

RESOLUTION NO. R2016.73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, GIVING PROPERTY OWNER AUTHORIZATION TO ALLOW T-MOBILE TO APPLY FOR A USE PERMIT

WHEREAS, the City of Tempe (“Landlord”) and T-Mobile have entered into a Rooftop Lease with Option as amended (C2003-144, C2003-144A, C2003-144B) (collectively referred to as the “Amended Lease”) that allows T-Mobile to occupy rooftop space on the 525 Building for a cellular telecommunications site referred to as PH40250C; and

WHEREAS, the Landlord is the property owner of the 525 Building; and

WHEREAS, T-Mobile wishes to replace some existing antennas with new antennas and install additional antennas, new radios, cable and related equipment within the existing leased area on the rooftop; and

WHEREAS, Section 7(a) of the Lease allows the replacement and enhancement of the Antenna Facilities (as defined by the Lease) subject to the Landlord’s consent; and

WHEREAS, T-Mobile has submitted the appropriate wireless project application and will need to apply for and receive a use permit from the City of Tempe (acting in its capacity as a regulator) to do the desired modifications to the PH40250C cell site; and

WHEREAS, the use permit form requires T-Mobile to obtain the property owner’s signature indicating that authorization has been obtained from the property owner to process the application with the City of Tempe.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, HEREBY:

1. Gives consent as the property owner of the 525 Building to allow T-Mobile to apply for a use permit to replace some existing antennas with new antennas and install additional antennas and new radios within the existing leased area on the rooftop.
2. Authorizes the City Manager or designee to sign the Property Owner Authorization indicating the City’s consent to allow T-Mobile to apply for such use permit.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this ____ day of _____, 2016.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney