

ORDINANCE

AUTHORIZING THE EXECUTION OF A JOINT USE AGREEMENT WITH PEDCOR INVESTMENTS LLC GRANTING PEDCOR ACCESS TO CITY OWNED PROPERTY NEAR BANDERA ROAD TO INSTALL AND MAINTAIN UTILITY IMPROVEMENTS AND CONSTRUCT SIDEWALK CONNECTIONS TO THE LINEAR TRAILS AT LEON CREEK GREENWAY IN CONNECTION WITH ITS DEVELOPMENT OF THE TRAILS AT LEON CREEK MULTI-FAMILY LIVING FACILITY AT 7635 BANDERA ROAD.

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WHEREAS, the Trails at Leon Creek will include approximately 296 units and will be developed over a 23.6 acre tract in NCB 18559 located at the northwest corner of the intersection of Bandera and Ebert Road; and

WHEREAS, the development will also include a recreation center, swimming pool, dog park and playgrounds for their residents; and

WHEREAS, the proposed Joint Use Agreement will grant Pedcor access to Leon Creek Greenway property so they may install and maintain an 8” Sanitary Sewer Main which will connect to an existing 33” SAWS sewer line, two 24” Storm Sewer Mains and two 36” Storm Sewer Mains; and

WHEREAS, although installation of the proposed sanitary and storm sewer improvements will require Pedcor to open-cut across the city property and trails; there will be no interruption of services for users of Leon Creek Greenway; and

WHEREAS, Pedcor will provide a temporary alternative trail route during construction at all times; and

WHEREAS, Pedcor will also provide two sidewalk trail connections from the multi-family development to the existing Leon Creek Trail; and

WHEREAS, these connections are consistent with the SA Tomorrow Comprehensive Plan which identifies increased pedestrian access to trails and neighborhood parks as a priority; and .

WHEREAS, the Joint Use Agreement also allows for enhanced security measures at Leon Creek Greenway; and

WHEREAS, Pedcor has committed to purchase and install two Rath Security Emergency Solar Tower Phones, Model 2100-TSC (emergency call boxes) along the greenway within the general proximity of the proposed joint use areas; and

WHEREAS, the precise locations will be determined by appropriate Parks and Recreation staff; **NOW THEREFORE**:

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

SECTION 1. The City Manager or her designee, or the Director of the Parks and Recreation Department or his designee, is authorized to execute a Joint Use Agreement with Pedcor Investments LLC which will allow Pedcor access to Leon Creek Greenway property for the installation of an 8” Sanitary Sewer Main, two 24” Storm Sewer Mains and two 36” Storm Sewer Mains and two sidewalk trail connections from its multi-family development adjacent to the existing Leon Creek Trail. A copy of the Joint Use Agreement is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. 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 3. This ordinance shall become effective immediately upon passage by eight (8) or more affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this _____th day of _____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney