

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

ORDINANCE

APPROVING THE EXECUTION OF A FUNDING AGREEMENT BETWEEN LDG COPPER POINT, LP AND THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$139,536.64 FOR THE ACCEPTANCE OF THESE FUNDS FROM LDG COPPER POINT, LP FOR THEIR SHARE OF CONSTRUCTION RELATED EXPENSES FOR THE INSTALLATION OF A PEDESTRIAN REFUGE ISLAND WITH A MARKED CROSSWALK AT 6410 SOUTH NEW BRAUNFELS AVENUE LOCATED IN COUNCIL DISTRICT 3.

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WHEREAS, in 2017, residents of the Primrose at Mission Hills Senior Living Facility located at 6639 South New Braunfels Avenue requested a VIA Metropolitan Transit bus stop on the east side of South New Braunfels Avenue across from their facility entrance; and

WHEREAS, Transportation & Capital Improvements (TCI) reviewed the roadway geometry, traffic volumes, and future development of the proposed bus stop location to ensure pedestrian safety when crossing the four-lane undivided South New Braunfels Avenue to access the proposed new bus stop; and

WHEREAS, as a result of the review, TCI determined a pedestrian refuge island with marked crosswalk and rectangular rapid flashing beacons would benefit the residents of Primrose at Mission Hills Senior Living Facility, pedestrians and drivers on South New Braunfels Avenue, and residents of the future apartment development of Copper Pointe located at 6410 South New Braunfels Avenue; and

WHEREAS, the material and installation costs for the project are estimated at \$358,568.28. The Donor's contribution in the estimated amount of \$139,536.64 will cover half of pedestrian refuge island with marked crosswalk material and installation costs. The City's contribution in the estimated amount of \$219,031.64 will cover the remaining half of the pedestrian refuge island with marked crosswalk material and installation costs and all of the material and installation costs for the rectangular rapid flashing beacons; **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 Transportation and Capital Improvement Department or designee, is authorized execute a Funding Agreement between LDG Copper Point, LP and the City of San Antonio in the amount of \$139,536.64 for the acceptance of these funds from LDG Copper Point, LP for their share of construction related expenses for the

installation of a pedestrian refuge island with a marked crosswalk at 6410 South New Braunfels Avenue located in Council District 3. A copy of the funding agreement, in final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Funds are authorized to be received from LDG Copper Point, LP to Fund 45099000 for project 23-01573 District 3 Pedestrian Mobility & Streets - LDG Copper Point. Budget shall be revised by increasing WBS 23-01573-90-10-01 Copper Point Contribution and SAP General Ledger 4502280 Contributions from other Agencies in the amount of \$139,536.64.

SECTION 3. The amount of \$139,536.64 is appropriated to Fund 45099000, Project 23-01573 District 3 Pedestrian Mobility & Streets - LDG Copper Point, WBS element 23-01573-05-02-10 Construction-Copper Point, GL 5201245 CP Othr-Constr Costs.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____th day of _____, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney