

AGREEMENT FOR MAINTENANCE AND OPERATION OF EXPRESSWAY
ILLUMINATION SYSTEM WITHIN MUNICIPALITY

STATE OF TEXAS

I

COUNTY OF TRAVIS

I

This agreement made this 27th day of May, 1976,
by and between the State of Texas, hereinafter referred to as the "State", party
of the First part, and the City of San Antonio, Bexar County, Texas, acting by
and through its duly authorized officers under an ordinance passed the 27th day
of May, 1976, hereinafter called the "City", party of the Second
part.

WITNESSETH

WHEREAS, in Bexar County, in the City of San Antonio, expressway illumi-
nation systems on Interstate Highway 10, 35, 37, 410, and US Highway 90 have been
installed in accordance with agreements whereby the City and State share
responsibility for installation, operation, and maintenance; and

WHEREAS, the operation and maintenance has become a burden to both the
City and the State; and mutually acceptable relief can be attained if the City
will assume the State's operation and maintenance responsibility.

WHEREAS, the Engineer-Director, acting for and in behalf of the State
Highway and Public Transportation Commission, has made it known to the City that
the State will pay the City \$563,118.08 for the City's cost for installation of
the Expressway lighting system, less depreciation, conditioned that the City, as
provided for in Highway Commission Order No. 71034 will maintain and operate said
illumination system.

AGREEMENT

NOW THEREFORE, in consideration of the premises and of the mutual covenants
and agreements of the parties hereto to be by them respectively kept and performed
as

hereinafter set forth, it is agreed as follows:

Maintenance and Operation Responsibilities

The City hereby agrees at its expense to furnish the electric energy required for proper operation of the street illumination system. The City further agrees to maintain and operate the existing expressway illumination system in an efficient and sightly condition, including the furnishing of all materials, equipment, and labor which may become necessary to maintain the system without cost to the State.

The City will obtain written approval of the Engineer-Director before making any changes in the design and operation of the illumination system as designed and constructed by the State or before removal of any part of the installation except for the replacements where identical or accepted equivalent equipment to that originally installed is used.

The City will assume maintenance and operations on June 1, 1976.

This agreement supersedes and cancels any and all prior Construction, Maintenance and Operation Agreements for expressway illumination on the above shown highways.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures
the City of San Antonio on the 27th day of May, 1976
and the State Department of Highways and Public Transportation on the 27th day
of May, 1976.

ATTEST:

CITY OF SAN ANTONIO

BY

Sam R. ...
City Manager

(Title of Signing Official)

[Signature]
City Clerk

THE STATE OF TEXAS

Certified as being executed for the
purpose and effect of activating and/or
carrying out the orders, established
policies, or work programs heretofore
approved and authorized by the State
Highway and Public Transportation
Commission.

BY:

[Signature]
Assistant Engineer-Director

Authorization for execution is
accomplished under Minute Order No. 70104

[Signature]
District Engineer

[Signature]
Chief Engineer of Highway Design

[Signature]
Chief Engineer of Maintenance Operations

AN ORDINANCE 46702

AUTHORIZING THE CITY MANAGER TO EXECUTE A
MAINTENANCE AND OPERATION AGREEMENT WITH THE
STATE OF TEXAS WHEREBY THE CITY OF SAN ANTONIO
WILL MAINTAIN AND OPERATE THE EXPRESSWAY
LIGHTING SYSTEM ON INTERSTATE HIGHWAYS 10, 35,
37, 410 AND U.S. HIGHWAY 90.

* * * * *

WHEREAS, by Ordinance No. 46478, dated April 1, 1976 the City of San Antonio accepted the terms of Minute Order No. 71034, dated March 5, 1976, thereby agreeing to operate and maintain the expressway lighting system in a manner suitable to the Texas Highway Department; and

WHEREAS, in consideration thereof the Texas Highway Department agreed to pay the City an amount equal to the City's cost for installation of the expressway lighting system, less depreciation, that is \$563,118.08; and

WHEREAS, by the terms of Ordinance No. 46478, dated April 1, 1976 the \$563,118.08, tendersd to the City by said Minute Order No. 71034, was accepted and deposited in Fund 11, Object Code 020321; NOW THEREFORE:

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

The City Manager is hereby authorized to execute the Maintenance and Operation Agreement attached hereto and incorporated herein with the State of Texas whereby the City of San Antonio shall maintain and operate the expressway lighting system on Interstata Highways 10, 35, 37, 410 and U.S. Highway 90.

PASSED AND APPROVED this _____ day of _____, 1976.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

SS

CERTIFIED COPY