

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

ORDINANCE

AUTHORIZING AN ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), ACCEPTING REIMBURSEMENT IN AN AMOUNT NOT TO EXCEED \$600,000.00 FROM TXDOT FOR NON-CONSTRUCTION RELATED EXPENSES, AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$4,200.00 TO TXDOT FOR ADMINISTRATIVE OVERSIGHT OF FEDERAL FUNDS FOR THE CONGESTION MITIGATION AND AIR QUALITY (CMAQ) TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM.

* * * * *

WHEREAS, the Transportation Demand Management (TDM) Program was launched in February 2019 by City staff to expand commute programs, incentives, and benefits for municipal City employees; and

WHEREAS, the TDM Program will provide for the implementation of educational outreach and policy development regarding alternative commuting methods to improve air quality by expanding commute programs, incentives, and benefits for City employees; and

WHEREAS, the TDM Program was selected for funding through the Alamo Area Metropolitan Planning Organization Transportation Improvement Program (TIP) and will be managed by the City and receive federal funds administered through TxDOT; and

WHEREAS, as a requirement of the TIP, the City, as the local government, is responsible for 20% of the cost with the remaining 80% being provided federally through TxDOT; and

WHEREAS, the Advanced Funding Agreement will allow related program costs to qualify for federal cost-sharing up to the federally approved amount not to exceed \$600,000.00; and

WHEREAS, the City is responsible for the 20% City match for this project of \$150,000.00 and for payment of \$4,200.00 to TxDOT for administrative oversight of the federal funds associated with the program and; and

WHEREAS, when the federal funding reaches the maximum obligated amount, City will then be responsible for the program with no additional State or Federal funding and without decreasing the scope and/or terms of the work of the program; and

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

KRH

Item No. _____

\$600,000.00 from TxDOT and payment of the City’s match up to \$150,000.00 for the TDM Program and payment in the amount not to exceed \$4,200.00 to TxDOT for administrative oversight of federal funds; **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 Public Works Department, is hereby authorized to execute an Advance Funding Agreement with the TxDOT and accept grant funding in the amount up to \$600,000.00 for the Congestion Mitigation and Air Quality (CMAQ) Transportation Demand Management (TDM) Program. The City match of up to \$150,000.00 is hereby authorized. A copy of the final agreement is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. For those costs that are to be allocated based on 80% federal funding and 20% City funding, 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. Payment is authorized to be encumbered and made payable to TxDOT for administrative oversight of federal funds for Congestion Mitigation and Air Quality (CMAQ) Transportation Demand Management (TDM) Program, in the amount not to exceed \$4,200.00. **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.**

Fiscal Ordinance Language

SECTION__. 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 _____, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

KRH

Item No. _____

ATTACHMENT I

DRAFT