

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 WITH THE SAN ANTONIO RIVER AUTHORITY (SARA) AND THE CITY OF SAN ANTONIO IN THE AMOUNT NOT TO EXCEED \$19,500,000 FOR THE DESIGN AND CONSTRUCTION OF PHASE 1 AND PHASE 2 OF THE SAN PEDRO CREEK IMPROVEMENT PROJECT, A 2017 BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

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WHEREAS, on May 6, 2017, San Antonio voters approved the City of San Antonio's 2017-2022 Bond Program, of which \$14,600,000 was approved under the San Pedro Creek Drainage Improvements project and \$4,900,000 was approved under the San Pedro Creek Park Improvement project for a total of \$19,500,000 towards the San Pedro Creek Improvements Project; and

WHEREAS, Bexar County and the San Antonio River Authority (SARA) have an agreement to complete the design and construction of the San Pedro Creek Improvements Project (the "Project") wherein Bexar County is the primary funder and SARA is the project manager; and

WHEREAS, a total of four phases planned in the overall Project intended to revitalize a two (2) mile segment of the creek through downtown San Antonio beginning at the IH-35 flood tunnel inlet near Fox Tech High School and ending at the confluence with Alazan and Apache Creeks at IH-35 near the stockyards; and

WHEREAS, the Interlocal Agreement between SARA and the City of San Antonio in the amount of \$19,500,000.00 will go towards Phases 1 and 2 of the Project; and

WHEREAS, in August 2016, SARA entered into a contract with Sundt Davila Joint Venture for the construction of Phases 1 and 2 and all current Project funding is dedicated to the completion of Phases 1 and 2 at a total current cost of \$160,650,312.00; and

WHEREAS, Bexar County is the primary funder of the project, current commitments from SARA, the City and utility reimbursements as identified below and City will provide a 90 day cash advance to SARA for project oversight of the increased contract value, followed by monthly reimbursements through TCI's requests for payment and approval process; and

\$133,555,000.00	Bexar County
\$960,000.00	SARA
\$19,500,000.00	City of San Antonio
\$6,635,312.00	Utility Reimbursements
\$160,650,312.00	Total Project Costs

WHEREAS, Phase 1 of the Project begins at the tunnel inlet and ends at Cesar Chavez Boulevard and will be approximately 3,850 feet in length to include the construction of gates located at Travis and Nueva streets as well as the replacement of the street bridges at Houston, Commerce, Dolorosa, Nueva and Graham Streets as well as the construction of the Tricentennial Plaza at the tunnel inlet and an entertainment plaza next to the Alameda Theater; Phase I is anticipated to be complete by December 2018, with the portion from the tunnel inlet to Houston Street anticipated to be complete by the City's Tricentennial celebration in May 2018; and

WHEREAS, Phase 2 begins at Guadalupe Street, downstream of the tunnel outlet, and ends at the Union Pacific Railroad Bridge south of Alamo Street, and is approximately 2,200 feet in length to include the construction of a gate at Alamo Street and replacement of the street bridges at Guadalupe and Camp Streets as well as paseos with bench seating and overlooks along the creek; Phase II is anticipated to be complete by May 2019; and

WHEREAS, at several locations along the Project, public access and park amenities will be added with Tricentennial Plaza will include a wetland area, a fountain, paved walkways (paseos), trees and bench seating with tile art along with historic and interpretive word art and signage describing the history and culture of San Pedro Creek and an entertainment plaza will be constructed on the east bank of the creek, just south of Houston Street and across from the Alameda Theater that will include lighting and a sound-system that will support a variety of events, and will also include a public restroom facility and landscaped areas; and

WHEREAS, this Project expected to enhance the containment of the 100-year floodplain, restore and improve water quality, reconnect people to a historic and natural resource through the addition of public access and safety components, landscaping, and adopted park amenities; and

WHEREAS, this is one-time capital improvement expenditure in an amount not to exceed \$19,500,000.00 for San Pedro Creek Drainage and Park Improvement. Funds are available from the 2017-2022 General Obligation Bond Program and are included in the 2018-2023 Capital Improvement Program Budget; **NOW THEREFORE**,

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

SECTION 1. The City Manager and her designated representative are hereby authorized to execute an interlocal agreement with the San Antonio River Authority (SARA) to provide for the improvements to the San Pedro Creek Project as agreed upon by the parties and as described below and incorporated for all purposes. The terms and conditions of the agreement shall be substantially the same as those set out in the draft contract attached hereto as **ATTACHMENT I**.

SECTION 2. 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. The financial

allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio.

SECTION 3. 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 on this th day of December, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

DRAFT