

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AUTHORIZING CITY TO ENTER, CONSTRUCT AND MAINTAIN A LAND BRIDGE IN THE RIGHT OF WAY LOCATED OVER WURZBACH PARKWAY, A ROADWAY ON THE STATE HIGHWAY SYSTEM, NECESSARY FOR THE COMPLETION OF THE HARDBERGER PARK PROJECT, A 2017 BOND PROJECT.

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WHEREAS, the City is constructing a land bridge over Wurzbach Parkway connecting the West and East sections of Phil Hardberger Park in order to provide pedestrian, bicycle and wildlife mobility throughout the Park; and

WHEREAS, the land bridge to be constructed will reside in TxDOT's right-of-way located over Wurzbach Parkway; and

WHEREAS, the Texas Transportation Code requires municipalities to enter into an agreement with TxDOT when improvements are made on roadways of the state highway system; and

WHEREAS, it is necessary to execute an Advanced Funding Agreement with TxDOT to allow the City to enter, construct and maintain the Phil Hardberger Park land bridge over Wurzbach Parkway, a 2017 Bond Project and; **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 Director of the Transportation and Capital Improvements Department or his designee, is hereby authorized to execute an Advance Funding Agreement with the Texas Department of Transportation to enter, construct and maintain a land bridge in the right of way located over Wurzbach Parkway, a roadway on the state highway system, necessary for the completion of the Hardberger Park Project, a 2017 Bond Project. A copy of the agreement in substantially final form is attached hereto as **Attachment I**.

-----*Fiscal ordinance language is forthcoming*-----

SECTION 6. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective on the en days after passage.

KRH
Xx/xx/xx
Item No. _____

PASSED and APPROVED this _____ day of _____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

DRAFT