

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

**AN ORDINANCE**

**AUTHORIZING AN INTERLOCAL AGREEMENT FOR  
REIMBURSEMENT TO SAN ANTONIO RIVER AUTHORITY OF  
IMPLEMENTATION COSTS IN AN AMOUNT UP TO \$163,651.82 FOR  
TELECOMMUNICATION BORE AND FIBER IMPLEMENTATION  
WORK - SAN PEDRO CREEK IMPROVEMENTS PROJECT**

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**WHEREAS**, the San Antonio River Authority (“SARA”), along with Bexar County, have undertaken a project along San Pedro Creek that will provide important flood control improvements as well as provide linear park amenities along 1.4 miles of the San Pedro Creek (“San Pedro Creek Improvements Project”); and

**WHEREAS**, SARA is serving as the Project Manager of the San Pedro Creek Improvements Project; and

**WHEREAS**, in conjunction with the construction of the San Pedro Creek Improvements Project, significant utility facility relocations must occur along the Nueva, Dolorosa, Commerce, and Houston Street bridges; and

**WHEREAS**, the City maintains underground fiber optic cable routes that run west to east along Nueva, Dolorosa, Commerce, and Houston Streets that are directly impacted by the San Pedro Creek Improvements Project, and the conduit and fiber must be relocated; and

**WHEREAS**, over the past year, SARA staff have worked with City of San Antonio staff to coordinate these utility relocations, which must occur in advance of construction of the San Pedro Creek Improvements Project; and

**WHEREAS**, the cost of the utility relocation required – including associated line items for joint bore, installation such as hard costs, yard set-up and maintenance, and miscellaneous allowances, contingencies, insurance/bond, construction service and general fees – has been quantified in the amount of \$6,238,082.76; and

**WHEREAS**, in order to expedite this utility relocation, Bexar County committed to fund \$4,768,013.82 as a contribution to this cost; in addition, Bexar County committed to fund all costs associated with archaeological monitoring for the joint bores in the approximate amount of \$30,000; and

**WHEREAS**, the remaining utility relocation cost of \$1,470,068.94 was to be split proportionately by AT&T, Charter, the City of San Antonio, and Bexar County based on the number of telecommunications conduits requested by each entity; and

**WHEREAS**, SARA is requesting that the City of San Antonio reimburse the San Pedro Creek Improvements Project \$163,751.82, which amount reflects the proportional share of fiber conduit

relocations requested by the City along the Nueva, Dolorosa, Commerce and Houston street bridges; **NOW THEREFORE,**

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

**SECTION 1.** The terms and conditions of the Interlocal Agreement with the San Antonio River Authority for the relocation of underground fiber optic cable routes that run west to east along Nueva, Dolorosa, Commerce, and Houston Streets that are directly impacted by the San Pedro Creek Improvements Project are hereby approved.

**SECTION 2.** The City Manager or her designee is authorized to execute the Interlocal Agreement, a copy of which, in substantially final form is set out in **Exhibit A**.

**SECTION 3.** A Payment in an amount not to exceed \$163,751.82 in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01634, San Pedro Creek, is authorized to be encumbered and make payable to San Antonio River Authority, for conduit and fiber supporting the relocation of COSA telecommunication utilities required as part of the San Pedro Creek Project

**SECTION 4.** Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, General Obligation Bonds in accordance with the adopted capital budget. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

**SECTION 5.** 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 6.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage

**PASSED AND APPROVED** this 15<sup>th</sup> day of June, 2017.

M A Y O R  
Ivy R. Taylor

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney