

**CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER HUTCHINSON
COUNCIL BILL NO. 03
ORDINANCE NO. 1755
Series 2023**

TITLE: AN ORDINANCE APPROVING THE FIRST AMENDMENT TO AMENDED AND RESTATED SITE LEASE AGREEMENT 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 has previously approved 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, upon recommendation of the Parks and Recreation Director, the lease must be amended to adjust the initiation of the Commencement Date and to provide a mechanism for minor amendments to the lease.

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


Section 1. First Amendment to Site Lease Agreement Approved. The First Amendment to Site Lease Agreement 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 9th day of January 2023, 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 January 23, 2023, at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 0, this 23rd day of January 2023.

SIGNED by the Mayor on this 24th day of January 2023.



Bud Starker, Mayor

ATTEST:



Stephen Kirkpatrick, City Clerk

Approved as to Form



Gerald E. Dahl, City Attorney

First Publication: January 12, 2023
Second Publication: January 26, 2026
Jeffco Transcript
Effective Date: January 23, 2023



Published:
Jeffco Transcript and www.ci.wheatridge.co.us

EXHIBIT A

FIRST AMENDMENT TO SITE LEASE AGREEMENT