

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

ORDINANCE

AUTHORIZING A SUPPLEMENTAL AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY TO THE AGREEMENT REGARDING QUIET ZONE WARNING DEVICES IN AN AMOUNT NOT TO EXCEED \$20,740.00 ANNUALLY FOR RAILROAD CROSSING EQUIPMENT MAINTENANCE FEES AT THE QUIET ZONE RAILROAD CROSSING LOCATED ON EAST HOUSTON STREET EXTENDING FROM BURLESON STREET TO EAST COMMERCE STREET, FUNDING IS CONTINGENT UPON APPROVAL OF THE FY 2020 ADVANCED TRANSPORTATION DISTRICT FUND'S BUDGET.

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WHEREAS, in October 2008, the City entered into an Agreement regarding Quiet Zone Warning Devices with Union Pacific Railroad Company (UPRR) to install and maintain railroad crossing safety equipment required for a quiet zone in Council District 2; and

WHEREAS, under the terms of the agreement, the City is obligated to pay any and all expenses associated with the fees incurred by UPRR for the construction, engineering, design, installation, operation, and maintenance of the railroad crossing warning devices; and

WHEREAS, in March 2009 the Federal Railroad Administration established the District 2 Quiet Zone extending from Burleson Street to E. Commerce Street and included eight railroad crossings for a total length of 0.77 miles; and

WHEREAS, this Ordinance authorizes the negotiation and execution of a Supplemental Agreement with UPRR in an amount not to exceed \$20,740.00 annually for railroad crossing equipment maintenance fees at the quiet zone railroad crossing located on E. Houston Street in Council District 2 and ensures the continued designation of the District 2 Quiet Zone; **NOW THEREFORE:**

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

SECTION 1. The City Manager, or designee, is authorized to negotiate and execute a Supplemental Agreement with Union Pacific Railroad Company in a not to exceed annual amount of \$20,740.00 for railroad crossing equipment maintenance fees at the quiet zone railroad crossing located on East Houston Street extending from Burleson Street to East Commerce.

[Reserved for fiscal language]

KRH

Item No. _____

SECTION__. 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 June, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

DRAFT