

**CITY OF SAN ANTONIO  
DEPARTMENT OF ASSET MANAGEMENT  
INTERDEPARTMENTAL CORRESPONDENCE SHEET**

**TO:** Mayor and City Council

**FROM:** Rebecca Waldman, Director, Department of Asset Management

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Erik J. Walsh, Assistant to the City Manager; Shawn P. Eddy, Special Projects Manager, Property Disposition

**DATE:** Thursday, September 09, 2004

**SUBJECT:** S.P. No. 1166 - Request for a license agreement to use City owned property within NCB 913 for the purpose of installing a four (4) inch conduit for a communication cable to serve the Comfort Inn Suites Alamo/Riverwalk site located at 120 Camaron Street and the San Fernando Community Centre in the 200 block of W. Commerce Street. .

**PETITIONER:** Time Warner Cable  
Attn: Thomas Aguillon  
1900 Blue Crest Lane  
San Antonio, Texas 78246

**SUMMARY AND RECOMMENDATIONS**

This Ordinance will authorize a ten (10) year term License Agreement to Time Warner Cable to use City owned property within NCB 913, for the purpose of installing a four (4) inch conduit for a communication cable to serve the Comfort Inn Suites Alamo/ Riverwalk located at 120 Camaron Street, and the San Fernando Community Centre in the 200 block of W. Commerce Street.

Staff recommends approval of this Ordinance.

**BACKGROUND INFORMATION**

Request for a license agreement to use City owned property for the purpose of installing a four (4) inch conduit for a communication cable to serve the Comfort Inn Suites Alamo/Riverwalk site located at 120 Camaron Street and the San Fernando Community Centre in the 200 block of West Commerce Street. The cable will be installed in an eight (8") inch wide trench with a depth of 30 inches, and having an approximate length of 100 linear feet, at the location shown in EXHIBIT "A". Petitioner will coordinate with City staff to insure and preserve the historical integrity of the site.

**POLICY ANALYSIS**

This action is consistent with the City Code and Ordinances which require City Council approval for any private use of property owned or controlled by the City.

**FISCAL IMPACT**

The City will collect \$5,000.00 for this license to use City owned property.


**COORDINATION**

In compliance with City procedures, this request has been canvassed through interested City departments, public utilities and applicable agencies. A Canvassing Checklist and an executed Letter of Agreement, by which the petitioner agrees with all conditions imposed through this canvassing, are attached for review.

**SUPPLEMENTARY COMMENTS**

The City of San Antonio's Planning Commission recommended approval of this request at its regular meeting of 9/8/2004.

Executed Discretionary Contracts Disclosure Statement from petitioner(s) is attached.

