

STATE OF TEXAS

COUNTY OF BEXAR

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**AMENDMENT NO. 2  
TO THE INTERLOCAL AGREEMENT  
BETWEEN CITY OF SAN ANTONIO,  
TEXAS AND THE SAN ANTONIO  
RIVER AUTHORITY FOR THE SAN  
PEDRO CREEK IMPROVEMENTS  
PROJECT**

This Amendment No. 2 to the Interlocal Agreement ("Amendment") executed by and between the City of San Antonio (hereinafter referred to as "City"), and the San Antonio River Authority, a conservation and reclamation district (hereinafter referred to as "River Authority"), and all of which may also be referred to herein individually as a "Party" or collectively as the "Parties".

WHEREAS, City and River Authority entered into the Interlocal Agreement between City of San Antonio, Texas and the San Antonio River Authority ("ILA") pursuant to Ordinance No. 2017-12-14-0995 for the San Pedro Creek Improvements Project in support of the improvement and restoration of San Pedro Creek ("Project"); and

WHEREAS, the Project will design and construct San Pedro Creek improvements and drainage and flood control improvements, linear hike and bike trails, and other related improvements along the creek; and

WHEREAS, the failing west courtyard wall of the Spanish Governor's Palace fronts the Project and the improvements to San Pedro Creek will necessitate the demolition of part of the existing masonry wall and foundation, installation of temporary electrical service, and the construction of a new replacement wall and foundation: and

WHEREAS, this amendment establishes the responsibilities of the parties and enables reimbursement to the River Authority for the design of the foundation and the construction of the aforementioned wall in the amount of \$250,000.00;

NOW THEREFORE, the Parties severally and collectively agree and, by mutual execution hereof, are bound to the mutual obligations contained herein and to the performance and accomplishment of the tasks herein described and amend the ILA between City and River Authority as follows:

- 1. Article III Scope of the Project.** Article III Scope of the ILA is hereby amended to add and incorporate the following scope to the ILA:

"The San Antonio River Authority will manage and implement the following:

- Demolition of the existing masonry wall and foundation,
- Design and installation of the replacement foundation for the new masonry wall,
- Permitting with the City of San Antonio Development Services Department for the replacement foundation,
- Archaeological permitting with the Texas Historical Commission (THC) for the demolition of the existing wall and the replacement

- foundation,
- Maintenance of electrical service to the Spanish Governors Palace buildings and facilities,
  - Replacement of all damaged underground utilities,
  - Archeological shovel testing,
  - Monitoring, and observation of the demolition of the existing wall and the installation of the replacement foundation consistent with the plan developed with the THC and the City of San Antonio Office of Historic Preservation (OHP),
  - Possible salvage, storage, and reuse of salvageable materials for the existing wall and foundation to be determined by OHP,
  - Meeting any Section 106 requirements deemed necessary by the United States Army Corp of Engineers (USACE) under the Agreement, and
  - Construction of a new masonry wall following plans provided by the City of San Antonio's design team."

**2 Article VI. A. City Funding.** Article VI. A. City Funding of the ILA is hereby amended to increase the amount of the CITY FUNDING by TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) for a revised CITY FUNDING amount of \$22,900,000.00.

Except as amended hereby, all other provisions of the ILA are hereby retained in their entirety and remain unchanged.

**EXECUTED and AGREED** to as of the dates indicated below.

**CITY OF SAN ANTONIO**

**SAN ANTONIO RIVER AUTHORITY**

\_\_\_\_\_  
(Signature)  
Razi Hosseini  
Director  
Public Works Department  
Date:

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(Signature)  
Printed Name: Suzanne B Scott  
Title: General Manager  
Date: 3/27/20

Approved as to Form:

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Assistant City Attorney