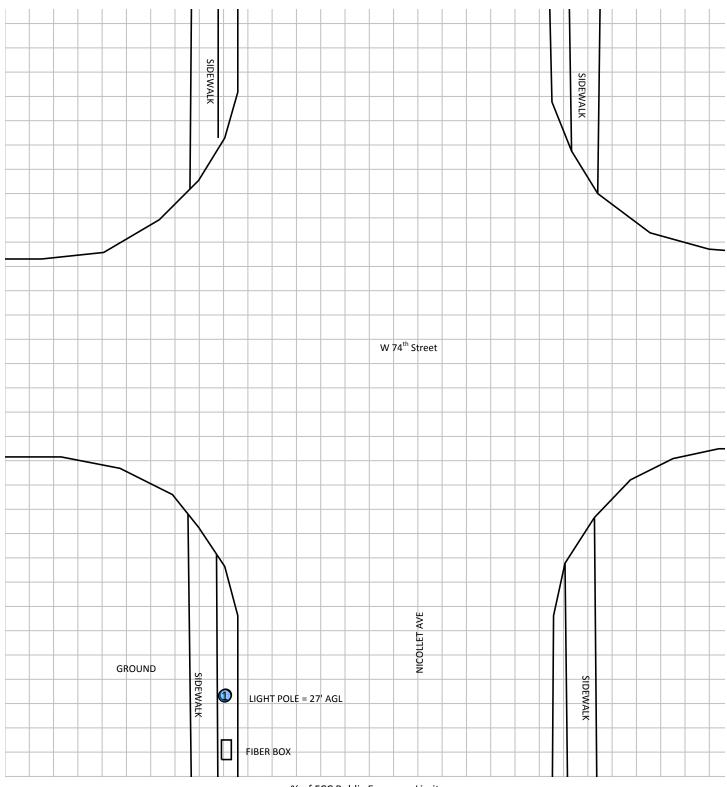


### 2 Scale Maps of Site

The following diagrams are included:

- Site Scale Map
- RF Exposure Diagram
- RF Exposure Diagram Elevation View





% of FCC Public Exposure Limit Spatial average 0' - 6'





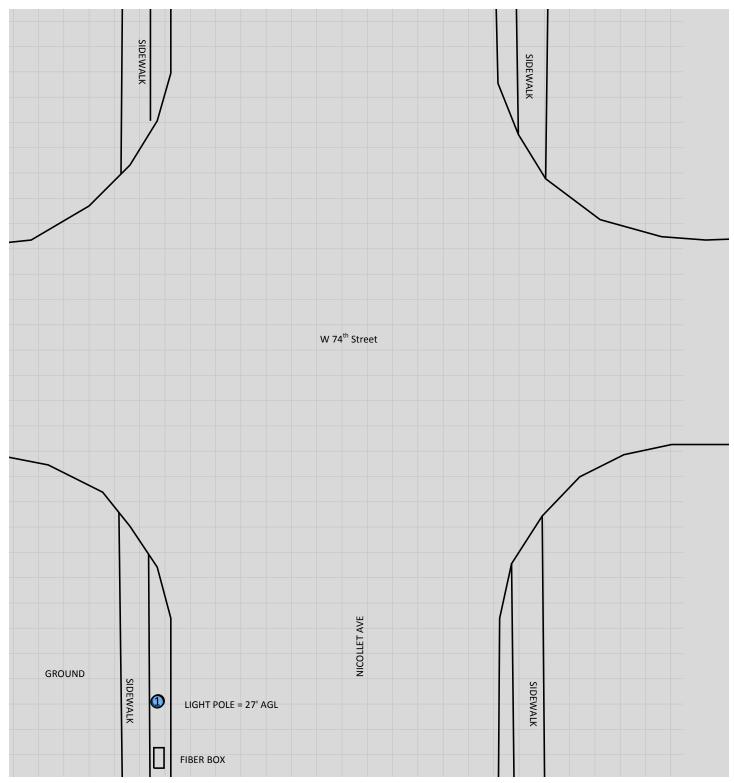
### 4 Emission Predictions

In the RF Exposure Simulations below all heights are reflected with respect to main site level. In most rooftop cases this is the height of the main rooftop and in other cases this can be ground level. Each different height area, rooftop, or platform level is labeled with its height relative to the main site level. Emissions are calculated appropriately based on the relative height and location of that area to all antennas. The total analyzed elevations in the below RF Exposure Simulations are listed below.

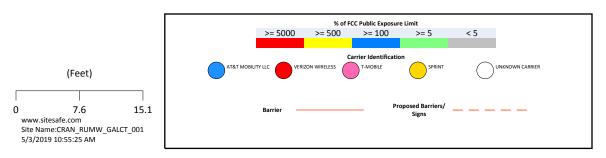
• Ground = 0'

The Antenna Inventory heights are referenced to the same level.



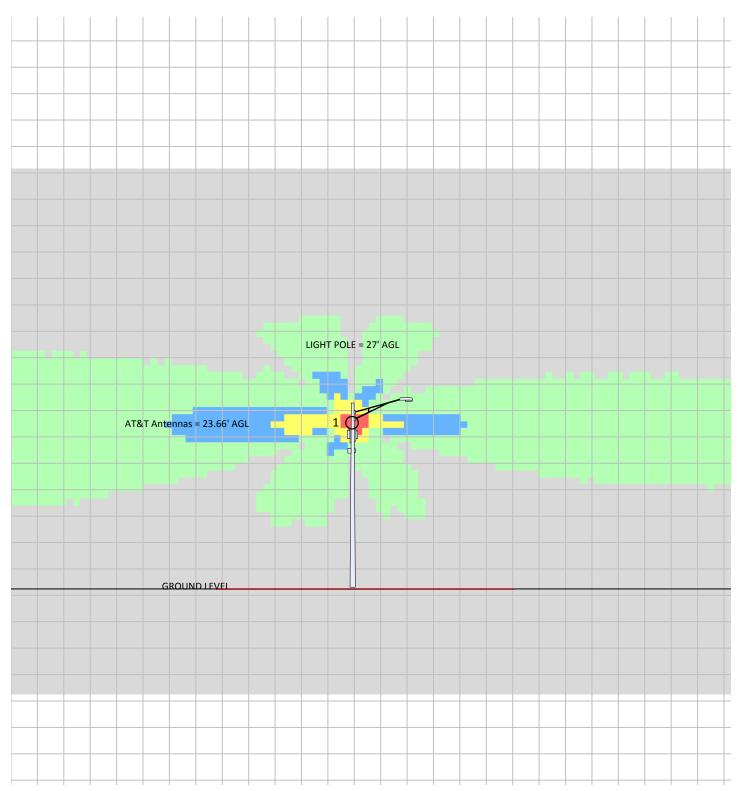


% of FCC Public Exposure Limit Spatial average 0' - 6'

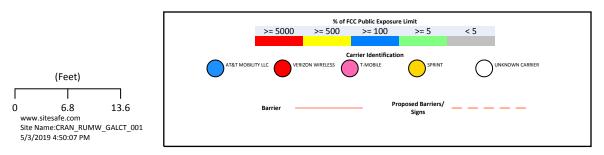


Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Spatially Averaged

# RF Exposure Simulation For: CRAN\_RUMW\_GALCT\_001 Elevation View



% of FCC Public Exposure Limit Spatial average 0' - 6'



Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Single Level (0)



#### Site Compliance 5

#### 5.1 **Site Compliance Statement**

Upon evaluation of the cumulative RF emission levels from all operators at this site, RF hazard signage and antenna locations, Sitesafe has determined that:

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

The compliance determination is based on General Public RFE levels derived from theoretical modeling, RF signage placement, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

Modeling is used for determining compliance and the percentage of MPE contribution.

#### 5.2 **Actions for Site Compliance**

Based on FCC regulations, common industry practice, and our understanding of AT&T Mobility, LLC RF Safety Policy requirements, this section provides a statement of recommendations for site compliance. Recommendations have been proposed based on our understanding of existing access restrictions, signage, and an analysis of predicted RFE levels.

AT&T Mobility, LLC will be made compliant if the following changes are implemented:

### **Light Pole Access Location**

No Signs - Controlled access to the structure should be implemented by AT&T and the structure owner.

### Notes:

- The area with the potential to exceed the General Public MPE limits is extends beyond 16' from the antenna. Sitesafe would normally recommend the appropriate RF signage on the structure at the vertical safe distance below the antenna; however, per AT&T's signage policy, no signage should be recommended in this instance and controlled access to the structure should be implemented by AT&T and the structure owner.
- MPE is calculated to be 15,113.26 at the antenna level and MPE safe Distance is 27' Horizontal and 4' vertical.
- Signage may already be in place. Sitesafe does not have record of any existing signage because there were no previous visits or data supplied regarding them. All remediation is based on a worst-case scenario.



### 6 Reviewer Certification

The reviewer whose signature appears below hereby certifies and affirms:

That I am an employee of Site Safe, LLC, in Vienna, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Scott Broyles.

May 3, 2019



### Appendix A - Statement of Limiting Conditions

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, that Sitesafe became aware of during the normal research involved in creating this report. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data collected by Sitesafe provided by a second party and data collected by Sitesafe, the data will be used.



### Appendix B - Regulatory Background Information

### **FCC Rules and Regulations**

In 1996, the Federal Communications Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to accessible areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

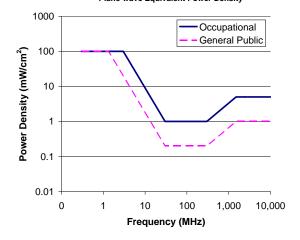
Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:

#### FCC Limits for Maximum Permissible Exposure (MPE) Plane-wave Equivalent Power Density





### Limits for Occupational/Controlled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-3.0                     | 614  | 1.63                                       | (100)*                           | 6  |
| 3.0-30                      | 1842/f                                     | 4.89/f                                     | (900/f <sup>2</sup> )*           | 6  |
| 30-300                      | 61.4                                       | 0.163                                      | 1.0                              | 6  |
| 300-1500                    |  |  | f/300                            | 6  |
| 1500-                       |  |  | 5                                | 6  |
| 100,000                     |  |  |                                  |  |

### Limits for General Population/Uncontrolled Exposure (MPE)

| Frequency | Electric     | Magnetic  | Power                  | Averaging Time $ E ^2$ ,       |
|-----------|--------------|-----------|------------------------|--------------------------------|
| Range     | Field        | Field     | Density (S)            | H  <sup>2</sup> or S (minutes) |
| (MHz)     | Strength (E) | Strength  | (mW/cm <sup>2</sup> )  |                                |
|           | (V/m)        | (H) (A/m) |                        |                                |
| 0.3-1.34  | 614          | 1.63      | (100)*                 | 30                             |
| 1.34-30   | 824/f        | 2.19/f    | (180/f <sup>2</sup> )* | 30                             |
| 30-300    | 27.5         | 0.073     | 0.2                    | 30                             |
| 300-1500  |              |           | f/1500                 | 30                             |
| 1500-     |              |           | 1.0                    | 30                             |
| 100,000   |              |           |                        |                                |

f = frequency in MHz

#### **OSHA Statement**

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

- (a) Each employer -
  - (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
  - (2) shall comply with occupational safety and health standards promulgated under this Act.
- (b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lockout/Tagout procedure aimed to control the unexpected energization or startup of machines when maintenance or service is being performed.

<sup>\*</sup>Plane-wave equivalent power density



### Appendix C – Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

General Maintenance Work: Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a worker's understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet-based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

- Locked door or gate
- Alarmed door
- Locked ladder access
- Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

RF Signage: Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 4 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst-case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.



### Appendix D - RF Emissions

The RF Emissions Simulation(s) in this report display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as prescribed in OET Bulletin 65 and assumptions detailed in Appendix E.

The key at the bottom of each RF Emissions Simulation indicates percentages displayed referenced to FCC General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- Areas indicated as Gray are predicted to be below 5% of the MPE limits. Gray represents areas more than 20 times below the most conservative exposure limit.
   Gray areas are accessible to anyone.
- Green represents areas are predicted to be between 5% and 100% of the MPE limits. Green areas are accessible to anyone.
- Blue represents areas predicted to exceed the General Public MPE limits but are less than Occupational limits. Blue areas should be accessible only to RF trained workers.
- Yellow represents areas predicted to exceed Occupational MPE limits. Yellow areas should be accessible only to RF trained workers able to assess current exposure levels.
- Red represents areas predicted to have exposure more than 10 times the Occupational MPE limits. Red indicates that the RF levels must be reduced prior to access. An RF Safety Plan is required which outlines how to reduce the RF energy in these areas prior to access.

If trained occupational personnel require access to areas that are delineated as above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.



### Appendix E - Assumptions and Definitions

### **General Model Assumptions**

In this site compliance report, it is assumed that all antennas are operating at **full power** at all times. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The modeling is based on recommendations from the FCC's OET-65 bulletin with the following variances per AT&T guidance. Reflection has not been considered in the modeling, i.e. the reflection factor is 1.0. The near / far field boundary has been set to 1.5 times the aperture height of the antenna and modeling beyond that point is the lesser of the near field cylindrical model and the far field model taking into account the gain of the antenna.

The site has been modeled with these assumptions to show the maximum RF energy density. Areas modeled with exposure greater than 100% of the General Public MPE level may not actually occur but are shown as a prediction that could be realized. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

### **Use of Generic Antennas**

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.



### Appendix F - Definitions

5% Rule – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible for taking corrective actions to bring the site into compliance.

Compliance – The determination of whether a site complies with FCC standards with regards to Human Exposure to Radio Frequency Electromagnetic Fields from transmitting antennas.

**Decibel (dB)** – A unit for measuring power or strength of a signal.

Duty Cycle – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

Effective (or Equivalent) Isotropic Radiated Power (EIRP) - The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Effective Radiated Power (ERP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to a half-wave dipole antenna.

Gain (of an antenna) - The ratio of the maximum power in a given direction to the maximum power in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antenna as compared to an omnidirectional antenna.

General Population/Uncontrolled Environment - Defined by the FCC as an area where RF exposure may occur to persons who are unaware of the potential for exposure and who have no control over their exposure. General Population is also referenced as General Public.

Generic Antenna – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use its industry specific knowledge of antenna models to select a worst-case scenario antenna to model the site.

Isotropic Antenna – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.

Maximum Measurement - This measurement represents the single largest measurement recorded when performing a spatial average measurement.

Maximum Permissible Exposure (MPE) - The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.



Occupational/Controlled Environment – Defined by the FCC as an area where RF exposure may occur to persons who are aware of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

*OET Bulletin 65* – Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of RF exposure on humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit <a href="https://www.osha.gov">www.osha.gov</a>.

*Radio Frequency Exposure or Electromagnetic Fields* – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy a 6-foot tall human body will absorb while present in an electromagnetic field of energy.

*Transmitter Power Output (TPO)* – The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



### Appendix G - References

The following references can be followed for further information about RF Health and Safety.

Site Safe, LLC

http://www.sitesafe.com

FCC Radio Frequency Safety

http://www.fcc.gov/encyclopedia/radio-frequency-safety

National Council on Radiation Protection and Measurements (NCRP)

http://www.ncrponline.org

Institute of Electrical and Electronics Engineers, Inc., (IEEE)

http://www.ieee.org

American National Standards Institute (ANSI)

http://www.ansi.org

Environmental Protection Agency (EPA)

http://www.epa.gov/radtown/wireless-tech.html

National Institutes of Health (NIH)

http://www.niehs.nih.gov/health/topics/agents/emf/

Occupational Safety and Health Agency (OSHA)

http://www.osha.gov/SLTC/radiofrequencyradiation/

International Commission on Non-Ionizing Radiation Protection (ICNIRP)

http://www.icnirp.org

World Health Organization (WHO)

http://www.who.int/peh-emf/en/

National Cancer Institute

http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones

American Cancer Society (ACS)

http://www.cancer.org/docroot/PED/content/PED 1 3X Cellular Phone Towers.asp?sit earea=PED

European Commission Scientific Committee on Emerging and Newly Identified Health Risks

http://ec.europa.eu/health/ph\_risk/committees/04\_scenihr/docs/scenihr\_o 022.pdf

Fairfax County, Virginia Public School Survey

http://www.fcps.edu/fts/safety-security/RFEESurvey/

UK Health Protection Agency Advisory Group on Non-lonizing Radiation http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb C/1317133826368 Norwegian Institute of Public Health

http://www.fhi.no/dokumenter/545eea7147.pdf





SAC Wireless, LLC on behalf of AT&T Mobility, LLC
Site FA – 14826409
USID – 215058
Site Name –
CRAN\_RUMW\_SDALE\_007
(MRUMW030816)
7444 SOUTH UPTON AVENUE
RICHFIELD, MN 55423

Latitude: N44-52-02.68 Longitude: W93-18-54.22 Structure Type: Light Pole

Report generated date: May 3, 2019

Report by: Scott Broyles

Customer Contact: Ryan Peck

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

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| APPENDIX G - REFE  | ERENCES21                        |



### 1 General Site Summary

### 1.1 Report Summary

| AT&T Mobility, LLC                         | Summary                  |
|--|--------------------------|
| Max Cumulative Simulated RFE Level on the  | <1% General Public Limit |
| Ground                                     |                          |
| Compliant per FCC Rules and Regulations?   | Will Be Compliant        |
| Compliant per AT&T Mobility, LLC's Policy? | No                       |

The following documents were provided by the client and were utilized to create this report:

RFDS: 215058\_CRAN\_RUMW\_SDALE\_007\_MRUMW030816\_RFDS 4.16.19

CD's: 215058\_CRAN\_RUMW\_SDALE\_007\_MRUMW030816\_ CDS REV 0

**RF Powers Used**: Client Provided Powers

### 1.2 Fall Arrest Anchor Point Summary

| Fall Arrest      | Parapet Available | Parapet Height | Fall Arrest Anchor |
|------------------|-------------------|----------------|--------------------|
| Anchor &         | (Y/N)             | (inches)       | Available (Y/N)    |
| Parapet Info     |                   |                |                    |
| Roof Safety Info | N                 | N/A            | N                  |



### 1.3 Signage Summary

a. Pre-Site Visit AT&T Signage (Existing Signage)

| AT&T<br>Signage<br>Locations | Information 1 | Information 2      | Notice  | Notice 2 | Caution | Caution 2 | Warning   | Warning 2  | Barriers |
|------------------------------|---------------|--------------------|---------|----------|---------|-----------|-----------|------------|----------|
| Access                       | Inionnation   | IIIIOIIII Alioii 2 | 1401166 | TYONCO 2 | Caonon  | COUNTY    | **GITIIII | Warriing 2 | Damers   |
| Point(s)                     |               |                    |         |          |         |           |           |            |          |
| Alpha                        |               |                    |         |          |         |           |           |            |          |
| Beta                         |               |                    |         |          |         |           |           |            |          |
| Gamma                        |               |                    |         |          |         |           |           |            |          |
| Delta                        |               |                    |         |          |         |           |           |            |          |
| Epsilon                      |               |                    |         |          |         |           |           |            |          |

b. Proposed AT&T Signage

| AT&T<br>Signage<br>Locations |               | INFORMATION   | Notice | Notice   | CAUTION | CAUTION   | WARNING | WAINING   | <u>} )</u> |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|---------|-----------|------------|
|                              | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning | Warning 2 | Barriers   |
| Access<br>Point(s)           |               |               |        |          |         |           |         |           |            |
| Alpha                        |               |               |        |          |         |           |         |           |            |
| Beta                         |               |               |        |          |         |           |         |           |            |
| Gamma                        |               |               |        |          |         |           |         |           |            |
| Delta                        |               |               |        |          |         |           |         |           |            |
| Epsilon                      |               |               |        |          |         |           |         |           |            |

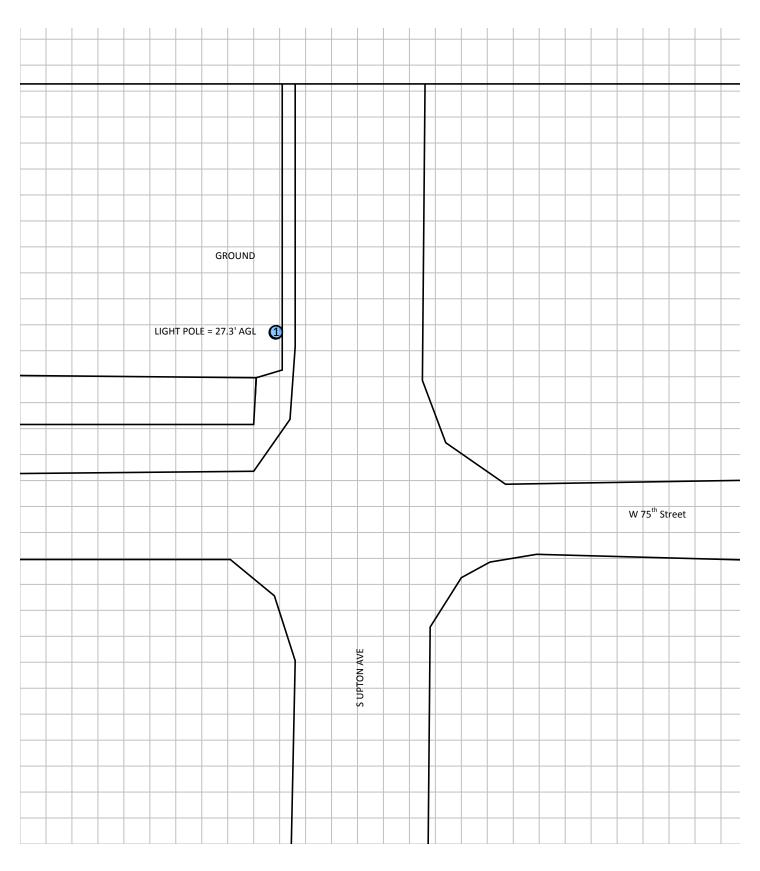


## 2 Scale Maps of Site

The following diagrams are included:

- Site Scale Map
- RF Exposure Diagram
- RF Exposure Diagram Alpha Sector Elevation View









## 3 Antenna Inventory

The following antenna inventory was obtained by the customer and was utilized to create the site model diagrams:

| Ant ID | Operator                     | Antenna Make &<br>Model          | Туре | TX Freq<br>(MHz) | Technology | Az<br>(Deg) | Hor BW<br>(Deg) | Ant<br>Len<br>(ft) | Power | Power<br>Type | Power<br>Unit | Misc<br>Loss | TX Count | Total ERP<br>(Watts) | Ant Gain<br>(dBd) | Z<br>AGL | MDT | EDT |
|--------|------------------------------|----------------------------------|------|------------------|------------|-------------|-----------------|--------------------|-------|---------------|---------------|--------------|----------|----------------------|-------------------|----------|-----|-----|
| 1      | AT&T MOBILITY LLC (Proposed) | Ace Technology<br>ACOM-2F15D-12P | Omni | 1900             | LTE        | 0           | 360             | 2                  | 57.25 | TPO           | dBmW          | 0            | 1        | 2636.3               | 6.96              | 40.3'    | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC (Proposed) | Ace Technology<br>ACOM-2F15D-12P | Omni | 2100             | LTE        | 0           | 360             | 2                  | 57.95 | TPO           | dBmW          | 0            | 1        | 3243.4               | 7.16              | 40.3'    | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC (Proposed) | Ace Technology<br>ACOM-2F15D-12P | Omni | 5150             | LTE        | 0           | 360             | 2                  | 34.95 | TPO           | dBmW          | 0            | 1        | 5.4                  | 2.36              | 40.3'    | 0°  | 0°  |

Note: The Z reference indicates the bottom of the antenna height above the main site level unless otherwise indicated. Effective Radiated Power (ERP) is provided by the operator or based on Sitesafe experience. The values used in the modeling may be greater than are currently deployed.