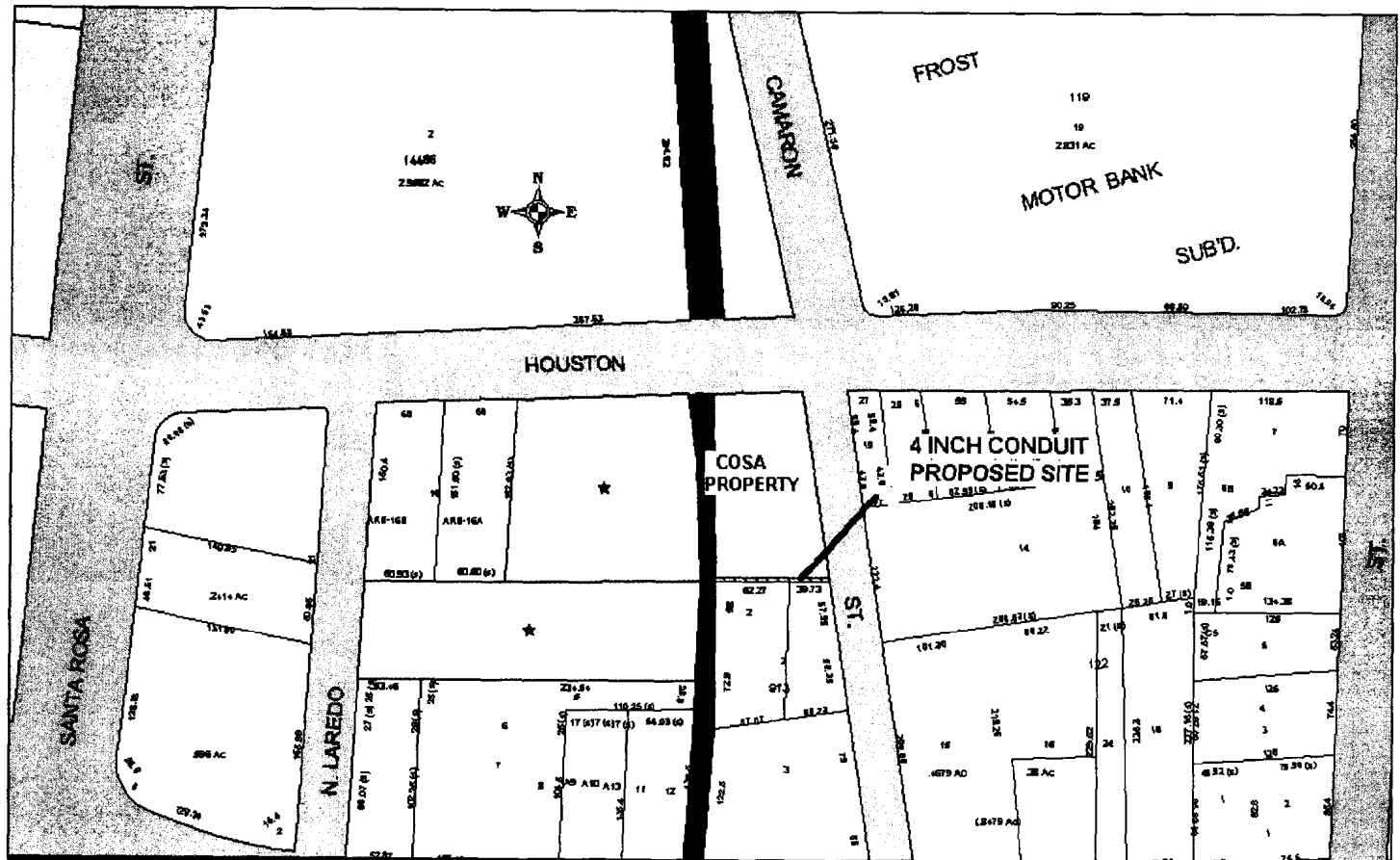


Rebecca Waldman, Director  
Department of Asset Management

Approved:

