



# City of San Antonio

## Agenda Memorandum

**File Number:**19-5697

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**Agenda Item Number:** 22A.

**Agenda Date:** 8/8/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Aviation

**DEPARTMENT HEAD:** Russell J. Handy

**COUNCIL DISTRICTS IMPACTED:** Citywide

### **SUBJECT:**

Joint Use Agreements for the San Antonio Airport System

### **SUMMARY:**

City Council consideration of the following ordinances related to Joint Use Agreements for the San Antonio International Airport and Stinson Municipal Airport:

- A. Ordinance authorizing a Joint Use Agreement with Cellco Partnership (dba Verizon Wireless) to allow access to property at the San Antonio International Airport for the installation and maintenance of the fiber lines, cables, conduit and associated materials necessary for the Distributed Antenna System (DAS) at the San Antonio International Airport at no cost. The agreement will expire on February 28, 2039.
- B. Ordinance granting the Director of the Aviation Department authority to approve Joint Use Agreements (JUAs) for access to the San Antonio Airport System property. A JUA is an agreement between the City and entities such as utility and telecommunications companies, which allows the latter access to City property for the installation and maintenance of pipes and fibers for a specified period at no cost usually in support of a project that the entity is responsible for. The JUA uses a template agreement. By granting the Director with this authority, these agreements can be executed once they have been reviewed by City staff and the City Attorney's Office.

### **BACKGROUND INFORMATION:**

Joint use agreements authorize access to premises, including ingress and egress over adjacent land, for purposes related to utility work that is the responsibility of another party such as a telecommunications and utility company. The City uses a template agreement for all JUAs to outline the permissions being granted to the joint user. These agreements differ from lease agreements or other agreements as no fees are paid by either party; the

JUAs simply allow access to property for the specified scope of work. The agreement also identifies the specific areas being accessed.

*Item A: Joint Use Agreement with Verizon Wireless*

On March 7, 2019, City Council approved Ordinance No. 2019-03-07-0184 authorizing Verizon Wireless to design, install, operate and maintain a neutral-host DAS at the San Antonio International Airport to provide extended and improved wireless communications inside and outside the terminal buildings for existing and future technologies. In addition, the DAS will include a public safety system with a separate electric power source specified by the City and a separate antenna system that incorporates certain radio frequencies.

As part of the project, a JUA is required to allow Verizon Wireless contractors' and subcontractors' access, including ingress and egress of airport property, for the purpose of installing and maintaining fiber lines, cables, conduit and associated materials necessary for the servicing the operation of the DAS. Verizon Wireless and its representatives are responsible for the procurement, installation and maintenance of the fiber lines. They will also adhere to all safety standards as well as all federal, state or local regulations.

*Item B: Granting Authority to Director of the Aviation Department*

Over the past two years, the Aviation Department has brought forward seven Joint Use Agreements to City Council requested by utilities, telecommunications companies and tenant or adjacent landowners for authorization to access airport property for the installation and maintenance of materials such as fiber lines, conduit, cables and other materials for their projects, including:

- SAWS: Three agreements related to the replacement of sewer lines along Wurzbach Parkway.
- AT&T: One agreement related to the installation, maintenance, repair and replacement of underground telephone lines that serve the gas station at Airport Blvd and Northern Blvd.
- Lynxs: One agreement for the installation and maintenance for fiber lines to its leasehold at 10315 Wetmore Blvd.
- Verizon: One agreement for the installation and maintenance of equipment to support the in-building radio distribution system that supports its customers' cellular reception in the terminals. This agreement is separate from the JUA in Item A.
- Sierra Victor: One agreement for the installation and maintenance for fiber lines to its leasehold at 1354 South Terminal Drive.

These agreements have no fiscal impact to the City as the utilities, telecommunications companies, and tenant or adjacent landowners are responsible for the purchase, installation, maintenance, repair and replacement of any materials installed as part of the projects.

Item B will grant the Director of the Aviation Department with the authority to approve these agreements on San Antonio Airport System property so they can be executed in a timely manner. These agreements are focused only on access to the property, not on the projects or work being done.

**ALTERNATIVES:**

*Item A: Joint Use Agreement with Verizon Wireless*

City Council could elect to not approve the agreement with Verizon Wireless. However, without this agreement, the firm would be unable to install and maintain the materials required for the DAS project. City staff has reviewed the request and recommends its approval.

*Item B: Granting Authority to Director of the Aviation Department*

City Council could decide to not grant the authority to the Aviation Director to approve JUA. This would continue the process of having each agreement taken to City Council for consideration and approval.

**FISCAL IMPACT:**

There is no fiscal impact related to either item.

**RECOMMENDATION:**

Staff recommends authorizing the Joint Use Agreement with Verizon Wireless and granting the Aviation Director the authority to approve joint use agreements for airport property in the San Antonio Airport System.