

ORDINANCE

AUTHORIZING THE EXECUTION OF A JOINT USE AGREEMENT (JUA) WITH CITY PUBLIC SERVICE BOARD OF SAN ANTONIO (CPS ENERGY) AND APPROVING THE REIMBURSEMENT TO CPS IN AN AMOUNT NOT TO EXCEED \$2,500,000 TO ACCOMMODATE UTILITY UPGRADES AT SAN ANTONIO INTERNATIONAL AIRPORT.

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WHEREAS, electrical utility upgrades are required to support the construction of the new terminal and enabling projects at San Antonio International Airport; and

WHEREAS, City and CPS Energy have negotiated a Joint Use Agreement which provides CPS Energy access to designated portions of airport property to allow for the installation and maintenance of underground electrical lines, facilities, and directly related appurtenances; and

WHEREAS, the JUA also provides for CPS Energy to engineer, purchase and construct the facilities and for the City to reimburse CPS Energy for the actual costs therefor in an amount not to exceed \$2,500,000; and

WHEREAS, this Ordinance authorizes the execution of a JUA with CPS Energy to accommodate utility upgrades for the San Antonio International Airport and approves the reimbursement to CPS Energy in an amount not to exceed \$2,500,000; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee is authorized to execute a Joint Use Agreement with the City Public Service Board (CPS Energy) to accommodate utility upgrades for the San Antonio International Airport and approves the reimbursement to CPS Energy in an amount not to exceed \$2,500,000, a copy of the JUA is set out in **Exhibit 1**.

SECTION 2. Funds for this ordinance in the amount of \$1,665,000.00 are authorized to be appropriated in Fund 51005012, Project AV-00026, WBS Element AV-00026-01-01-46 and GL Account 6102100.

SECTION 3. Funds for this ordinance in the amount of \$1,665,000.00 are authorized to be appropriated in Fund 51099000, Project 33-03344, WBS Element 33-03344-90-19-01 and GL Account 6101100.

SECTION 4. Funds for this ordinance in the amount of \$1,665,000.00 are authorized to be appropriated in Fund 51099000, Project 33-03344, WBS Element 33-03344-05-02-01 and GL Account 5201140.

SECTION 5. Funds for this ordinance in the amount of \$835,000.00 are available from previously appropriated funds in Fund 51099000, Project 33-03344, WBS Element 33-03344-05-02-01 and GL Account 5201140.

SECTION 6. Payment not to exceed \$2,500,000.00 in reimbursements is authorized to be encumbered with a purchase order and made payable to CPS Energy. Payment is in support to accommodate utility upgrades for the San Antonio International Airport. Funding is provided by interim airport financing and is included in the FY 2025 - FY 2030 CIP Budget.

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 8. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this 5th day of December 2024.

MAYOR
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

KRH
12/05/2024
Item No.

**THIS IS A DRAFT AND WILL BE REPLACED BY
THE FINAL, SIGNED ORDINANCE OR
RESOLUTION ADOPTED BY CITY COUNCIL.**

Exhibit 1