

**CITY OF WHEAT RIDGE, COLORADO  
INTRODUCED BY COUNCIL MEMBER OHM  
COUNCIL BILL NO. 10  
ORDINANCE NO. 1740  
Series 2022**

**TITLE: AN ORDINANCE APPROVING A SITE LEASE AGREEMENT WITH T-MOBILE WEST, LLC FOR USE OF THE MUNICIPAL BUILDING CELLULAR TOWER**

**WHEREAS**, the City of Wheat Ridge, Colorado (the “City”), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution and governed by its elected City Council; and

**WHEREAS**, the City Council has authority to approve leases for uses of City property; and

**WHEREAS**, the Council wishes to approve a lease with T-Mobile West, LLC for use of the municipal building cellular tower, subject to terms and conditions of said lease; and

**WHEREAS**, the initial term of the lease agreement shall be five (5) years commencing on the first day of the month following acceptance by the City of the new monopole tower on the facility; and

**WHEREAS**, the initial term shall automatically renew for two (2) successive renewal terms of five (5) years each, with the opportunity for successive five (5) year terms thereafter with the with mutual and written agreement of and with both parties; and

**WHEREAS**, upon the commencement date, T-Mobile West, LLC shall pay the City of Wheat Ridge rent in the amount of three thousand five hundred dollars (\$3,500) per month.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1. Lease approved.** The lease between the City of Wheat Ridge and T-Mobile West, LLC attached hereto as **Exhibit A**, is hereby approved, and the Mayor and City Clerk are authorized and directed to execute the same, in form approved by the City Attorney.

**Section 2. Effective date.** This Ordinance shall take effect upon adoption and signature by the Mayor, as permitted by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 13th day of June, 2022, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for June

27, 2022 at 7:00 p.m., as a virtual meeting and in Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado if allowed to meet in person on that date per COVID-19 restrictions.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 8 to 0 this 27th day of June 2022.

SIGNED by the Mayor on this 5 day of July, 2022.



\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:



\_\_\_\_\_  
Stephen Kirkpatrick, City Clerk

Approved as to Form



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Gerald E. Dahl, City Attorney

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**EXHIBIT A**

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