

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

AN ORDINANCE

**AUTHORIZING AN AGREEMENT WITH UNION PACIFIC RAILROAD
(UPRR) IN AN AMOUNT NOT TO EXCEED \$578,028.00 FOR
CONSTRUCTION REQUIRED NEAR THE UPRR RIGHT-OF-WAY AS
PART OF THE DE ZAVALA ROAD - IH-10 TO LOCKHILL-SELMA
PROJECT LOCATED IN COUNCIL DISTRICT 8.**

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WHEREAS, the City is widening and reconstructing De Zavala Road from Brandeis Street to Lockhill-Selma Road and a portion of De Zavala Road included in this project bisects the UPRR and will require construction to occur within the Union Pacific Railroad right-of-way; and

WHEREAS, this Ordinance approves the terms of an agreement with UPRR to compensate UPRR in an amount not to exceed \$578,028.00 for work associated with this construction; and

WHEREAS, it is now necessary to authorize the execution of an agreement with UPRR in an amount not to exceed \$578,028.00; **NOW THEREFORE**,

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

SECTION 1. The terms and conditions of an agreement with Union Pacific Railroad, in an amount not to exceed \$578,028.00 for work associated with the De Zavala Road - IH-10 to Lockhill-Selma Project, are approved. The City Manager, or her designee, is authorized to execute the Agreement.

SECTION 2. A Payment in an amount not to exceed \$578,028.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01570, De Zavala Rd (I-10 Frontage-Lockhill Selma), is authorized to be encumber made payable to Union Pacific Railroad, for construction services within the Union Pacific Railroad right-of-way. 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 3. 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.

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SECTION 4. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this _____ 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

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EXHIBIT 1

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