

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

AN ORDINANCE

AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE PORT AUTHORITY OF SAN ANTONIO IN AN AMOUNT NOT-TO-EXCEED \$150,000.00 FOR THE 36TH STREET PHASE IIIB - BILLY MITCHELL TO GENERAL HUDNELL PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGEMENT (LAM) PROJECT LOCATED IN COUNCIL DISTRICT 4 AND FUNDED BY A FEDERAL HIGHWAY ADMINISTRATION GRANT AND 2012-2017 GENERAL OBLIGATION BOND FUNDS.

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WHEREAS, on May 21, 2009, the City Council approved Ordinance No. 2009-05-21-0409 that listed a 3-phase project on 36th Street: Phase I, US 90 to Growden, was authorized in Ordinance 2010-01-21-0039 and completed in 2013, Phase II, Growden to Billy Mitchell, was authorized by Ordinance 2010-05-13-0414 and completed in 2012; and

WHEREAS, Ordinance 2009-05-21-0409 approved a Memorandum of Understanding that allowed the City to manage the bid phase and the construction phase, with the Port Authority's design consultant, along with City staff, providing construction phase services and manage the design for all phases of the 36th Street Project; and

WHEREAS, the City uses the Port's design consultant for construction phase services, such as reviewing design conflicts, attending meetings and answering requests for information which are services usually included as part of the City's design consultant contract for construction projects; however, the City did not manage the design of this project; and

WHEREAS, the City and the Port Authority decision to manage both projects together would provide continuity and provide better accounting of funding strategies; and

WHEREAS, this Ordinance authorizes the execution of an Interlocal Agreement with the Port Authority of San Antonio and provides payment in an not-to-exceed amount of \$150,000.00 to the Port Authority associated with the costs in City's use of the Port's design engineer for construction phase services during the construction of the 36th Street Phase IIIB - Billy Mitchell to General Hudnell Project; and

WHEREAS, approval of this Ordinance will be a continuation of City Council 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 authorized to execute an Interlocal Agreement with the Port Authority of San Antonio in an amount not-to-exceed \$150,000.00 in connection with the 36th Street Phase IIIB - Billy Mitchell to General Hudnell Project.

SECTION 1. The following financial adjustments are hereby approved:

- a) **Financials will be provided when available.**
- 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 2. 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 this _____ day of _____, **2014.**

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney