

ORDINANCE NUMBER O- 21782 (NEW SERIES)

DATE OF FINAL PASSAGE MAR 19 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING EXECUTION OF THE FIRST  
AMENDMENT TO EACH OF THE THREE CURRENT  
AS-NEEDED CITYWIDE COOPERATIVE AGREEMENTS  
WITH AT&T CORP., CELLCO PARTNERSHIP DBA  
VERIZON WIRELESS, AND T-MOBILE WEST, LLC.

WHEREAS, in August 2018, NASPO ValuePoint (NASPO), with the State of Utah acting as the lead agency, released an RFP for Wireless Data, Voice, and Accessories which resulted in the execution of agreements with AT&T Corp. (AT&T), Cellco Partnership dba Verizon (Verizon) and T-Mobile West, LLC (T-Mobile); and

WHEREAS, in November 2020 the City of San Diego (City), through NASPO, executed cooperative agreements with AT&T (RR-313287-1), Verizon (RR-313287-2), and T-Mobile (RR-313287-3) which have terms that extend through June 30, 2024; and

WHEREAS, the underlying agreements specifically accommodate an extension to the City's Agreements and the State of Utah is currently in the process of exercising the option to extend these agreements for an additional five (5) years; and

WHEREAS, the City uses cellular equipment and wireless services to support mission critical applications and City operations including, but not limited to: Library Hotspots (Digital Equity), SD Access for All, the Get It Done application, code compliance, graffiti removal, weed abatement, pothole repairs, library operations, parks and recreation operations, work orders, and public safety operations and applications; and

WHEREAS, these agreements allow City departments to select the carrier that provides the best coverage, reliability, and speed to effectively deliver City services and the San Diego

Access4All program includes funding allocated by City Council to provide internet access to the City's low-income communities; and

WHEREAS, the NASPO agreements include programs offered by the carriers to support the City's libraries with cellular hotspots that can be checked out by patrons to connect their household and help bridge the digital divide in our communities; and

WHEREAS, under San Diego City Charter section 99, no contract, agreement, or obligation extending for a period of more than five years may be authorized except by ordinance approved by a two-thirds' majority vote of the Council; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, the First Amendment to the three cooperative agreements between the City of San Diego and AT&T Corp., Celco Partnership dba Verizon Wireless, and T-Mobile West, LLC, for the provision of as-needed cellular equipment and services, to increase the total combined not-to-exceed amount from \$20,000,000 to \$68,007,000, and to allow the City to use the Agreements beyond five years, through August 11, 2029, and otherwise modifying the Agreements pursuant to the terms and conditions contained in the First Amendment to each of the Agreements on file with the City Clerk as Document numbers OO- 21782 -1, OO- 21782 -2, and OO 21782 -3.

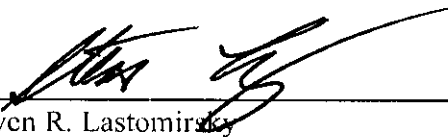
Section 2. That the Chief Financial Officer is authorized to expend a total combined not to exceed amount of \$68,007,000 over the full term of all three cooperative agreements between the City of San Diego and AT&T Corp., Cellco Partnership dba Verizon Wireless, and T-Mobile West, LLC, as amended, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
\_\_\_\_\_  
Steven R. Lastomirsky  
Deputy City Attorney

SRL:jvg  
January 24, 2024  
Or.Dept: Department of Information Technology  
Doc. No. 3539384

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 12 2024.

DIANA J.S. FUENTES  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 3/19/24  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 12 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 19 2024.

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy  
For Connie Patterson

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 27 2024, and on MAR 19 2024.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy  
For Connie Patterson

Office of the City Clerk, San Diego, California

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