

INTRODUCED BY COUNCIL MEMBER STITES
COUNCIL BILL NO. 12
ORDINANCE NO. 1742
Series 2022

TITLE: AN ORDINANCE APPROVING A LEASE WITH NEW CINGULAR WIRELESS PCS, 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 New Cingular Wireless PCS, 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, New Cingular Wireless PCS, 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 New Cingular Wireless PCS, 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., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge,

Colorado as a virtual meeting and in Council Chambers, 7500 West 29th 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



Gerald E. Dahl, City Attorney

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EXHIBIT A

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