

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

**ORDINANCE**

**AUTHORIZING A FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, CPS ENERGY, AND PORT AUTHORITY OF SAN ANTONIO TO DESIGN AND BUILD OUT THE FACILITY FOR WHICH THE ALAMO REGIONAL SECURITY OPERATIONS CENTER (“ARSOC”) WILL BE LOCATED, AND A SUBLEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CPS ENERGY TO BE ENTERED INTO UPON COMMENCEMENT OF THE PRIMARY LEASE AGREEMENT. FUNDING IS AVAILABLE THROUGH THE FY 2020 - FY 2025 CAPITAL IMPROVEMENT PROGRAM AND CPS ENERGY.**

\* \* \* \* \*

**WHEREAS**, the Alamo Regional Security Operations Center (“ARSOC”) vision is for a centralized security operations facility to provide real-time, collaborative, cyber-security information sharing among municipally owned entities in the San Antonio Area; and

**WHEREAS**, the ARSOC will provide a 24/7 operational facility committed to protecting San Antonio’s infrastructure and critical systems from threats using advanced and emerging technology; and

**WHEREAS**, the ARSOC will develop public-private partnerships in support of cyber security, collaborative skills development and regular training exercises for regional municipal organizations; and

**WHEREAS**, the ARSOC will be located at 638 Davy Crockett, Building 940 under a 15-year lease term with a 5-year renewal option and zero rent between Port Authority of San Antonio as landlord and the City as tenant (“Primary Lease Agreement”); and

**WHEREAS**, the City will enter into a rent-free sublease with CPS for a term concurrent with the term of the Primary Lease Agreement; and

**WHEREAS**, Port Authority of San Antonio will provide and be responsible for all equipment, personnel, and related services necessary to design and build out the ARSOC (the “Project”) for a total cost of up to \$2,705,895.00, which includes an interest payment of \$10.00; and

**WHEREAS**, CPS Energy has agreed to contribute funds in the amount of \$1,500,000.00 to the City to be utilized towards the Project; and

**WHEREAS**, the City will contribute the remaining \$1,205,895.00 toward the Project; and

**WHEREAS**, the City will reimburse Port Authority of San Antonio \$2,205,885.00 within 30 calendar days of the commencement date of the Primary Lease Agreement and \$500,010.00 no later than December 31, 2021; **NOW THEREFORE:**

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

**SECTION 1.** The City Council authorizes the City Manager or designee to enter into a Funding Agreement substantially in the form as shown in **Attachment I** with CPS Energy and Port Authority of San Antonio for the design and build out of the ARSOC facility and a sublease agreement between the City of San Antonio as tenant and CPS Energy as subtenant to be entered into upon commencement of the Primary Lease Agreement for the lease of space at the ARSOC facility.

**SECTION 2.** Funds are authorized to be received from CPS Energy to SAP Fund 40099000 Other Capital Projects, SAP Project Definition 09-00127 Alamo Regional Security Operations Center, WBS element 09-00127-90-09-01, GL Account 4502280, and the budget shall be revised by increasing WBS element 09-00127-01-06, General Ledger Account 5201140 in the amount of \$1,500,000.00.

**SECTION 3.** Funding in the annual amount of \$2,705,895.00 for reimbursement to Port of San Antonio for tenant improvements is contingent upon City Council approval of subsequent budgets that fall within the duration of this agreement.

**SECTION 4.** Funding in the annual amount of \$150,000.00 for the future operating costs is contingent upon City Council approval of subsequent budgets that fall within the duration of this contract.

**SECTION 5.** 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 6.** 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 7.** This Ordinance becomes effective immediately upon its passage by eight (8) votes or more and 10 days after passage upon its approval by less than eight (8) votes.

JG  
06/18/20  
Item No. \_\_\_ B

**PASSED AND APPROVED** this 18th day of June, 2020.

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Tina Flores, Acting City Clerk**

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

**DRAFT**

# Attachment I