

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

ORDINANCE

APPROVING EXTENSIONS TO THREE ANTENNA LICENSE AGREEMENTS WITH ALPHA MEDIA LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SAN ANTONIO RADIOWORKS, LLC EFFECTIVE SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2024 FOR A TOTAL \$423,938.70 IN LICENSE FEES. ALL REVENUE GENERATED FROM THESE AMENDMENTS WILL BE DEPOSITED INTO THE GENERAL FUND.

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WHEREAS, ordinance 2014-08-07-0529 authorized two antenna license agreements with San Antonio RadioWorks (K277CX and K279AB) and one antenna license agreement with Wildcatter Wireless, LLC (K296GK) for operating and maintaining radio broadcast translators and associated equipment at the Tower of the Americas; and

WHEREAS, the purpose of the translators was to establish an FM presence for KTSA AM 550 and KAHL AM 1310, as well as expand coverage for KTFM 94.1; and

WHEREAS, the initial term of each translator agreement was five years effective September 1, 2014 - August 31, 2019; and

WHEREAS, each agreement included two five-year renewal options; and

WHEREAS, following City Council approval in 2014, the agreements for translators K277CX and K296GK were assigned to Alpha Media; and

WHEREAS, this ordinance will authorize first amendments to Alpha Media and San Antonio RadioWorks antenna license agreements, to extend the license terms through August 31, 2024; and

WHEREAS, licensees will pay an annual license fee of \$26,616.93 per agreement; this fee will increase 3.00% annually; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Center City Development and Operations Department or designee, is authorized to execute amendments to the antenna license agreements with Alpha Media LLC, a Delaware limited liability company (Alpha Media) and San Antonio RadioWorks, LLC (San Antonio RadioWorks) to extend the term of the agreements through August 21, 2024 for a total of \$423,939.17 in license fees, which includes a 3.00% annual increase. A copy of the amendments, in substantially final form, are attached hereto and

incorporated herein for all purposes as **Attachment I, II, and III.**

SECTION 2. NO FISCAL LANGUAGE AVAILABLE

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 is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____nd day of _____, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney