

INCORPORATED COUNTY OF LOS ALAMOS ORDINANCE NO. 721

AN ORDINANCE AUTHORIZING AMENDMENT OF LEASE WITH SPRINT SPECTRUM REALTY COMPANY, LLC, A DELAWARE LIMITED LIABILITY COMPANY, SUCCESSOR-IN-INTEREST TO ALAMOS PROPERTIES, L.P. A TEXAS LIMITED PARTNERSHIP (“T-MOBILE”) FOR REPLACEMENT OF EXISTING ANTENNA COLLOCATION AND FACILITIES AT 280 NORTH MESA ROAD, LOS ALAMOS

WHEREAS, the Incorporated County of Los Alamos (“County”) entered into a Lease for Antenna Collocation and Facilities (“Lease”) with Alamos Properties, L.P. (“Alamosa”) on March 5, 2002, for the placement and use of certain wireless telecommunication equipment; 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 North Mesa Water Tower (“Water Tower”); and

WHEREAS, Sprint Spectrum Realty Company, LLC (“Sprint”) became a successor in interest of the Lease with Alamosa, and Sprint became a subsidiary of T-Mobile USA, Inc. (T-Mobile”); and

WHEREAS, on February 19, 2021, County received a request from Signal Point, a contractor for T-Mobile, to modify the existing Alamosa and Sprint ground and antenna equipment on the Property and Water Tower; and

WHEREAS, County has worked with Signal Point since that time to identify current ground and antenna equipment including the proposed additions and/or equipment replacements; and

WHEREAS, the Department of Public Utilities (“DPU”) and other affected departments have reviewed the proposed plans and specifications as provided by T-Mobile and find that the proposed amendment is necessary 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 that amendment of the Lease is necessary 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 T-Mobile.

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 Code 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 27th day of September 2022.

INCORPORATED COUNTY OF LOS ALAMOS

**Randall T. Ryti,
Council Chair**

ATTEST:

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