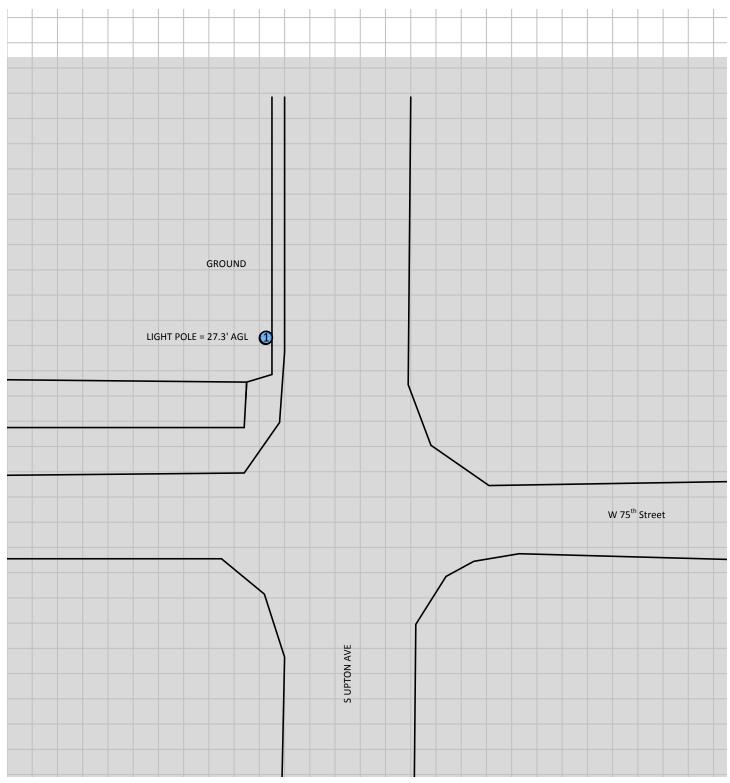
## 4 Emission Predictions

In the RF Exposure Simulations below all heights are reflected with respect to main site level. In most rooftop cases this is the height of the main rooftop and in other cases this can be ground level. Each different height area, rooftop, or platform level is labeled with its height relative to the main site level. Emissions are calculated appropriately based on the relative height and location of that area to all antennas. The total analyzed elevations in the below RF Exposure Simulations are listed below.

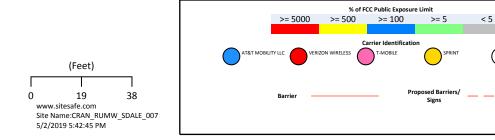
• Ground = 0

The Antenna Inventory heights are referenced to the same level.



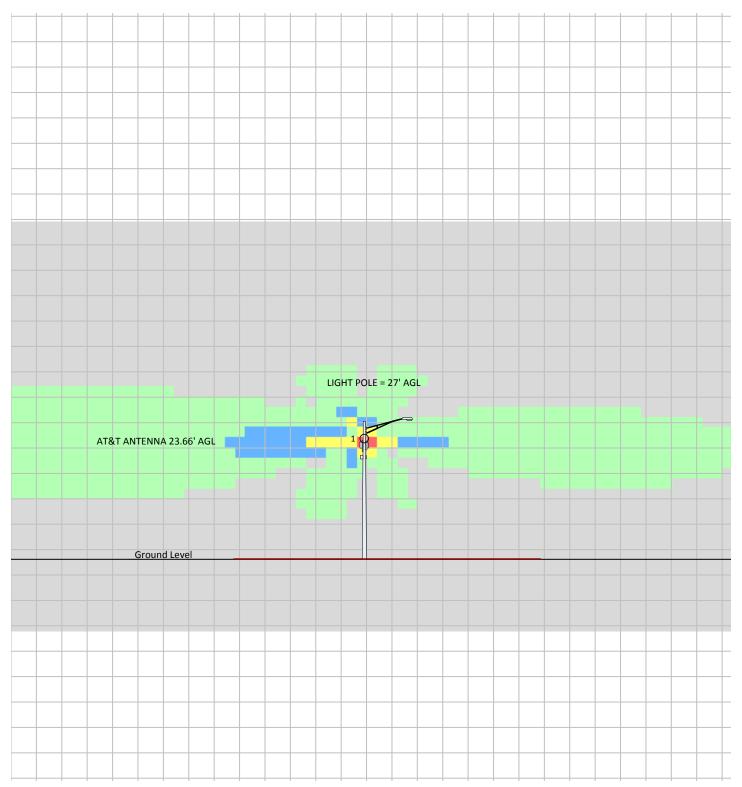


% of FCC Public Exposure Limit Spatial average 0' - 6'

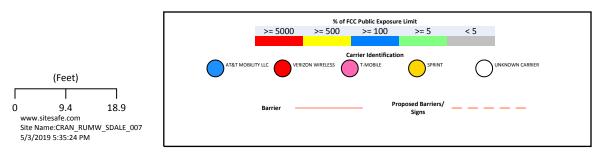


Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Spatially Averaged

## 



% of FCC Public Exposure Limit Spatial average 0' - 6'



Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Single Level (0)



### Site Compliance 5

#### 5.1 **Site Compliance Statement**

Upon evaluation of the cumulative RF emission levels from all operators at this site, RF hazard signage and antenna locations, Sitesafe has determined that:

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

The compliance determination is based on General Public RFE levels derived from theoretical modeling, RF signage placement, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

Modeling is used for determining compliance and the percentage of MPE contribution.

#### 5.2 **Actions for Site Compliance**

Based on FCC regulations, common industry practice, and our understanding of AT&T Mobility, LLC RF Safety Policy requirements, this section provides a statement of recommendations for site compliance. Recommendations have been proposed based on our understanding of existing access restrictions, signage, and an analysis of predicted RFE levels.

AT&T Mobility, LLC will be made compliant if the following changes are implemented:

## **Light Pole Access Location**

No Signs - Controlled access to the structure should be implemented by AT&T and the structure owner.

## Notes:

- The area with the potential to exceed the General Public MPE limits is extends beyond 16' from the antenna. Sitesafe would normally recommend the appropriate RF signage on the structure at the vertical safe distance below the antenna; however, per AT&T's signage policy, no signage should be recommended in this instance and controlled access to the structure should be implemented by AT&T and the structure owner.
- MPE is calculated to be 15,113.26 at the antenna level and MPE safe Distance is 27' Horizontal and 4' vertical.
- Signage may already be in place. Sitesafe does not have record of any existing signage because there were no previous visits or data supplied regarding them. All remediation is based on a worst-case scenario.



## 6 Reviewer Certification

The reviewer whose signature appears below hereby certifies and affirms:

That I am an employee of Site Safe, LLC, in Vienna, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Scott Broyles.

May 3, 2019



## Appendix A - Statement of Limiting Conditions

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, that Sitesafe became aware of during the normal research involved in creating this report. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data collected by Sitesafe provided by a second party and data collected by Sitesafe, the data will be used.



## Appendix B - Regulatory Background Information

## **FCC Rules and Regulations**

In 1996, the Federal Communications Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to accessible areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

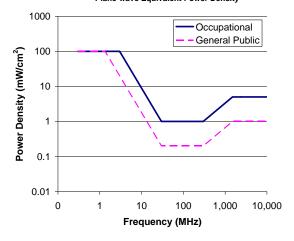
Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:







### Limits for Occupational/Controlled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-3.0                     | 614  | 1.63                                       | (100)*                           | 6  |
| 3.0-30                      | 1842/f                                     | 4.89/f                                     | (900/f <sup>2</sup> )*           | 6  |
| 30-300                      | 61.4                                       | 0.163                                      | 1.0                              | 6  |
| 300-1500                    |  |  | f/300                            | 6  |
| 1500-                       |  |  | 5                                | 6  |
| 100,000                     |  |  |                                  |  |

### Limits for General Population/Uncontrolled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-1.34                    | 614  | 1.63                                       | (100)*                           | 30   |
| 1.34-30                     | 824/f                                      | 2.19/f                                     | (180/f <sup>2</sup> )*           | 30   |
| 30-300                      | 27.5                                       | 0.073                                      | 0.2                              | 30   |
| 300-1500                    |  |  | f/1500                           | 30   |
| 1500-                       |  |  | 1.0                              | 30   |
| 100,000                     |  |  |                                  |  |

f = frequency in MHz

### **OSHA Statement**

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

- (a) Each employer -
  - (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
  - (2) shall comply with occupational safety and health standards promulgated under this Act.
- (b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lockout/Tagout procedure aimed to control the unexpected energization or startup of machines when maintenance or service is being performed.

<sup>\*</sup>Plane-wave equivalent power density



## Appendix C – Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

General Maintenance Work: Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a worker's understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet-based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

- Locked door or gate
- Alarmed door
- Locked ladder access
- Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

RF Signage: Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 4 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst-case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.



## Appendix D - RF Emissions

The RF Emissions Simulation(s) in this report display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as prescribed in OET Bulletin 65 and assumptions detailed in Appendix E.

The key at the bottom of each RF Emissions Simulation indicates percentages displayed referenced to FCC General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- Areas indicated as Gray are predicted to be below 5% of the MPE limits. Gray represents areas more than 20 times below the most conservative exposure limit. Gray areas are accessible to anyone.
- Green represents areas are predicted to be between 5% and 100% of the MPE limits. Green areas are accessible to anyone.
- Blue represents areas predicted to exceed the General Public MPE limits but are less than Occupational limits. Blue areas should be accessible only to RF trained
- Yellow represents areas predicted to exceed Occupational MPE limits. Yellow areas should be accessible only to RF trained workers able to assess current exposure levels.
- Red represents areas predicted to have exposure more than 10 times the Occupational MPE limits. Red indicates that the RF levels must be reduced prior to access. An RF Safety Plan is required which outlines how to reduce the RF energy in these areas prior to access.

If trained occupational personnel require access to areas that are delineated as above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.



## Appendix E - Assumptions and Definitions

## **General Model Assumptions**

In this site compliance report, it is assumed that all antennas are operating at **full power** at all times. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The modeling is based on recommendations from the FCC's OET-65 bulletin with the following variances per AT&T guidance. Reflection has not been considered in the modeling, i.e. the reflection factor is 1.0. The near / far field boundary has been set to 1.5 times the aperture height of the antenna and modeling beyond that point is the lesser of the near field cylindrical model and the far field model taking into account the gain of the antenna.

The site has been modeled with these assumptions to show the maximum RF energy density. Areas modeled with exposure greater than 100% of the General Public MPE level may not actually occur but are shown as a prediction that could be realized. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

## **Use of Generic Antennas**

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.



## Appendix F - Definitions

5% Rule – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible for taking corrective actions to bring the site into compliance.

Compliance – The determination of whether a site complies with FCC standards with regards to Human Exposure to Radio Frequency Electromagnetic Fields from transmitting antennas.

**Decibel (dB)** – A unit for measuring power or strength of a signal.

Duty Cycle – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

Effective (or Equivalent) Isotropic Radiated Power (EIRP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Effective Radiated Power (ERP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to a half-wave dipole antenna.

Gain (of an antenna) - The ratio of the maximum power in a given direction to the maximum power in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antenna as compared to an omnidirectional antenna.

General Population/Uncontrolled Environment - Defined by the FCC as an area where RF exposure may occur to persons who are unaware of the potential for exposure and who have no control over their exposure. General Population is also referenced as General Public.

Generic Antenna – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use its industry specific knowledge of antenna models to select a worst-case scenario antenna to model the site.

*Isotropic Antenna* – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.

Maximum Measurement - This measurement represents the single largest measurement recorded when performing a spatial average measurement.

Maximum Permissible Exposure (MPE) – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.



Occupational/Controlled Environment – Defined by the FCC as an area where RF exposure may occur to persons who are aware of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

*OET Bulletin 65* – Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of RF exposure on humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit <a href="https://www.osha.gov">www.osha.gov</a>.

*Radio Frequency Exposure or Electromagnetic Fields* – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy a 6-foot tall human body will absorb while present in an electromagnetic field of energy.

*Transmitter Power Output (TPO)* – The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



## Appendix G - References

The following references can be followed for further information about RF Health and Safety.

Site Safe, LLC

http://www.sitesafe.com

FCC Radio Frequency Safety

http://www.fcc.gov/encyclopedia/radio-frequency-safety

National Council on Radiation Protection and Measurements (NCRP)

http://www.ncrponline.org

Institute of Electrical and Electronics Engineers, Inc., (IEEE)

http://www.ieee.org

American National Standards Institute (ANSI)

http://www.ansi.org

Environmental Protection Agency (EPA)

http://www.epa.gov/radtown/wireless-tech.html

National Institutes of Health (NIH)

http://www.niehs.nih.gov/health/topics/agents/emf/

Occupational Safety and Health Agency (OSHA)

http://www.osha.gov/SLTC/radiofrequencyradiation/

International Commission on Non-Ionizing Radiation Protection (ICNIRP)

http://www.icnirp.org

World Health Organization (WHO)

http://www.who.int/peh-emf/en/

National Cancer Institute

http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones

American Cancer Society (ACS)

http://www.cancer.org/docroot/PED/content/PED 1 3X Cellular Phone Towers.asp?sit earea=PED

European Commission Scientific Committee on Emerging and Newly Identified Health Risks

http://ec.europa.eu/health/ph\_risk/committees/04\_scenihr/docs/scenihr\_o 022.pdf

Fairfax County, Virginia Public School Survey

http://www.fcps.edu/fts/safety-security/RFEESurvey/

UK Health Protection Agency Advisory Group on Non-Ionizing Radiation

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb C/1317133826368

Norwegian Institute of Public Health

http://www.fhi.no/dokumenter/545eea7147.pdf





SAC Wireless, LLC on behalf of AT&T Mobility, LLC Site FA – 14826475 USID – 217402 Site Name – CRAN\_RUMW\_ GALCT\_002 (MRUMW027852-MRUMW030143)

500 WEST 71ST STREET RICHFIELD, MN 55423

Legal address is: 7044 HARRIET AVE

Latitude: N44-52-28.27 Longitude: W93-17-09.15 Structure Type: Utility Pole

Report generated date: May 1, 2019

Report by: Zyotty Thamsil Customer Contact: Ryan Peck

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

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## 1 General Site Summary

## 1.1 Report Summary

| AT&T Mobility, LLC                               | Summary                  |
|--|--------------------------|
| Max Cumulative Simulated RFE Level on the Ground | <1% General Public Limit |
| Compliant per FCC Rules and Regulations?         | Will Be Compliant        |
| Compliant per AT&T Mobility, LLC's Policy?       | No                       |

|                          | Maximum Permissible Exposure (MPE) Summary          |   |                              |   |  |  |  |  |  |  |  |  |  |
|--------------------------|---|---|------------------------------|---|--|--|--|--|--|--|--|--|--|
| Location                 | % of FCC General Public/Uncontrolled Exposure Limit | % of FCC Occupational/Controlled Exposure Limit | Power<br>Density<br>(mW/cm²) | Occupational<br>Approach<br>Distance (in) | General<br>Public<br>Approach<br>Distance (in) |  |  |  |  |  |  |  |  |
| Proposed Equipment       |   |   |                              |   |  |  |  |  |  |  |  |  |  |
| Antenna<br>Face<br>Level | 3,709.9   | 742.0   | 37.1                         | 60"                                       | 168"   |  |  |  |  |  |  |  |  |
| UE Relay<br>Level        | N/A   | N/A   | N/A                          | N/A                                       | N/A  |  |  |  |  |  |  |  |  |
| Ground                   | <1  | <1  | <0.01                        | N/A                                       | N/A  |  |  |  |  |  |  |  |  |

The following documents were provided by the client and were utilized to create this report:

**RFDS:** 217402\_CRAN\_RUMW\_GALCT\_002\_MRUMW030143\_RFDS.041719

CD's: 217402\_CRAN\_RUMW\_GALCT\_002\_MRUMW030143\_CDs REV A Consolidated

Redlines.042219

RF Powers Used: Provided by customer

## 1.2 Fall Arrest Anchor Point Summary

| Fall Arrest Anchor & Parapet Info | Parapet Available (Y/N) | Parapet Height (inches) | Fall Arrest Anchor<br>Available (Y/N) |
|-----------------------------------|-------------------------|-------------------------|---------------------------------------|
| Roof Safety Info                  | N                       | N/A                     | N                                     |



## 1.3 Signage Summary

a. Pre-Site Visit AT&T Signage (Existing Signage)

| AT&T<br>Signage<br>Locations | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning | Warning 2 | Barriers |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|---------|-----------|----------|
|                              | information i | information 2 | Notice | Nolice 2 | Caulion | Caulion 2 | Warning | Warning 2 | Bamers   |
| Access                       |               |               |        |          |         |           |         |           |          |
| Point(s)                     |               |               |        |          |         |           |         |           |          |
| Alpha                        |               |               |        |          |         |           |         |           |          |
| Beta                         |               |               |        |          |         |           |         |           |          |
| Gamma                        |               |               |        |          |         |           |         |           |          |
| Delta                        |               |               |        |          |         |           |         |           |          |
| Epsilon                      |               |               |        |          |         |           |         |           |          |

b. Proposed AT&T Signage

| AT&T<br>Signage<br>Locations |               |               |        |          |         |           | - Andrews | WARRIED TO THE PARTY OF THE PAR |          |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|-----------|--|----------|
|                              | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning   | Warning 2  | Barriers |
| Access                       |               |               |        |          |         | 2         |           |  |          |
| Point(s)                     |               |               |        |          |         |           |           |  |          |
| Alpha                        |               |               |        |          |         |           |           |  |          |
| Beta                         |               |               |        |          |         |           |           |  |          |
| Gamma                        |               |               |        |          |         |           |           |  |          |
| Delta                        |               |               |        |          |         |           |           |  |          |
| Epsilon                      |               |               |        |          |         |           |           |  |          |

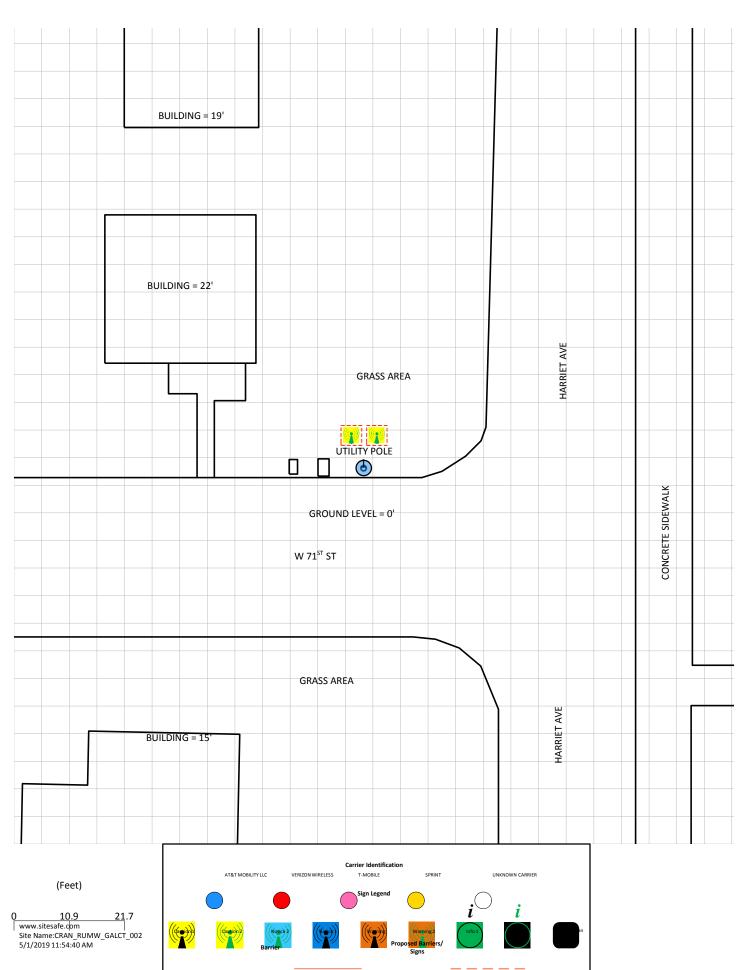


## 2 Scale Maps of Site

The following diagrams are included:

Site Scale Map RF Exposure Diagram RF Exposure Diagram – Elevation View







## 3 Antenna Inventory

The following antenna inventory was obtained by the customer and was utilized to create the site model diagrams:

NOTE: The powers shown in this antenna table are the maximum reduced power that will produce a compliant site with Xcel Energy policy with a maximum occupational safety distance of 60" or 5'.

| Ant ID | Operator                        | Antenna Make & Model          | Туре | TX Freq<br>(MHz) | Technology | Az<br>(Deg) | Hor BW<br>(Deg) | Ant<br>Len<br>(ft) | Power | Power<br>Type | Power<br>Unit | Misc<br>Loss | TX<br>Count | Total ERP<br>(Watts) | Ant<br>Gain<br>(dBd) | Z<br>(AGL) | MDT | EDT |
|--------|---------------------------------|-------------------------------|------|------------------|------------|-------------|-----------------|--------------------|-------|---------------|---------------|--------------|-------------|----------------------|----------------------|------------|-----|-----|
| 1      | AT&T MOBILITY LLC<br>(PROPOSED) | Ace Technology ACOM-2F15D-12P | Omni | 1900             | LTE        | 0           | 360             | 2                  | 51.15 | TPO           | dBmW          | 0            | 1           | 647.1                | 6.96                 | 44'        | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC<br>(PROPOSED) | Ace Technology ACOM-2F15D-12P | Omni | 2100             | LTE        | 0           | 360             | 2                  | 51.85 | TPO           | dBmW          | 0            | 1           | 796.2                | 7.16                 | 44'        | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC<br>(PROPOSED) | Ace Technology ACOM-2F15D-12P | Omni | 5150             | LTE        | 0           | 360             | 2                  | 28.85 | TPO           | dBmW          | 0            | 1           | 1.3                  | 2.36                 | 44'        | 0°  | 0°  |

Note: The Z reference indicates the bottom of the antenna height above the main site level unless otherwise indicated. Effective Radiated Power (ERP) is provided by the operator or based on Sitesafe experience. The values used in the modeling may be greater than are currently deployed. For other operators at this site the use of "Generic" as an antenna model or "Unknown" for a wireless operator means the information with regard to operator, their FCC license and/or antenna information was not available nor could it be secured while on site. Other operator's equipment, antenna models and powers used for modeling are based on obtained information or Sitesafe experience.



