

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

ORDINANCE

AUTHORIZING THE EXECUTION OF A LOCAL ON-SYSTEM AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND THE CITY OF SAN ANTONIO, AUTHORIZING THE CITY OF SAN ANTONIO TO ENTER, CONSTRUCT AND MAINTAIN THE ROADWAY AND PROVIDE TRAFFIC SIGNAL IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF STATE HIGHWAY 87, NECESSARY FOR THE COMPLETION OF THE S. FOSTER ROAD (RIGSBY TO 4,000'N) PROJECT, A PRIOR DEBT FUNDED PROJECT.

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WHEREAS, the Texas Transportation Code requires municipalities of the state to enter into a Local On-System Agreement (LOSA) with Texas Department of Transportation (TxDOT) when construction and improvements are made on roadways of the state highway system; and

WHEREAS, on May 9, 2019, City Council through Ordinance 2019-05-09-0380 approved a construction award in the amount of \$4,367,118.02 to Texas Sterling Construction Co. for the S. Foster Road (Rigsby to 4,000'N) Phase I Project; and

WHEREAS, the scope of the project includes widening the existing 26-foot wide, two-lane roadway to a proposed 50-foot wide, four-lane roadway with roadside drainage ditches, driveway culverts, driveways, box culvert crossings, traffic signal improvements and reconstruction of a left turn lane on State Highway 87, also known as Rigsby Avenue and the relocation of a traffic signal to accommodate the widening of Foster Road. Utility adjustments are included as part of the work; and

WHEREAS, The S. Foster Road (Rigsby to 4,000'N) Phase I Project requires construction located within areas in which are part of the state highway system Requiring TxDOT approval through a LOSA to allow the City to enter, continue construction and maintain the necessary improvements within TxDOT right-of-way in relation to the S. Foster Road (Rigsby to 4,000'N) Project; and

WHEREAS, the project is a continuation of the City's commitment to provide adequate roadway capacity for the increased development in the area. Project construction began June 2019 and estimated to be completed by September 2020; and

WHEREAS, this Ordinance authorizes the execution of a Local On-System Agreement between the Texas Department of Transportation (TxDOT) and the City of San Antonio, authorizing the City of San Antonio to enter, construct and maintain the roadway and provide traffic signal improvements within the right-of-way of State Highway 87; and

WHEREAS, there is no exchange of funds between TxDOT and the City upon execution of the agreement; and

WHEREAS, approval of this Ordinance will be a continuation of the City's commitment to maintaining and improving existing infrastructure in collaboration with other governmental agencies; **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 Improvement Department or designee, is authorized execution of a Local On-System Agreement between the Texas Department of Transportation (TxDOT) and the City of San Antonio, authorizing the City of San Antonio to enter, construct and maintain the roadway and provide traffic signal improvements within the right-of-way of State Highway 87, necessary for the completion of the S. Foster Road (Rigsby to 4,000thN) Project, a prior debt funded project as **Attachment I.**

SECTION 2. There is no fiscal impact associated with the execution of the Local On-System Agreement.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 5th day of December, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

ATTACHMENT I

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