

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

**AN ORDINANCE**

**AUTHORIZING THE NEGOTIATION AND EXECUTION OF A FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BROOKS DEVELOPMENT AUTHORITY IN THE NOT-TO-EXCEED AMOUNT OF \$2,664,948.31 FOR BROOKS CITY BASE SOUTH NEW BRAUNFELS AVENUE (LYSTER ROAD TO AVIATION LANDING), BROOKS CITY BASE STINSON CORRIDOR (RESEARCH PLAZA TO SOUTH PRESA STREET), AND BROOKS CITY BASE INNER CIRCLE ROAD (LOUIS BAUER DRIVE TO RESEARCH PLAZA), 2017-2022 BOND PROJECTS LOCATED IN COUNCIL DISTRICT 3.**

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**WHEREAS**, in May 2017 the voters approved the 2017-2022 Bond Program, which authorized \$23,400,000 for improvements within the Brooks Development Authority (BDA); and

**WHEREAS**, \$2,664,948.31 of the aforementioned \$23,400,000 will be used to reimburse BDA for the design, engineering, planning, environmental studies and any necessary right-of-way acquisition for three improvement projects: Brooks City Base South New Braunfels Avenue (Lyster Road to Aviation Landing); Brooks City Base Stinson Corridor (Research Plaza to South Presa Street); and, Brooks City Base Inner Circle Road (Louis Bauer Drive to Research Plaza); and

**WHEREAS**, the remaining funds in the amount of \$20,735,051.69 will be retained by City to complete construction of the three projects; and

**WHEREAS**, this Ordinance authorizes the negotiation and execution of a funding agreement between the City and in the amount not-to-exceed \$2,664,948.31 to reimburse BDA for design, engineering, planning, environmental studies and any necessary right-of-way acquisition for three improvement projects at Brooks City Base; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager or her designee is hereby authorized to negotiate and execute a Funding Agreement with Brooks Development Authority in an amount not to exceed \$2,664,948.31 for the reimbursement of design, engineering, planning, environmental studies and any necessary right-of-way acquisition costs associated with three improvement projects at Brooks City Base.

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**SECTION 2.** Payment in the amount of \$438,604.90 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 23-01562, Brooks City Base Inner Circle Road (Louis Bauer Drive to Research Plaza), is authorized to be encumbered and made payable to Brooks Development Authority (BDA), a reimbursement funding agreement for design, engineering, planning, environmental studies and any necessary right-of-way acquisition of this improvement project.

**SECTION 3.** Payment in the amount of \$1,134,718.41 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 23-01563, Brooks City Base South New Braunfels Avenue (Lyster Road to Aviation Landing), is authorized to be encumbered and made payable to Brooks Development Authority (BDA), a reimbursement funding agreement for design, engineering, planning, environmental studies and any necessary right-of-way acquisition of this improvement project.

**SECTION 4.** Payment in the amount of \$1,091,625.00 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 23-01564, Brooks City Base Stinson Corridor (Research Plaza to South Presa Street), is authorized to be encumbered and made payable to Brooks Development Authority (BDA), a reimbursement funding agreement for design, engineering, planning, environmental studies and any necessary right-of-way acquisition of this improvement project.

**SECTION 5.** 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 6.** 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 7.** This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective on the en days after passage.

**PASSED and APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**M A Y O R**  
Ron Nirenberg

KRH

Item No. \_\_\_\_\_

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney

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