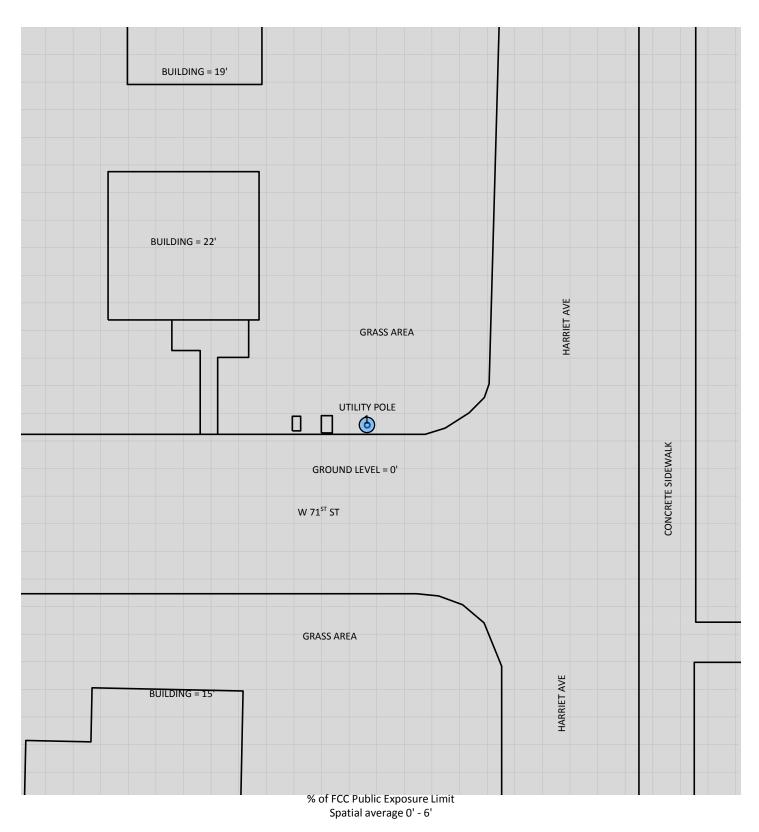
#### **Emission Predictions** 4

In the RF Exposure Simulations below all heights are reflected with respect to main site level. In most rooftop cases this is the height of the main rooftop and in other cases this can be ground level. Each different height area, rooftop, or platform level is labeled with its height relative to the main site level. Emissions are calculated appropriately based on the relative height and location of that area to all antennas. The total analyzed elevations in the below RF Exposure Simulations are listed below.

Ground Level = 0' Building = 15' Building = 19' Building = 22'

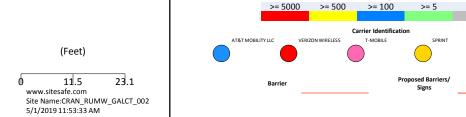
The Antenna Inventory heights are referenced to the same level.





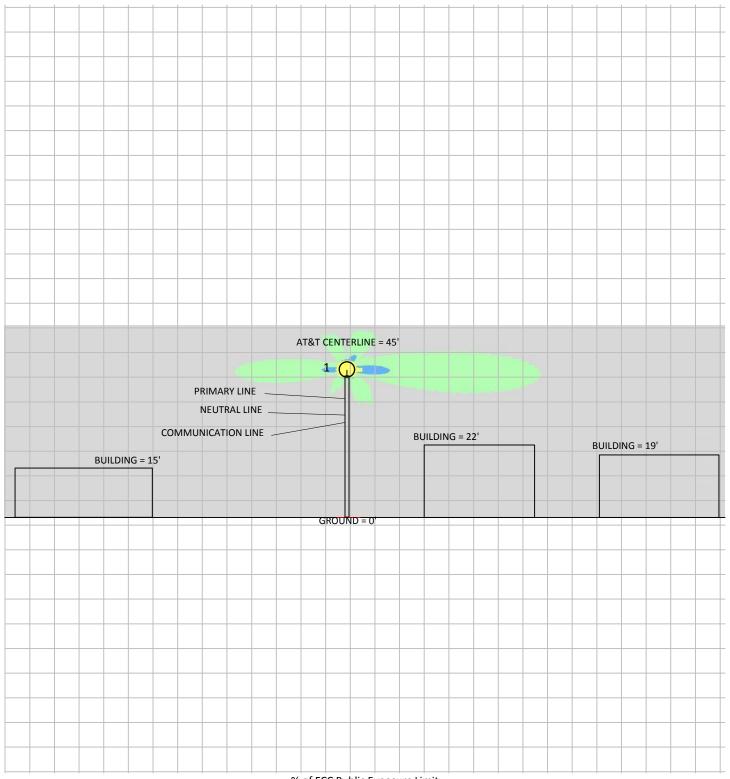
< 5

UNKNOWN CARRIER

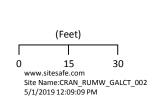


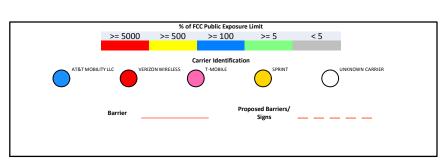
Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Spatially Averaged

# RF Exposure Simulation For: CRAN\_RUMW\_GALCT\_002 Elevation View



% of FCC Public Exposure Limit





Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Single Level (0)



### 5 Site Compliance

#### 5.1 **Site Compliance Statement**

Upon evaluation of the cumulative RF emission levels from all operators at this site, RF hazard signage and antenna locations, Sitesafe has determined that:

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

The compliance determination is based on General Public RFE levels derived from theoretical modeling, RF signage placement, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

Modeling is used for determining compliance and the percentage of MPE contribution.

#### 5.2 **Actions for Site Compliance**

Based on FCC regulations, common industry practice, and our understanding of AT&T Mobility, LLC RF Safety Policy requirements, this section provides a statement of recommendations for site compliance. Recommendations have been proposed based on our understanding of existing access restrictions, signage, and an analysis of predicted RFE levels.

AT&T Mobility, LLC will be made compliant if the following changes are implemented:

## **Utility Pole Access Location**

Place 2 Caution (17.25" x 17.25") signs opposite each other on the mounting structure (e.g., pole) 4' below the bottom tip of the antenna. The top of each sign must be positioned at the bottom distance.

### Notes:

This report's diagrams do not show the Access locations because the data provided did not include them.

Signage may already be in place. Sitesafe does not have record of any existing signage because there were no previous visits or data supplied regarding them. All remediation is based on a worst-case scenario. Any existing signage that conflicts with the proposed signage in this report should be removed per AT&T Signage Posting Rules.



## **Reviewer Certification**

The reviewer whose signature appears below hereby certifies and affirms:

That I am an employee of Site Safe, LLC, in Vienna, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Zyotty Thamsil.

May 1, 2019



## Appendix A – Statement of Limiting Conditions

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, that Sitesafe became aware of during the normal research involved in creating this report. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data collected by Sitesafe provided by a second party and data collected by Sitesafe, the data will be used.



## Appendix B - Regulatory Background Information

## **FCC Rules and Regulations**

In 1996, the Federal Communications Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

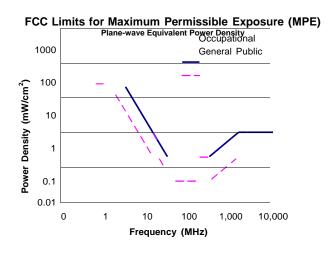
FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to accessible areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:





## Limits for Occupational/Controlled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,  H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|---|
| 0.3-3.0                     | 614  | 1.63                                       | (100)*                           | 6   |
| 3.0-30                      | 1842/f                                     | 4.89/f                                     | (900/f <sup>2</sup> )*           | 6   |
| 30-300                      | 61.4                                       | 0.163                                      | 1.0                              | 6   |
| 300-1500                    |  |  | f/300                            | 6   |
| 1500-                       |  |  | 5                                | 6   |
| 100.000                     |  |  |                                  |   |

### Limits for General Population/Uncontrolled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-1.34                    | 614  | 1.63                                       | (100)*                           | 30   |
| 1.34-30                     | 824/f                                      | 2.19/f                                     | (180/f <sup>2</sup> )*           | 30   |
| 30-300                      | 27.5                                       | 0.073                                      | 0.2                              | 30   |
| 300-1500                    |  |  | f/1500                           | 30   |
| 1500-                       |  |  | 1.0                              | 30   |
| 100,000                     |  |  |                                  |  |

f = frequency in MHz

### **OSHA Statement**

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

- (a) Each employer -
  - (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees:
  - (2) shall comply with occupational safety and health standards promulgated under this Act.
- (b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lockout/Tagout procedure aimed to control the unexpected energization or startup of machines when maintenance or service is being performed.

<sup>\*</sup>Plane-wave equivalent power density



## Appendix C - Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

General Maintenance Work: Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a worker's understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet-based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

Locked door or gate

Alarmed door

Locked ladder access

Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

RF Signage: Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 4 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst-case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.



## Appendix D - RF Emissions

The RF Emissions Simulation(s) in this report display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as prescribed in OET Bulletin 65 and assumptions detailed in Appendix E.

The key at the bottom of each RF Emissions Simulation indicates percentages displayed referenced to FCC General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

Areas indicated as Gray are predicted to be below 5% of the MPE limits. Gray represents areas more than 20 times below the most conservative exposure limit. **Gray areas are accessible to anyone**.

Green represents areas are predicted to be between 5% and 100% of the MPE limits. **Green areas are accessible to anyone.** 

Blue represents areas predicted to exceed the General Public MPE limits but are less than Occupational limits. Blue areas should be accessible only to RF trained workers.

Yellow represents areas predicted to exceed Occupational MPE limits. Yellow areas should be accessible only to RF trained workers able to assess current exposure levels.

Red represents areas predicted to have exposure more than 10 times the Occupational MPE limits. **Red indicates that the RF levels must be reduced prior to access.** An RF Safety Plan is required which outlines how to reduce the RF energy in these areas prior to access.

If trained occupational personnel require access to areas that are delineated as above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.



## Appendix E – Assumptions and Definitions

## **General Model Assumptions**

In this site compliance report, it is assumed that all antennas are operating at full power at all times. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The modeling is based on recommendations from the FCC's OET-65 bulletin with the following variances per AT&T guidance. Reflection has not been considered in the modeling, i.e. the reflection factor is 1.0. The near / far field boundary has been set to 1.5 times the aperture height of the antenna and modeling beyond that point is the lesser of the near field cylindrical model and the far field model taking into account the gain of the antenna.

The site has been modeled with these assumptions to show the maximum RF energy density. Areas modeled with exposure greater than 100% of the General Public MPE level may not actually occur but are shown as a prediction that could be realized. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

## **Use of Generic Antennas**

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in conservative analysis. а



## Appendix F - Definitions

5% Rule – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible for taking corrective actions to bring the site into compliance.

**Compliance** – The determination of whether a site complies with FCC standards with regards to Human Exposure to Radio Frequency Electromagnetic Fields from transmitting antennas.

**Decibel (dB)** – A unit for measuring power or strength of a signal.

**Duty Cycle** – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

Effective (or Equivalent) Isotropic Radiated Power (EIRP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Effective Radiated Power (ERP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to a half-wave dipole antenna.

Gain (of an antenna) - The ratio of the maximum power in a given direction to the maximum power in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antenna as compared to an omnidirectional antenna.

General Population/Uncontrolled Environment – Defined by the FCC as an area where RF exposure may occur to persons who are **unaware** of the potential for exposure and who have no control over their exposure. General Population is also referenced as General Public.

Generic Antenna – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use its industry specific knowledge of antenna models to select a worst-case scenario antenna to model the site.

**Isotropic Antenna** – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.

Maximum Measurement - This measurement represents the single largest measurement recorded when performing a spatial average measurement.

Maximum Permissible Exposure (MPE) – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.



Occupational/Controlled Environment - Defined by the FCC as an area where RF exposure may occur to persons who are **aware** of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

OET Bulletin 65 - Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of RF exposure on humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit www.osha.gov.

Radio Frequency Exposure or Electromagnetic Fields – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy a 6-foot tall human body will absorb while present in an electromagnetic field of energy.

Transmitter Power Output (TPO) - The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



#### Appendix G - References

The following references can be followed for further information about RF Health and Safety.

