

AN ORDINANCE 2015-04-16-0310

**DECLARING A WIRELESS TELECOMMUNICATIONS TOWER AT SAN ANTONIO INTERNATIONAL AIRPORT AS SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE TERMINATION OF THE EXISTING TOWER LEASE AGREEMENT AND EXPEDITED DEMOLITION OF SUCH TOWER.**

\* \* \* \* \*

**WHEREAS**, the City and San Antonio SMSA Limited Partnership (formerly a division of Southwestern Bell Wireless, Inc.), now New Cingular Wireless PCS, LLC (formerly known as AT&T Wireless PCS, LLC) (“AT&T”) entered into a Standard Tower Lease Agreement (“Agreement”) in 1997 pursuant to which AT&T constructed a wireless telecommunications tower (the “AT&T tower”) at San Antonio International Airport (“Airport”); and

**WHEREAS**, the City is constructing a Consolidated Rental Car (“CONRAC”) facility and the footprint of the facility sits over the existing wireless telecommunications tower built by AT&T; and

**WHEREAS**, the existing wireless AT&T tower must therefore be decommissioned in order to give way to the construction of the CONRAC; and

**WHEREAS**, San Antonio MTA, L.P. d/b/a Verizon Wireless has constructed a new wireless telecommunications tower at the Airport which is outside of the CONRAC footprint to replace the AT&T tower; and

**WHEREAS**, the Agreement for the AT&T Tower calls for a 180 day termination notice after declaring the tower surplus, and deferring demolition of the telecommunications tower for such time period would delay the CONRAC project; and

**WHEREAS**, it is necessary to declare the AT&T wireless telecommunication tower surplus to the needs of the City and authorize the Aviation Director to negotiate with AT&T for an expedited demolition of said tower; **NOW THEREFORE:**

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

**SECTION 1.** The AT&T wireless telecommunications tower located on Airport property is declared surplus to the City’s needs.

**SECTION 2.** The 1997 Standard Tower Lease Agreement with AT&T is hereby authorized to be terminated in accordance with the provisions of such lease agreement and the Aviation Director is granted authorization to negotiate an agreement with AT&T for the expedited demolition of such tower.

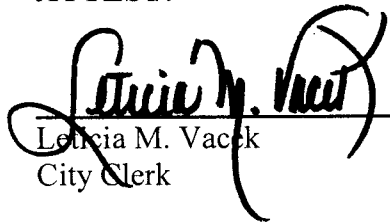
JRP  
4/16/15  
Item No. 14A

**SECTION 3.** This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

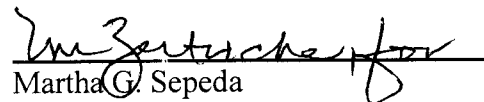
**PASSED AND APPROVED** this 16<sup>th</sup> day of April, 2015.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

  
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Leticia M. Vacek  
City Clerk

**APPROVED AS TO FORM:**

  
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Martha G. Sepeda  
Acting City Attorney

<b>Agenda Item:</b>	14A ( in consent vote: 14A, 14B )						
<b>Date:</b>	04/16/2015						
<b>Time:</b>	11:03:14 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance declaring the existing wireless tower, built and owned by AT&T, as surplus to the needs of the City and authorizing the demolition of the structure.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x			x	
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				x
Joe Krier	District 9				x		
Michael Gallagher	District 10		x				