

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT IN THE AMOUNT OF \$869,089.60 WITH THE SAN ANTONIO WATER SYSTEM UTILIZING 2010 PROPOSITION 2 SALES TAX VENUE FUNDS FOR HIKE AND BIKE TRAIL IMPROVEMENTS ALONG APACHE CREEK ASSOCIATED WITH THE WESTSIDE CREEK RESTORATION PROJECT, LOCATED IN COUNCIL DISTRICT 5.

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WHEREAS, in 2010, voters passed the Expansion Venue Proposition 2 Sales Tax Initiative which included funding for development of Linear Creekway Parks; and

WHEREAS, subsequently in 2012, the City authorized an Interlocal Agreement with the San Antonio River Authority (SARA) which established SARA as project manager for the Park and Stormwater Improvements to Elmendorf Lake Park and to coordinate the design and construction of linear hike and bike trials to compliment the overall Westside Creeks Restoration Project for environmental restoration and public enhancement of Alazan, Apache, Martinez and San Pedro Creeks; and

WHEREAS, within the project limits of the Apache Creek trail development, the San Antonio Water System (SAWS) will perform a Sanitary Sewer Replacement Project which will affect a portion of the existing surface trails at Apache Creek with the installation of a new sanitary sewer line; and

WHEREAS, through discussions between SARA and SAWS, the potential for cost savings was recognized which would result from the integration of planned improvements for trails along Apache Creek with the utility work scheduled by SAWS; and

WHEREAS, SAWS included in their sewer project, the design specifications for trail improvement of a one (1) mile ten (10) feet wide hike and bike trail at Apache Creek which is consistent with the rest of the Westside Creeks Restoration Project; and

WHEREAS, the City will fund 35% of the cost of trail demolition and 65% of the cost of new trail installation; and

WHEREAS, conversely, SAWS will fund 65% of the trail demolition costs and 35% of new trail installation; and

WHEREAS, additionally, the City is responsible for all costs associated with any change orders to the hike and bike trail; and

WHEREAS, the Interlocal Agreement will commence immediately upon execution by the parties and will terminate upon completion of the project; **NOW THEREFORE**:

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

SECTION 1. The City Manager, or her designee, or the Interim Director of the Parks and Recreation Department or her designee is hereby authorized to execute an Interlocal Agreement in the amount of \$869,089.60 with the San Antonio Water System utilizing 2010 Proposition 2 Sales Tax Venue funds for hike and bike trail improvements along Apache Creek associated with the Westside Creek Restoration Project, located in Council District 5. A copy of the interlocal agreement in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in the amount of \$869,089.60 in SAP Fund 40005000, Park Improvements, SAP Project Definition 26-00601, Apache Creek (19th St. to San Jacinto), is authorized to be encumbered and made payable to the San Antonio Water System, for hike and bike trail improvements associated with the Westside Creek Restoration Project, located in City Council District 5 along Apache Creek.

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 _____ day of _____.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda, Acting City Attorney