

RESOLUTION NO. 5774-24

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR SMALL CELL WIRELESS FACILITIES IN THE RIGHTS-OF-WAY WITH CROWN CASTLE FIBER, LLC.

WHEREAS, Tualatin Municipal Code (TMC) Chapter 3-06 (Utility Facilities in the Rights-of Way) authorizes utility facilities in the rights-of-way under certain conditions;

WHEREAS, the City, as owner of certain municipal facilities in its proprietary capacity, has authority to allow Utility Operators the ability to attach small cell wireless facilities to City poles in the rights-of-way;

WHEREAS, the purpose of this Agreement is to allow Crown Castle Fiber, LLC to place small cell wireless facilities on City-owned poles and other structures; and to fix the compensation for such occupancy and use; which does not offset any other taxes and fees to which potential Lessees are subject;

WHEREAS, the Agreement is in the public interest as the Agreement provides telecommunication providers the means to improve cellular and data coverage to small geographic areas;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

**Section 1.** The City Manager is authorized to execute a Lease Agreement for City Facilities in the Right-os-Way, which is attached as Exhibit 1, and incorporated by reference.

**Section 2.** The City Manager is authorized to make administrative modifications to the Lease Agreement to fully implement its intent.

**Section 3.** This resolution is effective upon adoption.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder