

**COOPERATIVE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, TEXAS,
BEXAR COUNTY, TEXAS, AND THE SAN ANTONIO RIVER AUTHORITY TO
COMPELTE THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT**

AMENDMENT NO. 1

This Amendment No. 1 (“Amendment”) to the Cooperative Agreement is entered into by and between the City of San Antonio, a Texas municipal corporation (“City”), acting by and through its City Manager or her designee, pursuant to Ordinance No. _____ passed and approved on _____, 2014, and the San Antonio River Authority, (“River Authority”).

WHEREAS, CITY, BEXAR COUNTY (“COUNTY”) and RIVER AUTHORITY entered into the Cooperative Agreement pursuant to Ordinance No. 2010-05-13-0428 for the performance of the San Antonio River Improvements Project (the “PROJECT”) and the consolidation of the terms and conditions of all earlier agreements regarding the PROJECT; and

WHEREAS, the scope of that Cooperative Agreement authorized RIVER AUTHORITY to complete the San Antonio River Improvements along the Museum Reach and the Mission Reach, extending along the San Antonio River from Lone Star Avenue to approximately 4,000 feet south of Loop 410 South;

WHEREAS, in furtherance of that Agreement, CITY agreed to provide funding for project management, design, permitting and construction of such improvements in the amount of \$76,759,438.00;

WHEREAS, RIVER AUTHORITY has since completed contracted improvements along the Mission Reach and fulfilled its associated contractual obligations for that section;

WHEREAS, over and above the planned PROJECT, voters approved a Parks & Recreation Department Expansion Venue Project in 2010, which provided sales tax funding for creekway trail projects including \$4,599,000.00 to connect the existing Medina River Greenway trail to the Mission Reach of the PROJECT at Mission Espada; and

WHEREAS, RIVER AUTHORITY regulatory permits under the PROJECT remain active and the parties agree it is most efficient for RIVER AUTHORITY to design and construct approximately 2,550 linear feet of this trail connection in conjunction with the Mission Reach; and

WHEREAS, to authorize such action RIVER AUTHORITY and CITY seek to amend the existing Cooperative Agreement for the purpose of adding \$350,000.00 to the CITY’s funding commitment and to expand RIVER AUTHORITY’s contractual obligations under the agreement to include the building of such trail; and

WHEREAS, COUNTY’S rights and obligations under the Cooperative Agreement will not be impacted by this Amendment No. 1 in any manner; and

In consideration of the mutual covenants and agreements set forth above, City and River Authority agree to amend the Cooperative Agreement as follows:

1. Exhibit B, referenced in Article III SCOPE OF THE PROJECT is MODIFIED BY ADDING THE FOLLOWING:

RIVER AUTHORITY will construct a 10 foot-wide, concrete multi-use trail along the San Antonio River from Mission Espada southward for approximately 2,550 feet according to the plans on file with the RIVER AUTHORITY.

2. ARTICLE V, Section A, 3. FUNDING IS MODIFIED AS FOLLOWS:

3) The amended total CITY funding commitment is \$77,109,438.00, as shown in Exhibit "E", "San Antonio River Improvements Project Cost Estimate and Funds Committed by Funding Entity" and Exhibit "F", "San Antonio River Improvements Project Cost Estimate and Funds Committed by Reach".

Except as modified herein, all terms and conditions contained in the Cooperative Agreement, as amended, shall remain in full force and effect.

EXECUTED on this _____ day of _____, 2014

CITY:
City of San Antonio, a Texas
Municipal Corporation

San Antonio River Authority

By: _____
City Manager

By: _____

Attest: _____
City Clerk

Approved as to Form: _____