

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY (UPRR) TO ACCEPT FIFTY PERCENT OF THE COST, OR \$21,945.00 FOR THE CITY'S CONSTRUCTION AND INSTALLATION OF TWO ROADWAY CLEARANCE HEIGHT CURTAINS ON ST. MARY'S STREET NEAR THE UPRR BRIDGE LOCATED AT UPRR'S MILEPOST 210.98 IN COUNCIL DISTRICT 5.

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WHEREAS, between 2015 and 2017, UPRR has recorded 22 oversized vehicle strikes to the above grade UPRR railroad bridge at S. St. Mary's Street between Lotus Avenue and Mission Road; and

WHEREAS, a roadway clearance height curtain consists of a traffic signal mast and arm with alternating red and white-colored PVC reflective sheeting hanging on cables from the arm which creates a curtain effect which will create a visible barrier alerting the driver to the upcoming low-clearance bridge and the audible sound and impact will be heard and felt with minimal vehicle damage to alert the driver to stop before proceeding to strike the bridge; and

WHEREAS, in September 2016, Transportation & Capital Improvements (TCI) designed plans for two roadway clearance height curtains for installation; one on the southbound approach and one on the northbound approach to the UPRR railroad bridge and these devices will be an addition to the existing traffic warning devices at the location; and

WHEREAS, construction and installation of the S. St. Mary's Street two roadway clearance height curtains will be executed by TCI staff with project work beginning in December 2017 and completion in March 2018; and

WHEREAS, this one-time City expenditure of a 50% cost share for the S. St. Mary's Street two roadway clearance height curtains in the amount of \$21,945.00 is available from the 2017-2022 General Obligation Bond Program and is included in the 2018-2023 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 authorized to execute the Reimbursement Agreement with UPRR for the St. Mary's Street Roadway Clearance Height Curtains Project, a copy of which in substantially final form is set out in **ATTACHMENT I**.

SECTION 2. Funds are authorized to be received from Union Pacific Railroad Company to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01605,

Roosevelt Ave(I-10 to S St. Mary's St), and the budget shall be revised by increasing WBS element 23-01605-90-10-01, UPRR Contributions and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$27,851.00.

SECTION 3. The amount up to \$27,851.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01605, Roosevelt Ave(I-10 to S St. Mary's St), SAP WBS Element 23-01605-05-02-01, entitled Construction-City, SAP GL Account 5201140.

SECTION 4. A Payment in an amount not to exceed \$21,945.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01605, Roosevelt Ave(I-10 to S St. Mary's St), is authorized to be encumber made payable to Union Pacific Railroad Company, for construction services. Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, General Obligation Bonds in accordance with the adopted capital budget. 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.

SECTION 5. 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. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio.

SECTION 6. 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 on this day of , 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney