

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

AN ORDINANCE

**APPROVING A FUNDING AGREEMENT WITH PORT SAN ANTONIO
IN THE AMOUNT OF \$1,539,960.00 FUNDED THROUGH THE FY 2017-
2022 CAPITAL IMPROVEMENT PROGRAM BUDGET FOR A SITE
DEVELOPMENT PROJECT.**

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WHEREAS, Port San Antonio (the “Port”) is home to the U.S. Air Force Cyber Command and private sector cyber security contractors employing approximately 1,000 individuals; and

WHEREAS, the cybersecurity and information technology industries are targeted industries of the City; and

WHEREAS, given the exponential growth in the cybersecurity field, the Port is seeking to meet the increasing demand for facilities to accommodate local cybersecurity operations by constructing a 90,000 square foot building as a site development project (the “Project”) at Port San Antonio; and

WHEREAS, the Port has requested, and staff is recommending that the City allocate capital improvement funds in the amount of \$1,539,960 for the design and construction of site development items necessary for the Project, including: (1) the extension of major utility lines; (2) site preparation; and (3) the location of on-site utilities, including domestic water, fire water, sanitary sewer, and storm drainage; and

WHEREAS, the Project is anticipated to contribute to the creation of 400 new high-wage and high-skilled jobs at Port San Antonio; **NOW THEREFORE**:

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

SECTION 1. The City Council authorizes the negotiation and execution of a Funding Agreement between the City and Port San Antonio in the amount of \$1,539,960.00 for a site development project to include the construction of a 90,000 square foot facility at Port San Antonio. The City Manager, or her designee, is authorized to execute the Funding Agreement in accordance with this Ordinance. A copy of the final, executed Funding Agreement shall be attached to this ordinance as “**Attachment I**”.

SECTION 2. A Payment in an amount not to exceed \$1,539,960.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 16-00014, Port SA Site Development, is authorized to be encumber and make payable to Port Authority of San Antonio (Port SA), for the design and construction of site development items necessary for the office building project.

RR
4/13/17
Item No. _____

Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, Certificate of Obligation Bonds in accordance with the adopted capital budget. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall become effective immediately upon its passage by eight (8) votes or more and upon ten (10) days following its passage if approved by fewer than eight (8) votes.

PASSED AND APPROVED this ____ day of April, 2017.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney