

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

ORDINANCE

APPROVING AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), ACCEPTING REIMBURSEMENT IN THE ESTIMATED AMOUNT NOT TO EXCEED \$1,200,000.00 FROM TXDOT FOR CONSTRUCTION-RELATED EXPENSES AND AUTHORIZING PAYMENT IN THE AMOUNT NOT TO EXCEED \$20,566.00 TO TXDOT FOR ADMINISTRATIVE OVERSIGHT OF FEDERAL FUNDS FOR THE ABE LINCOLN SHARED USE PATH PROJECT, A GENERAL FUND AND FEDERALLY FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 7. THE MATCH FOR THIS PROJECT IS \$300,000.00 WHICH WILL BE PAID FOR BY THE CITY. FUNDING IS AVAILABLE FROM GENERAL FUND INCLUDED IN THE FY 2024 – FY 2029 CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, the Abe Lincoln Shared Use Path project was selected for Congestion and Mitigation and Air Quality Improvement (CMAQ) funding through the Alamo Area Metropolitan Planning Organization (AAMPO) Transportation Improvement Program (TIP) to provide connectivity for multi-modal transportation within the City of San Antonio. Local Agency Managed projects are managed by the City but receive federal funds administered through TxDOT. The funds paid to TxDOT by the City are for costs associated with oversight of the administration of the federal funds; and

WHEREAS, this project will construct a shared used path for local pedestrians and bicyclists along Abe Lincoln from Eckhert Road to Horn Boulevard, located in Council District 7, using available right-of-way on the east side of the roadway. The City will design and manage the construction of the improvements leveraging funding from TxDOT. Project construction is anticipated to begin in Winter 2026 and is estimated to be completed in Spring 2027; and

WHEREAS, the TIP program requires the City match 20% of the construction cost, with the remaining 80% being provided by federal funds through TxDOT. 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 \$1,200,000.00. The remaining construction cost of \$300,000.00 will be the responsibility of the City of San Antonio; and

WHEREAS, this ordinance approving an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) and accepting reimbursement in the estimated amount of \$1,200,000.00 from TxDOT for construction-related expenses and authorizing payment in the

amount not to exceed \$20,566.00 to TxDOT for administrative oversight of federal funds for the Abe Lincoln Shared Use Path project; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to execute an Advance Funding Agreement between the City of San Antonio and Texas Department of Transportation (TxDOT) accepting funding of \$1,200,000.00 for the Abe Lincoln Shared Use Path project.

SECTION 2. The City Manager or designee, or the Director of the Public Works Department or designee, is further authorized to execute any and all necessary documents to effectuate said agreement and acceptance.

SECTION 3. The budget in Fund 43099000 Project 23-04065 Abe Lincoln Shared Use Path shall be revised by increasing WBS 23-04065-90-06-01 with GL 6101100 and WBS 23-04065-05-02-09 with GL 5201245 each by \$1,200,000.00.

SECTION 4. The City Match requirement of \$300,000.00 is authorized to be appropriated in Fund 43099000, WBS 23-04065-90-14-02 with GL 6101100 and WBS 23-04065-05-02-08 with GL 5201141 each by \$300,000.00.

SECTION 5. Upon acceptance of the Advanced Funding Agreement, payment is authorized to be encumbered and made payable to TXDOT in an amount not to exceed \$20,566.00. Payment is in support of the Abe Lincoln Shared Use Path project using Fund 43099000, with the WBS element 23-04065-05-02-01 and GL account 5201140. Funding for this project is provided by the General Fund and TXDOT and is in the FY 2024-FY 2029 CIP Budget as amended above.

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 6. 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 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.

SECTION 7. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this ____ day of January, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

DRAFT