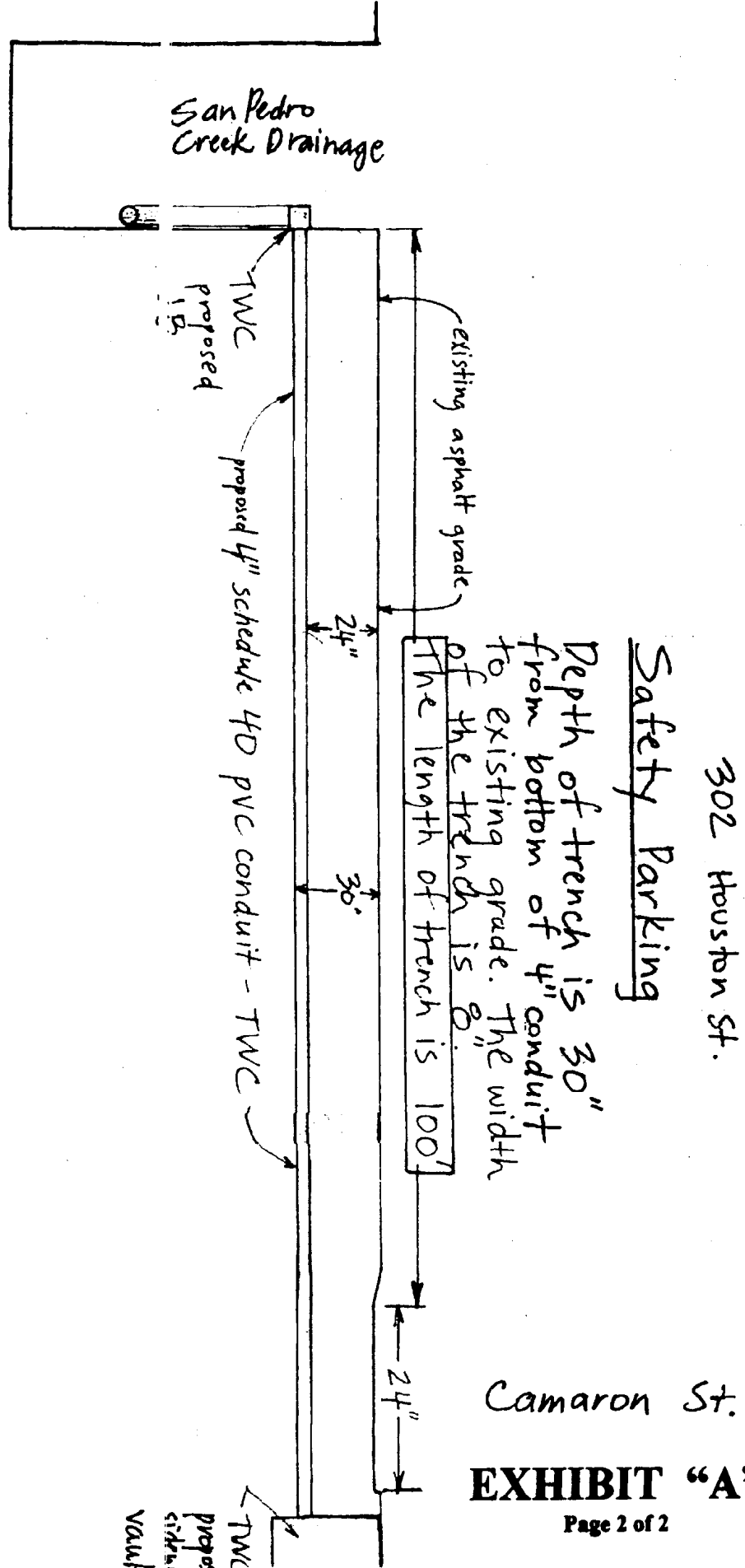


Erik J. Walsh  
Assistant to the City Manager



WESTERLY VIEW FROM CAMARON STREET OF PROPOSED CONDUIT SITE

## EXHIBIT "A"



# EXHIBIT "A"

# Canvassing Checklist

SPNo 1166

Request: Request for a license agreement to use Public Rights of Way within NCB 913 for the purpose of installing a four (4) inch conduit for a communication cable to serve the Comfort Inn Suites Alamo/ Riverwalk site located at 120 Camaron Street. The cable will be installed in a eight (8) inch wide trench with a depth of 30 inches, and having an approximate length of 100 linear feet, as shown on attached Exhibit "A". Petitioner and City staff will coordinate during excavation to insure and preserve the historical integrity of the site.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	6/3/2004	7/21/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	6/3/2004	7/6/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	6/3/2004	6/25/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Action (NAD)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City Public Service	<input checked="" type="checkbox"/>	6/3/2004	7/28/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	6/3/2004	6/22/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TXDOT	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. River Authority (SARA)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIA Metropolitan	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Agency	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Association	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Canvassing Comments

Please coordinate with Alameda Theatre (Laurel)



# CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT  
P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966  
TEL. 210-207-4032 FAX 210-207-7888

August 9, 2004

Time Warner Cable  
Attn: Thomas Aguillon  
1900 Blue Crest Lane  
San Antonio, Texas 78246

Re: S. P. No. 1166 — Request for a license agreement to use Public Rights of Way for the purpose of installing a four (4) inch conduit for a communication cable to serve the Comfort Inn Suites Alamo/ Riverwalk site located at 120 Camaron Street.

Dear Mr. Aguillon:

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions:

**PUBLIC WORKS DEPARTMENT:**

"Confirm that no other existing utilities are in conflict"-Capital Programs Division.

"Floodplain Development Permit required. Will require detail plans of the proposed work as well as the repair of existing conduit"- Storm Water Engineering Division.

**PLANNING DEPARTMENT:**

"The area in which the trenching will occur has been identified as part of the Segundo Acequia branch. It is important to have a professional archeologist on site to monitor the trenching. Street will have to be restored to its original condition."

