

## ORDINANCE

### **APPROVING A NON-EXCLUSIVE RIGHT-OF-WAY LICENSE AGREEMENT WITH BLUEBONNET FIBER FOR THE PROVISION OF BROADBAND INTERNET ACCESS SERVICE.**

\* \* \* \* \*

**WHEREAS**, communications providers typically gain access to the City's right-of-way under state law: cable and video providers gain access under Chapter 66 of the Texas Utilities Code, certificated telecommunications providers gain access under Chapter 283 of the Texas Local Government Code, and network providers gain access under Chapter 284 of the Texas Local Government Code; and

**WHEREAS**, under state law, cable and video providers, certificated telecommunications providers, and network providers are not required to enter into right-of-way license agreements with the municipalities in which they install their communications networks; and

**WHEREAS**, communications providers that do not gain access to the right-of-way under state law must enter into a right-of-way (ROW) license agreement with the City; and

**WHEREAS**, the proposed Right-of-Way License Agreement with Bluebonnet Fiber is patterned after prior broadband internet ROW license agreements; and

**WHEREAS**, the City's and Centric Fiber, LLC's, respective rights, duties and obligations are set forth in the proposed Right-Of-Way License Agreement; **NOW THEREFORE:**

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

**SECTION 1.** The License Agreement between the City of San Antonio and Bluebonnet Fiber is approved in substantially the same form as it appears in Exhibit A.

**SECTION 2.** The City Manager or designee is hereby authorized to execute the License Agreement and any and all documents necessary to fulfill the purpose and intent of this Ordinance.

**SECTION 3.** Funds received for this ordinance for License Agreement fees will be deposited in Fund \_\_\_\_\_, Internal Order \_\_\_\_\_ and General Ledger \_\_\_\_\_.

**SECTION 4.** 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This ordinance is effective immediately upon the receipt of eight affirmative votes, or in the event eight affirmative votes are not received, on the tenth day after passage.

SZ  
06/12/25  
Item No. \_\_\_\_

**PASSED AND APPROVED** this \_\_\_\_ day of June, 2025.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

SZ  
06/12/25  
Item No. \_\_\_\_

# **EXHIBIT A**

## **(ROW License Agreement)**