

INCORPORATED COUNTY OF LOS ALAMOS ORDINANCE NO. 730

AN ORDINANCE RATIFYING AND AUTHORIZING AMENDMENT OF A LEASE WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS FOR REPLACEMENT OF EXISTING ANTENNA COLLOCATION AND FACILITIES AT 280 NORTH MESA ROAD, LOS ALAMOS, ON THE BARRANCA NORTH MESA WATER TOWER

WHEREAS, the Incorporated County of Los Alamos ("County") entered into a Lease for Antenna Collocation and Facilities Site ("Lease") with Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless ("Verizon") on July 21, 2005, for the placement and use of certain wireless telecommunication equipment on the Barranca North Mesa Water Tower ("Water Tower"); and

WHEREAS, the leased space is located at 280 North Mesa Road, Los Alamos, New Mexico 87544 ("Property") and includes both ground equipment and certain antennas on County's Water Tower; and

WHEREAS, Cellco Partnership ("Cellco") became a successor in interest of the Lease with Verizon; and

WHEREAS, on December 12, 2022, County received a request from Cellco to modify the existing antenna equipment and Lease on the Water Tower and Property; and

WHEREAS, County has worked with Cellco since that time to identify current ground and antenna equipment, including the proposed additions and/or equipment replacements, and reviewed and approved a Cellco-produced structural analysis and engineered site plan; and

WHEREAS, the Department of Public Utilities ("DPU") and other affected departments have reviewed the proposed plans and specifications as provided by Cellco and find that the proposed Lease Amendment, attached hereto as Attachment A, is appropriate for the further improvement of wireless telecommunication services within the County.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS:

Section 1. The County Council finds ratification and Amendment of the Lease is appropriate and will improve wireless telecommunication services in the County.

Section 2. The Utilities Manager is hereby authorized to take all action necessary to carry out the amendment of the Lease with Cellco.

Section 3. Severability. Should any section, paragraph, clause or provision of this Ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after publication of notice of its adoption.

Section 5. Repealer. All other ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED AND ADOPTED this 26th day of March 2024.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS, NEW MEXICO**

**Denise Derkacs,
Council Chair**

ATTEST: (Seal)

**Naomi D. Maestas,
Los Alamos County Clerk**