

## AN ORDINANCE

AUTHORIZING A MASTER LEASE AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE COMPANY, D/B/A AT&T TEXAS FOR THE USE OF CITY-OWNED PROPERTY FOR THE INSTALLATION OF PREFABRICATED COMMUNICATIONS EQUIPMENT SHELTERS.

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**WHEREAS**, Southwestern Bell Telephone Company, d/b/a AT&T Texas (“AT&T Texas”) has approached the City of San Antonio (“City”) with plans to potentially expand its U-verse broadband network from a fiber-to-the-node (“FTTN”) network to a fiber-to-the-home (“FTTH”) network that would extend fiber connectivity to residential customers; and

**WHEREAS**, the deployment of a FTTH broadband network in San Antonio may require AT&T Texas to install several prefabricated communications equipment shelters throughout the city; and

**WHEREAS**, the City has agreed to provide AT&T Texas access to City-owned property throughout San Antonio for the installation of its equipment shelters; **NOW THEREFORE:**

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

**SECTION 1.** The terms and conditions of the Master Lease Agreement between the City and AT&T Texas as it appears in Exhibit A are hereby approved.

**SECTION 2.** The City Manager or her designee is hereby authorized to execute the Master Lease Agreement and any and all documents necessary to fulfill the purpose and intent of this Ordinance, including initiating rezoning of city property where appropriate and necessary.

**SECTION 3.** The Master Lease Agreement is non-exclusive. Consistent with state law, the City does not discriminate in its dealings with broadband providers with regards to accessing City-owned property.

**SECTION 4.** Funds generated by this Ordinance will be deposited into Fund 11001000, with Internal Order and General Ledger Account to be determined.

**SECTION 5.** 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 6.** This Ordinance becomes 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 by majority vote.

**PASSED AND APPROVED**, this 10<sup>th</sup> day of April 2014.

**M A Y O R**  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Robert F. Greenblum, City Attorney