

## **ORDINANCE**

**AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN MULTIPLE USE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION, AUTHORIZING CITY OF SAN ANTONIO TO ENTER, CONSTRUCT AND MAINTAIN A LAND BRIDGE IN THE RIGHT OF WAY LOCATED OVER WURZBACH PARKWAY, A ROADWAY ON THE STATE HIGHWAY SYSTEM, NECESSARY FOR THE COMPLETION OF THE HARDBERGER PARK PROJECT, A 2017 BOND PROJECT.**

\* \* \* \* \*

**WHEREAS**, on May 6, 2017, San Antonio voters approved the 2017-2022 Bond Program, consisting of six propositions totaling \$850 Million to be used on various capital improvement projects to address community infrastructure needs and improve the overall quality of life in San Antonio; and

**WHEREAS**, as part of Proposition 1 Streets, Bridges & Sidewalk Improvements, funds in the amount of \$7,500,000.00 and as part of Proposition 3 Parks, Recreation & Open Space Improvements, funds in the amount of \$5,500,000.00 were approved for improvements associated with Phil Hardberger Park in accordance with City Council approved Phil Hardberger Park Master Plan; and

**WHEREAS**, the Phil Hardberger Park is a 311 acre City Park that first opened in May 2010, and is divided by Wurzbach Parkway with the West Park located at 8400 N.W. Military and the East Park located at 13203 Blanco Road in Council Districts 8 and 9; and

**WHEREAS**, It is necessary to obtain the approval of Texas Department of Transportation for the construction of the bridge since it will be placed in state owned Right-Of-Way; **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 Transportation and Capital Improvements Department or his designee, is authorized to negotiate and execute an Multiple Use Agreement between the City of San Antonio and the Texas Department of Transportation (TxDOT), authorizing City of San Antonio to enter, construct and maintain a land bridge in the right of way located over Wurzbach Parkway, a roadway on the state highway system, necessary for the completion of the Hardberger Park Project. A copy of the Multiple Use Agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I.**

**SECTION 3. NO FISCAL LANGUAGE AVAILABLE**

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**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 \_\_\_\_\_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

**ATTACHMENT I**

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