

**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 WITH TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING PAYMENT IN AN AMOUNT NOT-TO-EXCEED \$86,158.00 FOR DIRECT OVERSIGHT COSTS AND ACCEPTING REIMBURSEMENT IN THE ESTIMATED AMOUNT OF \$10,266,608.00 FROM TXDOT RELATED TO CONSTRUCTION COSTS FOR THE UTSA BOULEVARD (BABCOCK ROAD TO EDWARD XIMENES DRIVE), LOCATED IN COUNCIL DISTRICT 8.

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WHEREAS, the University of Texas at San Antonio and its surrounding development and adjacent communities have brought about the need of improvements along UTSA Boulevard; and

WHEREAS, the City has secured funding through the Metropolitan Planning Organization (MPO) to widen UTSA Boulevard, from Babcock Road to Edward Ximenes Drive; and

WHEREAS, in efforts to improve this corridor, the Texas Department of Transportation (TxDOT) is currently designing UTSA Boulevard, from Edward Ximenes Drive to IH 10, along with schematic design and environmental clearance for the entire corridor from Babcock Road to Edward Ximenes Drive; and

WHEREAS, the City will design and construct the roadway improvements from Babcock Road to Edward Ximenes and TxDOT will design and construct the roadway improvements from Edwards Ximenes to IH 10; and

WHEREAS, this Ordinance authorized an Advanced Funding Agreement with TxDOT to allow for the construction costs to qualify for federal cost sharing for construction and construction related costs up to the federal approved limit of \$10,266,608 with the remaining cost being the responsibility of the City of San Antonio; and

WHEREAS, approval of this Ordinance will be a continuation of City Council's policy to collaborate with other governmental agencies in supporting the City's commitment to maintaining and improving existing infrastructure; **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 execute an Advance Funding Agreement with TxDOT and authorizing payment in the amount not to exceed \$86,158.00 and accept reimbursement in an estimated amount of \$10,266,608.00 for related construction costs associated with the UTSA Boulevard (Babcock Road to Edward Ximenes

Drive) Project. The execution authority granted by this Ordinance expires 90 days from the effective date.

SECTION 2. The following financial adjustments are hereby approved:

- a) Financials to be inserted when finalized.
- b) 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 3. This ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this ____ day of _____, **2013.**

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael D. Bernard, City Attorney