**SAN ANTONIO WATER SYSTEM:**

"Petitioner must agree to reserve a perpetual easement for all existing water and/or sewer facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposed or may seek the relocation of the facilities with the express permission and coordination with the San Antonio water System and at the sole expense of the petitioner."

**CITY PUBLIC SERVICE:**

"Petitioner must agree to reserve a perpetual easement for all communications facilities and agree to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with City Public Service and at the sole expense of the petitioner. Contractor is responsible to

protect any overhead facilities by means of bracing or shoring anything within three (3) feet of CPS overhead facilities. Contactor should contact service center (general foreman) prior to commencing work to be advised of these conditions. The proposed site must be indicate and locates are to show existing facilities in the street. Pete Perez of Time Warner indicated that he will coordinate installation with CPS.”

**DEPARTMENT OF ASSET MANAGEMENT:**

Please note that this parking lot, which is contiguous to the Alameda Theater, is a part of the premises leased to Centro Alameda, Inc. (CAI). CAI in turn subleases this lot to Safety Parking.

- While underway, the work would preclude the use of a minimum of 4 parking spaces. Safety Parking would need to be reimbursed for the lost revenue associated with this disruption.
- In addition, while underway, the work would preclude the use of one of the two entrances/exits for this parking lot. If the duration of the work is longer than two (2) business days, another existing curb cut would need to be utilized for in and out traffic and that would result in two additional parking spaces not be usable. Safety Parking would need to be reimbursed for the lost revenue associated with this disruption.
- Consideration must be given to the historic nature of the rockwork both in the creek and directly south of the intended site of the work.
- Work would need to be clearly marked and performed in a manner that protects persons and vehicles in the parking lot.
- The work area would need to be put back in the same or similar condition as before the work.
- The work would need to be performed in a manner that does not compromise the structural integrity of the theater, creek, property or rock work. Is there indemnity language that would cover this?
- CAI and Safety Parking would need 2 business days advance notice of when the work will begin and the expected duration
- Time Warner must coordinate with CAI a plan to park during construction, provide insurance, prior notification of work commencement, dates on which no construction should occur, etc.

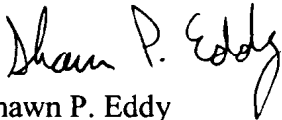
Additionally, the fee established for this license agreement is \$5,000.00 for a 10-year term. This license fee will be due and payable to the City of San Antonio prior to City Council consideration. If for some reason the license is not approved by City Council, the license fee will be returned to the petitioner. Also, a Certificate of Insurance must be provided and the City of San Antonio and Centro Alameda, Inc. (CAI) must be formally released from any and all liabilities, which may be incurred in connection with this request.

Further, a fully completed and signed Discretionary Contracts Disclosure Statement is required and enclosed for your convenience.

If you concur with the above mentioned conditions, including the payment of the fee established for this encroachment, please countersign this letter in the space provided below and return to the undersigned. Upon receipt of this signed Letter of Agreement and the Discretionary Contracts Disclosure Statement we will continue processing your request.

This Letter of Agreement is being offered by the City of San Antonio only to the above named petitioner and will expire thirty (30) days after the date of issuance unless a specific extension is requested by the petitioner and granted by the City.

Sincerely,

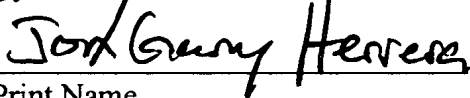


Shawn P. Eddy  
Special Projects Manager

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER: Time Warner Cable

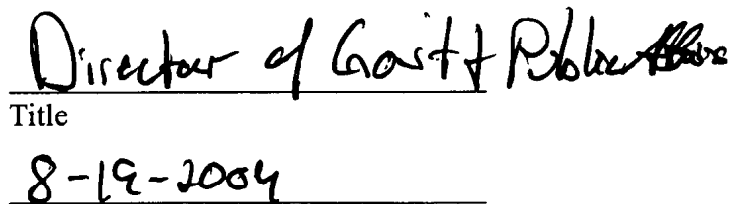
By



Print Name

Title

Date



8-19-2004