

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

ORDINANCE

APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE PORT AUTHORITY OF SAN ANTONIO AUTHORIZING THE ACCEPTANCE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$1,000,000.00 FROM THE PORT AUTHORITY OF SAN ANTONIO FOR COMPLETION OF CONSTRUCTION OF THE PORT SAN ANTONIO PROJECT; AND AUTHORIZING THE AMENDING OF THE FY 2021 – FY 2026 CAPITAL IMPROVEMENT PROGRAM WITH THESE FUNDS FROM PORT SAN ANTONIO TO THE PORT SAN ANTONIO PROJECT.

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WHEREAS, on May 6, 2017, San Antonio voters approved the City of San Antonio’s 2017-2022 Bond Program, of which \$24,000,000.00 was approved for drainage improvements associated with the Port San Antonio project with funds being used toward constructing the project, construction oversight and the reimbursement of construction phase design services and utility adjustments; and

WHEREAS, in partnership with the City, the Port Authority of San Antonio agreed to manage and fund the design phase of the project, including the necessary environmental services and manage the preconstruction utility adjustments, the City agreed to contribute \$24,000,000.00 toward the construction and provide construction management services for the Port San Antonio project and fund the preconstruction utility adjustments; and

WHEREAS, the Port San Antonio project is a continuation of the City of San Antonio’s commitment to providing an adequate storm water system to reduce on-going flooding risks within the City and the project expands the 36th Street Phase IIIB (Billy Mitchell to General Hudnell) drainage infrastructure built as part of the 2012 General Obligation Bond Program; and

WHEREAS, project construction began in February 2019 and is estimated to be completed by May 2022; and

WHEREAS, as part of the Interlocal Agreement between the Port Authority and the City, the City will not be required to contribute any funds in excess of the \$24,000,000.00 and the Port Authority of San Antonio is responsible for all costs in excess of the City’s contribution; and

WHEREAS, as part of a joint monthly review of the project budget it was determined that a \$1,000,000 contribution from the Port Authority was necessary to continue and complete project’s construction; and

WHEREAS, to maintain the overall budget, project adjustments will continue to be coordinated and evaluated by both the City and the Port Authority of San Antonio; and

WHEREAS, it is necessary to amend the Interlocal Agreement accordingly and authorize the execution of such amendment acceptance of funds in an amount not to exceed \$1,000,000.00 from the Port Authority of San Antonio for the continuation of project construction; **NOW THEREFORE**:

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

SECTION 1. The City Manager or designee is hereby authorized to amend the Interlocal Agreement between the City of San Antonio and Port Authority of San Antonio authorizing the acceptance of funds in an amount not to exceed \$1,000,000.00 into Fund 45099000 GO Capital Projects. A copy of the amendment in substantially final form is attached as **Exhibit I**.

SECTION 2. Upon acceptance the budget in Fund 4509900 GO Capital Projects, WBS Element 23-01633-90-10-01 Port of SA - Contributions with GL Account 4502280 Transfer In and WBS Element 23-01633-05-02-01 with GL Account 5201140 shall each be increased by the amount of \$1,000,000.00.

SECTION 3. 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 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 June, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

EXHIBIT I
Interlocal Agreement Amendment Port SA

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