Site Safe, LLC

http://www.sitesafe.com

FCC Radio Frequency Safety

http://www.fcc.gov/encyclopedia/radio-frequency-

safety

National Council on Radiation Protection and Measurements (NCRP)

http://www.ncrponline.org

Institute of Electrical and Electronics Engineers, Inc., (IEEE)

http://www.ieee.org

American National Standards Institute (ANSI)

http://www.ansi.org

Environmental Protection Agency (EPA)

http://www.epa.gov/radtown/wireless-tech.html

National Institutes of Health (NIH)

http://www.niehs.nih.gov/health/topics/agents/emf

Occupational Safety and Health Agency (OSHA)

http://www.osha.gov/SLTC/radiofrequencyradiation/

International Commission on Non-Ionizing Radiation Protection (ICNIRP)

http://www.icnirp.org

World Health Organization (WHO)

http://www.who.int/peh-emf/en/

National Cancer Institute

http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones

American Cancer Society (ACS)

http://www.cancer.org/docroot/PED/content/PED 1 3X Cellular Phone Towers.asp?sit earea=PED

European Commission Scientific Committee on Emerging and Newly Identified Health **Risks** 

http://ec.europa.eu/health/ph risk/committees/04 scenihr/docs/scenihr o 022.pdf

Fairfax County, Virginia Public School Survey

http://www.fcps.edu/fts/safety-security/RFEESurvey/

UK Health Protection Agency Advisory Group on Non-Ionizing Radiation

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb C/1317133826368

Norwegian Institute of Public Health

http://www.fhi.no/dokumenter/545eea7147.pdf





SAC Wireless, LLC on behalf of AT&T Mobility, LLC Site FA – 14826478 USID – 217097 Site Name – CRAN\_RUMW\_GALCT\_005 (MRUMW030146)

1701 WEST 71ST STREET RICHFIELD, MN 55423

Legal Address: 7100 JAMES AVE

Latitude: N44-52-27.88 Longitude: W93-18-03.74 Structure Type: Light Pole

Report generated date: May 3, 2019

Report by: Yasir Alqadhili Customer Contact: Ryan Peck

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

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#### 1 General Site Summary

#### 1.1 Report Summary

| AT&T Mobility, LLC                         | Summary  |
|--|--|
| Max Cumulative Simulated RFE Level on the  | 9,890.0% General Public Limit at antenna level |
| Antenna Level                              |  |
| Max Cumulative Simulated RFE Level on the  | <1% General Public Limit                       |
| Ground                                     |  |
| Compliant per FCC Rules and Regulations?   | Will Be Compliant                              |
| Compliant per AT&T Mobility, LLC's Policy? | No   |

The following documents were provided by the client and were utilized to create this report:

RFDS: 217097\_CRAN\_RUMW\_GALCT\_005\_MRUMW030146\_RFDS 4.16.19

**CD's:** 217097\_CRAN\_RUMW\_GALCT\_005\_MRUMW030146\_ CDs REV 0

RF Powers Used: Provided by customer

#### 1.2 Fall Arrest Anchor Point Summary

| Fall Arrest<br>Anchor & | Parapet Available (Y/N) | Parapet Height (inches) | Fall Arrest Anchor<br>Available (Y/N) |
|-------------------------|-------------------------|-------------------------|---------------------------------------|
| Parapet Info            |                         |                         |                                       |
| Roof Safety Info        | N                       | N/A                     | N                                     |



#### 1.3 Signage Summary

a. Pre-Site Visit AT&T Signage (Existing Signage)

| AT&T<br>Signage<br>Locations | Information 1 | Information 2 | Notice | Notice 2 | Caution | Caution 2 | Warning | Warning 2 | Barriers |
|------------------------------|---------------|---------------|--------|----------|---------|-----------|---------|-----------|----------|
| Access                       |               |               |        |          |         |           |         |           |          |
| Point(s)                     |               |               |        |          |         |           |         |           |          |
| Alpha                        |               |               |        |          |         |           |         |           |          |
| Beta                         |               |               |        |          |         |           |         |           |          |
| Gamma                        |               |               |        |          |         |           |         |           |          |
| Delta                        |               |               |        |          |         |           |         |           |          |
| Epsilon                      |               |               |        |          |         |           |         |           |          |

Note: No Previous site visit by SiteSafe.

b. Proposed AT&T Signage

| AT&T<br>Signage<br>Locations |               | INFORMATION   | Notice | Notice No | CAUTION | CALITION  |         | *************************************** | <u>}</u> |
|------------------------------|---------------|---------------|--------|--|---------|-----------|---------|---|----------|
|                              | Information 1 | Information 2 | Notice | Notice 2   | Caution | Caution 2 | Warning | Warning 2                               | Barriers |
| Access                       |               |               |        |  |         |           |         | 2                                       |          |
| Point(s)                     |               |               |        |  |         |           |         |   |          |
| Alpha                        |               |               |        |  |         |           |         |   |          |
| Beta                         |               |               |        |  |         |           |         |   |          |
| Gamma                        |               |               |        |  |         |           |         |   |          |
| Delta                        |               |               |        |  |         |           |         |   |          |
| Epsilon                      |               |               |        |  |         |           |         |   |          |

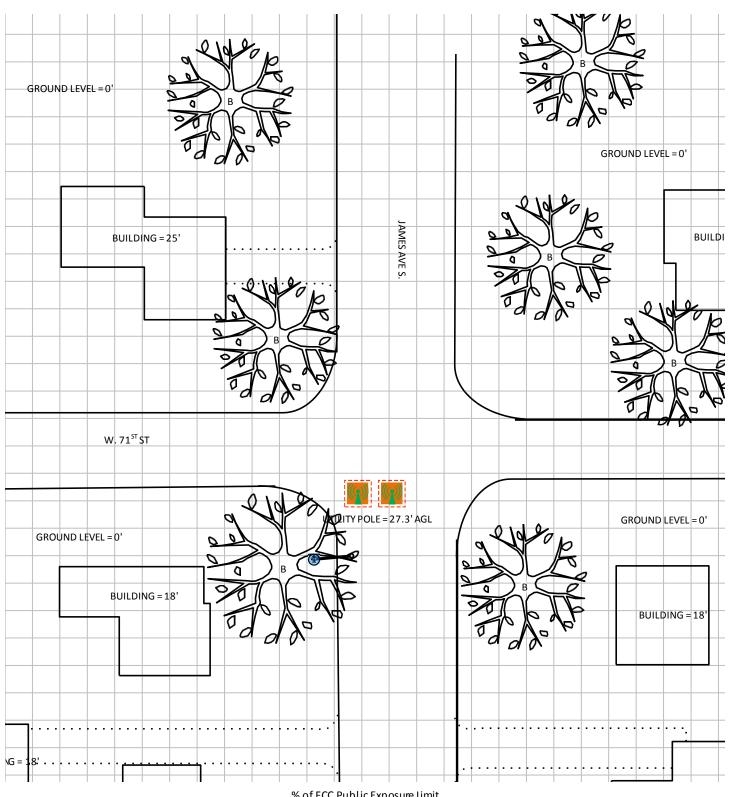


#### Scale Maps of Site 2

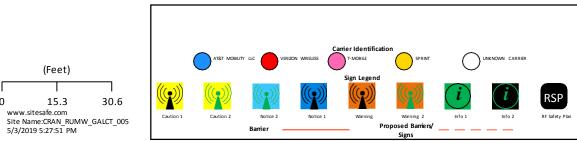
The following diagrams are included:

- Site Scale Map
- RF Exposure Diagram
- RF Exposure Diagram Elevation View





% of FCC Public Exposure Limit Spatial average 0' - 6'





#### 3 Antenna Inventory

The following antenna inventory was obtained by the customer and was utilized to create the site model diagrams:

|        |                                 |                               |      |                  |            |             | Hor         |                 |       |               |            |              |          | Total          | Ant           |       |     |     |
|--------|---------------------------------|-------------------------------|------|------------------|------------|-------------|-------------|-----------------|-------|---------------|------------|--------------|----------|----------------|---------------|-------|-----|-----|
| Ant ID | Operator                        | Antenna Make & Model          |      | TX Freq<br>(MHz) | Technology | Az<br>(Deg) | BW<br>(Deg) | Ant<br>Len (ft) |       | Power<br>Type | Power Unit | Misc<br>Loss | TX Count | ERP<br>(Watts) | Gain<br>(dBd) | Z     | MDT | EDT |
| 1      | AT&T MOBILITY LLC<br>(Proposed) | Ace Technology ACOM-2F15D-12P | Omni | 1900             | LTE        | 0           | 360         | 2               | 57.25 | TPO           | dBmW       | 0            | 1        | 2636.3         | 6.96          | 22.8' | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC<br>(Proposed) | Ace Technology ACOM-2F15D-12P | Omni | 2100             | LTE        | 0           | 360         | 2               | 57.95 | TPO           | dBmW       | 0            | 1        | 3243.4         | 7.16          | 22.8' | 0°  | 0°  |
| 1      | AT&T MOBILITY LLC<br>(Proposed) | Ace Technology ACOM-2F15D-12P | Omni | 5150             | LTE        | 0           | 360         | 2               | 34.95 | TPO           | dBmW       | 0            | 1        | 5.4            | 2.36          | 22.8' | 0°  | 0°  |

Note: The Z reference indicates the bottom of the antenna height above the main site level unless otherwise indicated. Effective Radiated Power (ERP) is provided by the operator or based on Sitesafe experience. The values used in the modeling may be greater than are currently deployed. For other operators at this site the use of "Generic" as an antenna model or "Unknown" for a wireless operator means the information with regard to operator, their FCC license and/or antenna information was not available nor could it be secured while on site. Other operator's equipment, antenna models and powers used for modeling are based on obtained information or Sitesafe experience.



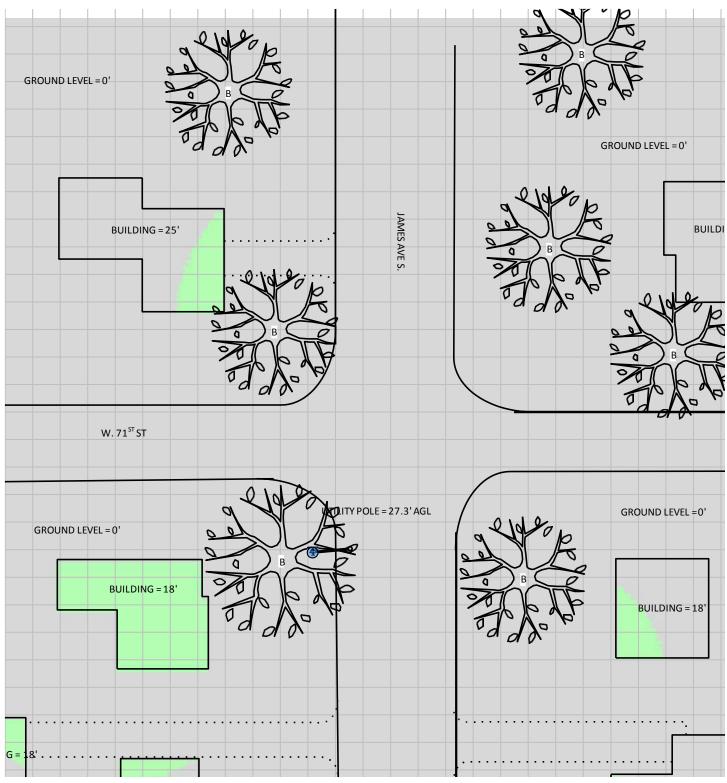
#### 4 Emission Predictions

In the RF Exposure Simulations below all heights are reflected with respect to main site level. In most rooftop cases this is the height of the main rooftop and in other cases this can be ground level. Each different height area, rooftop, or platform level is labeled with it s height relative to the main site level. Emissions are calculated appropriately based on the relative height and location of that area to all antennas. The total analyzed elevations in the below RF Exposure Simulations are listed below.

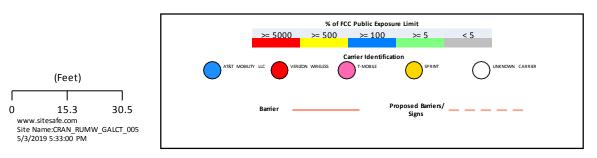
- GROUND LEVEL = 0'
- BUILDING = 18'
- BUILDING = 25'

The Antenna Inventory heights are referenced to the same level.



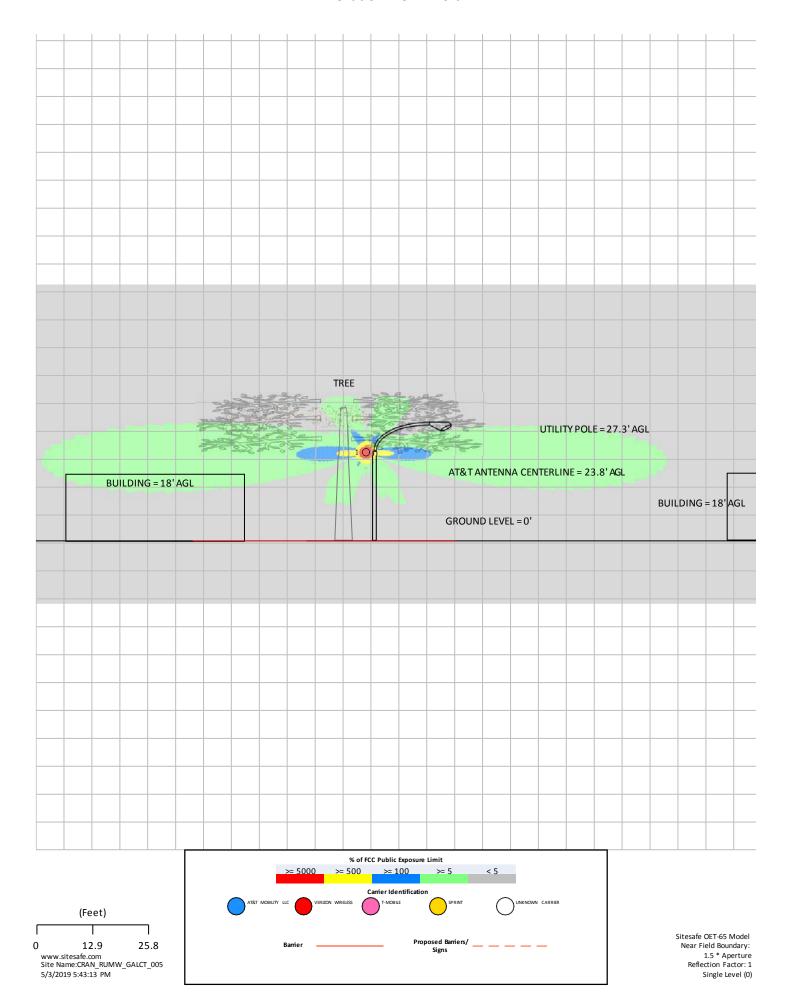


% of FCC Public Exposure Limit Spatial average 0' - 6'



Sitesafe OET-65 Model Near Field Boundary: 1.5 \* Aperture Reflection Factor: 1 Single Level (0)

#### RF Exposure Simulation For: CRAN\_RUMW\_GALCT\_005 Elevation View - North





#### **Site Compliance** 5

#### 5.1 **Site Compliance Statement**

Upon evaluation of the cumulative RF emission levels from all operators at this site, RF hazard signage and antenna locations, Sitesafe has determined that:

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

The compliance determination is based on General Public RFE levels derived from theoretical modeling, RF signage placement, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

Modeling is used for determining compliance and the percentage of MPE contribution.

#### 5.2 **Actions for Site Compliance**

Based on FCC regulations, common industry practice, and our understanding of AT&T Mobility, LLC RF Safety Policy requirements, this section provides a statement of recommendations for site compliance. Recommendations have been proposed based on our understanding of existing access restrictions, signage, and an analysis of predicted RFE levels.

AT&T Mobility, LLC will be made compliant if the following changes are implemented:

#### Option 1:

#### **Utility Pole Access Location**

- Place 2 Warning 2 signs opposite each other on the mounting structure (pole) 6' below the bottom tip of the antenna. The top of each sign must be positioned at the bottom distance.
- Notification letter to the homeowner(s) of the potential for exposure limits to be exceeded in elevated parts of the tree at the antenna level and if any work needs to be completed where someone would be working on the tree at antenna level then ATT should be notified prior to any work starting so they can power down the antenna(s).

#### Option 2:

#### **Utility Pole Access Location**

- Place 2 Warning 2 signs opposite each other on the mounting structure (pole) 6' below the bottom tip of the antenna. The top of each sign must be positioned at the bottom distance.
- Work with the homeowner to cut the tree down.

#### Option 3:

SiteSafe recommends reducing the power deployed at the antenna to reach At&T roles and achieve the 16' SD role.

#### Option 4:

SiteSafe recommends moving the antenna to a different pole.



#### Notes:

- The area with the potential to exceed the General Public MPE limits is extends beyond 16' from the antenna. Sitesafe would normally recommend the appropriate RF signage on the structure at the vertical safe distance below the antenna; however, per AT&T's signage policy, no signage should be recommended in this instance and controlled access to the structure should be implemented by AT&T and the structure owner.
- AT&T Mobility, LLC will determine the appropriate signage size for the 27' Safety Distance.
- Signage may already be in place. Sitesafe does not have record of any existing signage because there were no previous visits or data supplied regarding them. All remediation is based on a worst-case scenario.
- Any existing signage that conflicts with the proposed signage in this report should be removed per AT&T Signage Posting Rules.



#### 6 Reviewer Certification

The reviewer whose signature appears below hereby certifies and affirms:

That I am an employee of Site Safe, LLC, in Vienna, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Yasir Alqadhili.

May 3, 2019

Young Min Kim



#### Appendix A – Statement of Limiting Conditions

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, that Sitesafe became aware of during the normal research involved in creating this report. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data collected by Sitesafe provided by a second party and data collected by Sitesafe, the data will be used.



#### Appendix B - Regulatory Background Information

#### **FCC Rules and Regulations**

In 1996, the Federal Communications Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

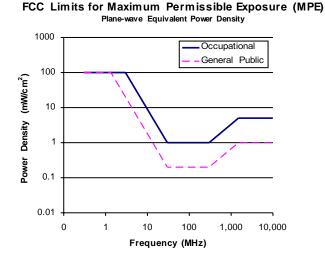
FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to accessible areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:



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#### Limits for Occupational/Controlled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E)<br>(V/m) | Magnetic<br>Field<br>Strength<br>(H) (A/m) | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E  <sup>2</sup> ,<br> H  <sup>2</sup> or S (minutes) |
|-----------------------------|--|--|----------------------------------|--|
| 0.3-3.0                     | 614  | 1.63                                       | (100)*                           | 6  |
| 3.0-30                      | 1842/f                                     | 4.89/f                                     | (900/f <sup>2</sup> )*           | 6  |
| 30-300                      | 61.4                                       | 0.163                                      | 1.0                              | 6  |
| 300-1500                    |  |  | f/300                            | 6  |
| 1500-<br>100,000            |  |  | 5                                | 6  |

#### Limits for General Population/Uncontrolled Exposure (MPE)

| Frequency<br>Range<br>(MHz) | Electric<br>Field<br>Strength (E) | Magnetic<br>Field<br>Strength | Power<br>Density (S)<br>(mW/cm²) | Averaging Time  E 2,<br> H 2 or S (minutes) |
|-----------------------------|-----------------------------------|-------------------------------|----------------------------------|---|
|                             | (V/m)                             | (H) (A/m)                     |                                  |   |
| 0.3-1.34                    | 614                               | 1.63                          | (100)*                           | 30  |
| 1.34-30                     | 824/f                             | 2.19/f                        | (180/f <sup>2</sup> )*           | 30  |
| 30-300                      | 27.5                              | 0.073                         | 0.2                              | 30  |
| 300-1500                    |                                   |                               | f/1500                           | 30  |
| 1500-                       |                                   |                               | 1.0                              | 30  |
| 100,000                     |                                   |                               |                                  |   |

f = frequency in MHz

\*Plane-wave equivalent power density

#### **OSHA Statement**

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

- (a) Each employer -
  - (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
  - (2) shall comply with occupational safety and health standards promulgated under this Act.
- (b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lockout/Tagout procedure aimed to control the unexpected energization or startup of machines when maintenance or service is being performed.



#### Appendix C - Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

General Maintenance Work: Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a worker's understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet-based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

- Locked door or gate
- Alarmed door
- Locked ladder access
- Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

**RF Signage:** Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 4 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst-case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.



#### Appendix D - RF Emissions

The RF Emissions Simulation(s) in this report display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as prescribed in OET Bulletin 65 and assumptions detailed in Appendix E.

The key at the bottom of each RF Emissions Simulation indicates percentages displayed referenced to FCC General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- Areas indicated as Gray are predicted to be below 5% of the MPE limits. Gray represents areas more than 20 times below the most conservative exposure limit. Gray areas are accessible to anyone.
- Green represents areas are predicted to be between 5% and 100% of the MPE limits. Green areas are accessible to anyone.
- Blue represents areas predicted to exceed the General Public MPE limits but are less than Occupational limits. Blue areas should be accessible only to RF trained workers.
- Yellow represents areas predicted to exceed Occupational MPE limits. Yellow areas should be accessible only to RF trained workers able to assess current exposure levels.
- Red represents areas predicted to have exposure more than 10 times the
  Occupational MPE limits. Red indicates that the RF levels must be reduced prior to
  access. An RF Safety Plan is required which outlines how to reduce the RF energy in
  these areas prior to access.

If trained occupational personnel require access to areas that are delineated as above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.



#### Appendix E – Assumptions and Definitions

#### General Model Assumptions

In this site compliance report, it is assumed that all antennas are operating at full power at all times. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The modeling is based on recommendations from the FCC's OET-65 bulletin with the following variances per AT&T guidance. Reflection has not been considered in the modeling, i.e. the reflection factor is 1.0. The near / far field boundary has been set to 1.5 times the aperture height of the antenna and modeling beyond that point is the lesser of the near field cylindrical model and the far field model taking into account the gain of the antenna.

The site has been modeled with these assumptions to show the maximum RF energy density. Areas modeled with exposure greater than 100% of the General Public MPE level may not actually occur but are shown as a prediction that could be realized. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

#### **Use of Generic Antennas**

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.



#### Appendix F - Definitions

**5% Rule** – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible for taking corrective actions to bring the site into compliance.

**Compliance** – The determination of whether a site complies with FCC standards with regards to Human Exposure to Radio Frequency Electromagnetic Fields from transmitting antennas.

**Decibel (dB)** – A unit for measuring power or strength of a signal.

**Duty Cycle** – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

**Effective (or Equivalent) Isotropic Radiated Power (EIRP)** – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

**Effective Radiated Power (ERP)** – The product of the power supplied to the antenna and the antenna gain in a given direction relative to a half-wave dipole antenna.

**Gain (of an antenna)** – The ratio of the maximum power in a given direction to the maximum power in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antenna as compared to an omnidirectional antenna.

**General Population/Uncontrolled Environment** – Defined by the FCC as an area where RF exposure may occur to persons who are **unaware** of the potential for exposure and who have no control over their exposure. General Population is also referenced as General Public.

**Generic Antenna** – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use its industry specific knowledge of antenna models to select a worst-case scenario antenna to model the site.

**Isotropic Antenna** – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.

**Maximum Measurement** – This measurement represents the single largest measurement recorded when performing a spatial average measurement.

**Maximum Permissible Exposure (MPE)** – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.



Occupational/Controlled Environment - Defined by the FCC as an area where RF exposure may occur to persons who are aware of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

OET Bulletin 65 - Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of RF exposure on humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit www.osha.gov.

Radio Frequency Exposure or Electromagnetic Fields – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy a 6-foot tall human body will absorb while present in an electromagnetic field of energy.

Transmitter Power Output (TPO) - The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



#### Appendix G - References

The following references can be followed for further information about RF Health and Safety.

Site Safe, LLC

http://www.sitesafe.com

FCC Radio Frequency Safety

http://www.fcc.gov/encyclopedia/radio-frequency-safety

National Council on Radiation Protection and Measurements (NCRP)

http://www.ncrponline.org

Institute of Electrical and Electronics Engineers, Inc., (IEEE)

http://www.ieee.org

American National Standards Institute (ANSI)

http://www.ansi.org

Environmental Protection Agency (EPA)

http://www.epa.gov/radtown/wireless-tech.html

National Institutes of Health (NIH)

http://www.niehs.nih.gov/health/topics/agents/emf/

Occupational Safety and Health Agency (OSHA)

http://www.osha.gov/SLTC/radiofrequencyradiation/

International Commission on Non-Ionizing Radiation Protection (ICNIRP)

http://www.icnirp.org

World Health Organization (WHO)

http://www.who.int/peh-emf/en/

National Cancer Institute

http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones

American Cancer Society (ACS)

http://www.cancer.org/docroot/PED/content/PED 1 3X Cellular Phone Towers.asp?sit earea=PED

European Commission Scientific Committee on Emerging and Newly Identified Health Risks

http://ec.europa.eu/health/ph risk/committees/04 scenihr/docs/scenihr o 022.pdf

Fairfax County, Virginia Public School Survey

http://www.fcps.edu/fts/safety-security/RFEESurvey/

UK Health Protection Agency Advisory Group on Non-lonizing Radiation

http://www.hpa.ora.uk/webw/HPAweb&HPAwebStandard/HPAweb C/1317133826368

Norwegian Institute of Public Health

http://www.fhi.no/dokumenter/545eea7147.pdf



## **Planning Commission Minutes**

July 22, 2019

MEMBERS PRESENT: Chairperson Allysen Hoberg, Commissioners Bryan Pynn, Sean Hayford Oleary,

Peter Lavin, James Rudolph, and Kathryn Quam

MEMBERS ABSENT: Commissioner Susan Rosenberg

STAFF PRESENT: Matt Brillhart, Associate Planner

Sadie Gannett, Assistant Planner

OTHERS PRESENT: Andrew Biggerstaff, Kennedy & Graven (City Attorney's office)

See attached sign-in sheet for additional speakers

Chairperson Hoberg called the meeting to order at 7:00 p.m.

#### **APPROVAL OF MINUTES**

M/Rudolph, S/Pynn to approve the minutes of the May 29, 2019 meeting.

Motion carried: 6-0

#### **OPEN FORUM**

No members of the public spoke.

#### ITEM #1 APPROVAL OF AGENDA

M/Lavin, S/Pynn to approve the agenda.

Motion carried: 6-0

#### **PUBLIC HEARING(S)**

**ITEM #2** 

19-VAR-04 – Consideration of a request for variances to allow construction of an attached garage addition at 2015 Forest Drive.

Associate Planner Matt Brillhart presented the staff report.

M/Pynn, S/Rudolph to close the public hearing.

Motion carried: 6-0

M/Lavin, S/Pynn to recommend approval of the conditional use permit for a restaurant at 7120

Chicago Avenue S. *Motion carried: 6-0* 

#### ITEM #3

19-CUP-03 -04 -05 -06 -07 -08 -09— Consideration of a request for conditional use permits to allow small wireless facilities at multiple addresses throughout the city.

Assistant Community Development Director Melissa Poehlman presented the staff report, adding that the site adjacent to 7116 Lyndale may be changed to 7108 Lyndale, due to a relocated light pole as part of the Lyndale Avenue reconstruction project.

Public hearing speakers (see attached sign-in sheet) asked questions regarding the definition of "co-location", potential costs to the public, and potential health risks of 5G wireless signals.

M/Quam, S/Rudolph to close the public hearing.

Motion carried: 6-0

Poehlman clarified that AT&T was the only applicant at this time, and other carriers could apply for other locations in the future. She stated that "collocate" means using or replacing an existing pole primarily used for street lighting or public utilities, rather than installing a separate pole for exclusive use to support wireless facilities.

Commissioner Hayford Oleary inquired if multiple carriers can be required to use the same pole vs. each provider needing a separate pole. Poehlman clarified that it was not a requirement that the carriers would need to share a single pole vs. separate.

Regarding questions of health, Poehlman stated that the State Legislature and Federal government have tied cities' hands and limited the ability to stop these facilities. The Federal government has decided on the question of health impacts. Poehlman further stated that the Planning Commission's discretion in this CUP process was largely limited to questions of neighborhood character, by potentially regulating the quantity/frequency of pole locations.

Commissioner Lavin inquired if the City could limit installations around residents with known electromagnetic sensitivity.

Addressing general health questions, Andrew Biggerstaff (City Attorney's office) stated that to reject an application, the City would have to show that the federal government ruling (on health impacts) is wrong. To Commissioner Lavin's question, Biggerstaff stated that the city can impose "reasonable conditions" on any CUP, but what those conditions are, and how sensitivities could be proven, what documentation the City would require from residents making that claim would all need further analysis.

Commissioner Hayford Oleary inquired if the Commission could amend the findings to state that this is reasonable *because* it uses existing poles, as compared to adding a large number of additional poles to a block?

Responding to a number of questions from the Commission, the AT&T representative clarified that each carrier's equipment would likely be on separate poles, due to equipment capacity on each pole, as well as interference. Poles or equipment would have identification stickers.

Commissioner Hoberg – Do customers contact you regarding gaps in coverage or how is that identified? ATT rep - Both customer feedback as well as monitoring our own network for gaps. Commissioner Rudolph inquired about the 5G buildout timeline.

ATT rep – investment is limited by capital, and they will analyze network after this installation. Rudolph – At what distance would another provider's equipment interfere? ATT rep – don't have exact number.

Commissioner Lavin – Do we have schedule/plan of how densely these poles can be located? Would it be 2 per block, 3 per block, etc. Poehlman – nothing in code regarding spacing. Biggerstaff – The Legislature may also prohibit separation requirements, but we will have to confirm.

Lavin – Can we relay suggestions to City Council regarding placement near those with sensitivity? Poehlman – We can continue to study this. There would have to be some standards as to a safe radius, a list of health concerns, etc.

July 22, 2019

M/Hayford Oleary, S/Pynn to recommend approval of conditional use permits, amending Finding #2 to state that the applications are not counter to the Comprehensive Plan's aesthetic criteria because there is not currently an excessive concentration of small wireless facilities in these locations.

Motion carried: 6-0

Poehlman clarified for the Commission the limited aspects staff would be studying, rather than studying the health impacts of 5G generally.

#### LIAISON REPORTS

Community Services Advisory Commission: Commissioner Pynn discussed park improvements. City Council: No report.

HRA: Commissioner Quam gave an update on the first-time homebuyer program.

Richfield School Board: Commissioner Rudolph gave an update on the school construction projects. Transportation Commission: Commissioner Hayford Oleary gave an update on Lyndale Avenue reconstruction and announced a bike ride event with the Mayor, taking place on 66th Street. Chamber of Commerce: Commissioner Lavin provided an update on Chamber of Commerce activities and events.

#### **CITY PLANNER'S REPORT**

Poehlman noted that the 2040 Comprehensive Plan was nearing final approval by the Metropolitan Council and noted the Urban Wildland race taking place on July 27.

#### **ADJOURNMENT**

M/Rudolph, S/Pynn to adjourn the meeting.

The meeting was adjourned by unanimous consent at 8:38 p.m.

Motion carried: 6-0

Planning Commission Secretary

AGENDA SECTION:
AGENDA ITEM#

RESOLUTIONS

7.



# STAFF REPORT NO. 98 CITY COUNCIL MEETING 8/13/2019

REPORT PREPARED BY: Katie Rodriguez, City Manager

DEPARTMENT DIRECTOR REVIEW: Katie Rodriguez, City Manager

8/7/2019

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager

8/7/2019

#### ITEM FOR COUNCIL CONSIDERATION:

Consideration of the adoption of a resolution appointing a representative to the Board of Directors of the Richfield Tourism Promotion Board.

#### **EXECUTIVE SUMMARY:**

On June 25, 1990 the City Council approved an ordinance to levy a 3% tax on gross receipts of lodging from Richfield Hotels and Motels pursuant to Minnesota Statutes. The establishment of the Richfield Tourism Promotion Board, Inc (RTPB) and the appointment of directors was also a part of the resolution. Currently, there are five director positions on the RTPB. The term of each appointment is for three years.

Current appointments to the RTPB and the ending dates of their terms are as follows:

- 1. Gordon Vizecky, representing the Richfield Chamber of Commerce, term ending December 31, 2019.
- 2. Raj Bhakta, General Manager of Baymont Suites, term ending December 31, 2021.
- 3. Whitney Bain, General Manager of Candlewood Suites, term ending December 31, 2021.
- 4. Tony Lawler, Regional Operations Manager for Empire Hotels Group which owns Four Points by Sheraton, term ending December 31, 2021.
- 5. Vacant.

The vacant position was formerly filled by a Motel 6 representative: the property was acquired and vacated as part of the 77th Underpass project. The RTPB amended their bylaws on March 12, 2019 to fill the position with a citizen representative. RTPB recruited candidates in March and interviewed 3 candidates at their April 2019 meeting. They are recommending Lisa Rudolph.

Lisa is an active volunteer in the City of Richfield and currently serves as Chair of the Community Services Commission. Since much of Richfield's tourism is generated by Recreation Services events, she should be a strong addition to the RTPB.

The agreement with RTPB is almost 30 years old and due to be updated. Staff will present several recommendations to strengthen and update the agreement at a future work session, tentatively scheduled for September 10, 2019. One of the recommendations is to increase citizen representation on RTPB which is consistent with this recommended appointment.

The action is to appoint Lisa Rudolph to a term ending December 31, 2021.

#### **RECOMMENDED ACTION:**

By motion: Adopt a resolution appointing Lisa Rudolph to the Board of Directors of the Richfield Tourism Promotion Board, Inc.

#### **BASIS OF RECOMMENDATION:**

#### A. HISTORICAL CONTEXT

This information is contained in the Executive Summary.

#### B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

The City Council has the authority to make appointments to the RTPB.

#### C. CRITICAL TIMING ISSUES:

Since the RTPB is a relatively small board the Council should make the appointment to make it easier to ensure a quorum of the Board, allowing RTPB to continue to conduct their business.

#### D. **FINANCIAL IMPACT**:

There is no cost to the City in making the appointment.

#### E. LEGAL CONSIDERATION:

The appointment conforms to City ordinance and bylaws of the RTPB.

#### **ALTERNATIVE RECOMMENDATION(S):**

The Council could choose not to appoint Lisa Rudolph but that would make it more difficult for RTPB to conduct their business.

#### PRINCIPAL PARTIES EXPECTED AT MEETING:

#### **ATTACHMENTS:**

D

Description Type
Resolution Cover Memo

#### **RESOLUTION NO.**

## RESOLUTION APPOINTING AT-LARGE CITIZEN DIRECTOR TO THE BOARD OF DIRECTORS OF THE RICHFIELD TOURISM PROMOTION BOARD, INC.

**WHEREAS**, the City of Richfield has levied a 3% tax on the gross receipts of lodging from hotels and motels in the City pursuant to Minnesota Statute Section 469.190; and

**WHEREAS**, Minnesota Statute Section 469.190 authorizes the proceeds of the tax to fund a Tourism Promotion Board for the purpose of marketing and promoting the City as a tourist or convention center; and

**WHEREAS**, the RTPB amended their bylaws to create an at-large citizen director position at their meeting on March 12, 2019.

**WHEREAS**, the articles and bylaws of the Richfield Tourism Promotion Board, Inc. provide the City Council of the City of Richfield appoint five (5) directors to the Board representing the Richfield hotel-motel properties, the Richfield Chamber of Commerce and an at-large representative from the community of Richfield; and

**WHEREAS**, each director shall serve as a director until his or her successor has been appointed and has qualified, or until his or her earlier disqualification, death, resignation, or removal; and

**WHEREAS**, the RTPB recommends Lisa Rudolph to be appointed to the at-large citizen director position.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Richfield, Minnesota, that the Richfield Tourism Promotion Board directors be modified as follows:

Appoint Lisa Rudolph to the Richfield Tourism Promotion Board to complete a three-year term ending December 31, 2021.

Adopted by the City Council of the City of Richfield, Minnesota, this 13th day of August, 2019.

| ATTEST:                        | Maria Regan Gonzalez, Mayor |
|--------------------------------|-----------------------------|
| Elizabeth VanHoose, City Clerk |                             |