

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

ORDINANCE

AUTHORIZING EXECUTION OF AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), ACCEPTING REIMBURSEMENT IN AN AMOUNT NOT TO EXCEED \$8,712,000.00 FROM TXDOT FOR CONSTRUCTION-RELATED EXPENSES, AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$114,394.00 TO TXDOT FOR ADMINISTRATIVE OVERSIGHT OF FEDERAL FUNDS FOR PRESA ROAD COMPLETE STREETS PROJECT.

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WHEREAS, the Presa Road Complete Streets project will provide for pedestrian connectivity by constructing sidewalks, curbs and driveway approaches from W. Boyer Street to S.E. Military Drive including roadway improvements along the Presa corridor, ponding relief around Story Lane, Wahrmund Court and Koehler Court intersections and traffic signal upgrades; and

WHEREAS, this project was selected for funding through the Alamo Area Metropolitan Planning Organization Transportation Improvement Program (TIP) will be managed by the City and receive federal funds administered through TxDOT; and

WHEREAS, as a requirement of the TIP, the City, as the local government, is responsible for 20% of the construction cost with the remaining 80% being provided federally through TxDOT; and

WHEREAS, this Advanced Funding Agreement with TxDOT will allow construction-related project costs to qualify for federal cost sharing up to the federally approved amount not to exceed \$8,712,000.00, and the City will be responsible for the remaining cost of \$3,178,000.00; and

WHEREAS, for those costs that are to be allocated based on 80% federal funding and 20% City funding, when the federal funding reaches the maximum obligated amount, City will then be responsible for project completion in a timely manner with no additional State or Federal funding and without decreasing the scope and/or terms of the work of the Project.

WHEREAS, City also will pay \$114,394.00 to TxDOT for administrative oversight of federal funds associated with the project; and

WHEREAS, this Ordinance authorizes the execution of an Advanced Funding Agreement between the City of San Antonio and TxDOT in the amount not to exceed \$12,166.00 to TxDOT

and accepting reimbursement in the not to exceed amount of \$968,000.00 from TxDOT related to construction costs for the Judson Road Sidewalks Project; **NOW THEREFORE:**

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

SECTION 1. The City Manager or his designee, or the Director of the Transportation and Capital Improvements Department or his designee, is hereby authorized to execute an Advance Funding Agreement with the TxDOT and accept grant funding in the amount up to \$8,712,000.00 from TxDOT for the Judson Road Sidewalks Project. The City match of up to \$2,178,000.00 is hereby authorized. A copy of the final agreement is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. For those costs that are to be allocated based on 80% federal funding and 20% City funding, when the federal funding reaches the maximum obligated amount, City will then be responsible for project completion in a timely manner with no additional State or Federal funding and without decreasing the scope and/or terms of the work of the Project.

SECTION 3. The amount of \$2,178,000.00 is reduced in Fund 45910400 by decreasing WBS element GO-00295-01-01-54, GL account 6102100.

SECTION 4. The amount of \$8,712,000.00 is appropriated in Fund 2205923xxx, and the budget shall be revised by increasing Internal Order 123000000xxx, GL account 6102100.

SECTION 5. The amount of \$2,178,000.00 is appropriated in Fund 2205923xxx, and the budget shall be revised by increasing Internal Order 123000000xxx, GL account 6102100.

SECTION 6. The budget in Fund 45099000, Project 23-01610, shall be revised per the table below:

WBS	GL	AMOUNT
23-01610-90-01-17-04	6101100	2,178,000.00
23-01610-90-01-17-XX	6101100	-2,178,000.00
23-01610-90-01-17-XX	6101100	-8,712,000.00
23-01610-01-02-01	5201170	270,000.00
23-01610-03-14	5209010	70,000.00
23-01610-05-01-02	5202020	601,800.00
23-01610-05-02-01	5201040	114,394.00
23-01610-05-02-01	5201140	7,920,000.00
23-01610-05-05-01	5201170	-194,413.99
23-01610-05-05-02	5201270	190,200.00
23-01610-05-06	5201140	-536,869.35

SECTION 7. Payment is authorized to be encumbered and made payable to TxDOT for administrative oversight of federal funds for the Judson Road Sidewalks Project, in the amount not to exceed \$114,394.00. 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 8. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 9. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective on the en days after passage.

PASSED and APPROVED this _____ day of August, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney