

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

ORDINANCE

**AUTHORIZING A 10-YEAR LICENSE AGREEMENT GRANTING THE
UNIVERSITY OF TEXAS AT SAN ANTONIO (UTSA) THE USE AND
OCCUPANCY OF A CITY OF SAN ANTONIO ITSD CONDUIT SYSTEM
FOR AN IN-KIND INSTALLATION OF 144 STRANDS OF FIBER BY
UTSA THAT WOULD SUPPORT THE CITY OF SAN ANTONIO'S
REDUNDANT CONNECTIVITY FOR THE DOWNTOWN CORRIDOR.**

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WHEREAS, as part of a long term vision and strategy to expand the University of Texas at San Antonio ("UTSA") downtown San Antonio campus, UTSA is constructing its new School of Data Science and National Security Collaboration Center ("**SDC/NSCC**") on property formerly owned by the City; and

WHEREAS, the City and UTSA recognized the long term benefit to both Parties that will be achieved through UTSA's Downtown Campus expansion, and UTSA is in the process of purchasing such property from City under that certain *Master Development, Purchase, and Sale Agreement* entered into by the Parties effective as of April 13, 2020; and

WHEREAS, the City currently owns and maintains an underground conduit system that will allow high-speed data optic fiber to be pulled through the conduit and meet the high-speed data connectivity needs of UTSA; and

WHEREAS, UTSA will extend its fiber optic network from its new campus to its legacy campus as part of its campus expansion project which requires high-speed data connectivity between SDC/NSCC and its existing Downtown Campus Facilities to ensure SDS/NSCC maintains state of the art technology required to operate the facilities; and

WHEREAS, no revenue will be received for this use, however, an in-kind agreement where UTSA will install a 144-strand fiber cable from a City of San Antonio manhole adjacent to 506 Dolorosa, passing through the new UTSA main communications room and ending in a City manhole on Nueva Street; **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 the University of Texas at San Antonio is hereby approved in substantially the same form as it appears in **ATTACHMENT I**.

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. No revenue will be received for this use, instead an in-kind installation of 144 strands of fiber by UTSA that would support the City of San Antonio's redundant connectivity for the downtown corridor.

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 receipt of eight affirmative votes; otherwise, it is effective 10 days after passage.

PASSED AND APPROVED this 16th day of December, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, Acting City Clerk

Andrew Segovia, City Attorney

ATTACHMENT I

DRAFT