

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) IN THE AMOUNT OF \$82,500.00 FOR THE RELOCATION OF EXISTING TxDOT FIBER OPTIC LINES FOR THE TRANSGUIDE CENTER WHICH ARE IN CONFLICH WITH THE McCULLOUGH AVENUE AREA DRAIANGE PROJECT, A 2012- 2017 BOND-FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 1

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WHEREAS, the voters approved the 2012 - 2017 Bond Program on May 12, 2012 in which \$12,509,000.00 was authorized for the McCullough Avenue Area Drainage Project; and

WHEREAS, the McCullough Avenue Area Drainage Project provides for the reconstruction of the pavement with curbs, sidewalks, driveway approaches and traffic signal improvements at St. Mary's & Elmira; and the underground drainage of Euclid from Brooklyn to Wilmington; Wilmington from Euclid to Elmira; Elmira from Wilmington to Newell; Newell from Elmira to Quincy and to outfall near the Newell Street Bridge to the SA River with a. construction anticipated date to begin in June 2016 and is estimated to be completed by September 2017; and

WHEREAS, in 2013, a Preliminary Engineering Report was prepared by HNTB for a drainage study of the McCullough Avenue Area Drainage Project to provide an analysis and identify the source of the flooding on the lower level of Interstate Highway 35 and to evaluate possible solutions to alleviate storm water flooding on local City of San Antonio streets and existing storm sewer systems. The report included data collection, hydrology and hydraulic analysis, development of conceptual design graphics, preliminary opinion of probable project costs and the evaluation of design alternatives; and

WHEREAS, the City is funding the relocation of TxDOT's existing fiber optic lines for the Transguide Center in order to expedite construction and clear the conflict before the June construction start date; and

WHEREAS, this Ordinance authorizes the execution of an Advanced Funding Agreement between the City of San Antonio and TxDOT in the amount of \$82,500.00 for the relocation of existing TxDOT fiber optic lines on Elmira from St. Mary's to Wilmington which used by the Transguide Center and are in conflict with the McCullough Avenue Area Drainage project; and

WHEREAS, this is a one-time capital improvement expenditure in the amount of \$82,500.00 for which funds are available from 2012 General Obligation Bonds and are included in the 2016-2021 Capital Improvement Program Budget; **NOW THEREFORE**,

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

SECTION 1. The City Manager or her designee is hereby authorized to execute an Advance Funding Agreement with **Texas Department of Transportation** in the amount of \$82,500.00 for the relocation of TxDOT's existing fiber optic lines on Elmira from St. Mary's to Wilmington Street.

SECTION 2. Payment in the amount not to exceed \$82,500.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00327, McCullough Avenue Area Drainage, is authorized to be encumbered and made payable to **Texas Department of Transportation (TxDOT)**, related to the relocation of existing fiber optic lines on Elmira from St. Mary's to Wilmington.

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 shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this ____ day of _____, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney