

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

ORDINANCE

AUTHORIZING EXECUTION OF AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), ACCEPTING REIMBURSEMENT IN AN AMOUNT NOT TO EXCEED \$18,876,000.00 FROM TXDOT FOR CONSTRUCTION RELATED EXPENSES FOR THE SOUTH ZARZAMORA STREET OVERPASS AT UNION PACIFIC RAILROAD AND FRIO CITY ROAD, AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$266,729.00 TO TXDOT FOR ADMINISTRATIVE OVERSIGHT OF FEDERAL FUNDS.

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WHEREAS, the 2017 Bond Program authorized \$10,000,000.00 for the South Zarzamora Street Overpass at Union Pacific Railroad and Frio City Road Project located in Council District 5; and

WHEREAS, this Project was selected for funding through the Alamo Area Metropolitan Planning Organization (AAMPO) as a Local Agency Managed (LAM) project by TxDOT and the City of San Antonio; and

WHEREAS, this project will provide for the construction of a bridge on Zarzamora Street crossing the Union Pacific Railroad tracks to Frio City Road from U.S. Highway 90 to Jennings Avenue; and

WHEREAS, the City will manage the project and receive federal funds administered through TxDOT pursuant to an Advanced Funding Agreement; and

WHEREAS, the Advanced Funding Agreement with TxDOT will allow construction-related project costs to qualify for federal cost sharing up to the federally approved amount not to exceed \$18,876,000.00, and the City will be responsible for the remaining cost of \$9,735,291.00; and

WHEREAS, when the federal funding reaches the maximum obligated amount of \$18,876,000.00, City will then be responsible for project completion in a timely manner with no additional State or Federal funding and without decreasing the scope and/or terms of the work of the Project; and

WHEREAS, City also will pay \$266,729.00 to TxDOT for administrative oversight of federal funds associated with the project; and

WHEREAS, this Ordinance authorizes the execution of an Advanced Funding Agreement between the City of San Antonio and TxDOT, authorizes payment in the not to exceed amount of

\$266,729.00 to TxDOT, and accepts reimbursement in the not to exceed amount of \$18,876,000.00 from TxDOT for the South Zarzamora Street Overpass at Union Pacific Railroad and Frio City Road project; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Transportation and Capital Improvements Department or designee, is hereby authorized to execute an Advanced Funding Agreement between the City of San Antonio and Texas Department of Transportation (TxDOT) authorizing payment in an amount no to exceed \$266,729 payable to TxDOT for administrative oversight of federal funds and accepting grant funds in the amount up to \$18,876,000.00 for the South Zarzamora Street Overpass Project. A copy of the final agreement is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. When the federal funding reaches the maximum obligated amount, City will then be responsible for project completion in a timely manner with no additional State or Federal funding and without decreasing the scope and/or terms of the work of the Project.

SECTION 3. Should funding be accepted, new funds and internal orders will be created, upon which the award amount of \$18,876,000.00 will be appropriated from TxDOT. A final budget which will include SAP internal Orders and SAP GL Accounts will be submitted by the Transportation and Capital Improvements Department upon acceptance.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and General Ledger Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. 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 June, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina Flores, Acting City Clerk

Andrew Segovia, City Attorney

ATTACHMENT I

DRAFT