

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

ORDINANCE

**APPROVING A PUBLIC HIGHWAY AT-GRADE CROSSING
AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE
UNION PACIFIC RAILROAD COMPANY IN THE TOTAL
AMOUNT NOT-TO-EXCEED \$238,475.00 FOR SUPPLEMENTAL
WORK RELATED TO THE FREDERICKSBURG ROAD (NORTH
FLORES STREET TO WEST WOODLAWN AVENUE) PROJECT
LOCATED IN COUNCIL DISTRICT 1. FUNDS ARE AVAILABLE
FROM 2017 GENERAL OBLIGATION BOND FUNDS INCLUDED IN
THE FY 2024 – FY 2029 CAPITAL IMPROVEMENTS PROGRAM**

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program which authorized \$8,000,000.00 for street and sidewalk improvements for the Fredericksburg Road (North Flores Street to West Woodlawn Avenue) project located in Council District 1, which included resurfacing the street, curbs, sidewalks, driveways, traffic signal upgrades, pedestrian crossings, traffic lane reconfiguration, bike lanes, drainage infrastructure, and utility upgrades, and was completed in January 2023; and

WHEREAS, the proposed Public Highway At-Grade Crossing Agreement will allow the City's contractor to work within the UPRR right-of-way to install new sidewalks, concrete medians, and roadway resurfacing along Fredericksburg Road, and the City will compensate UPRR for installing additional necessary concrete planking along the railroad tracks to accommodate the City's previously completed project; and

WHEREAS, this ordinance authorizes the execution of a Public Highway At-Grade Crossing Agreement between the City of San Antonio and the Union Pacific Railroad Company in the total amount not-to-exceed \$238,475.00 for supplemental work related to the Fredericksburg Road (North Flores Street to West Woodlawn Avenue) project located in Council District 1. Funds are available from 2022 General Obligation Bond funds included in the FY 2024 – FY 2029 Capital Improvements Program; **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 a Public Highway At-Grade Crossing Agreement between the City of San Antonio and the Union Pacific Railroad Company in the total amount not-to-exceed \$238,475.00 for supplemental work related to the Fredericksburg Road (North Flores Street to West Woodlawn Avenue) project located in Council District 1. Funds are available from 2022 General Obligation Bond funds included in the FY 2024 – FY 2029 Capital Improvements Program.

SECTION 2. Funds in the amount of \$238,475.00 is available in Fund 45099000, Project 23-01582, WBS Element 23-01582-05-02-01 and GL Account 5201140.

SECTION 3. Payment not to exceed \$238,475.00 is authorized to be encumbered with a purchase order and made payable to The Union Pacific Railroad Company. Payment is in support of related supplemental work to be completed as part of the Fredericksburg Road (North Flores Street to West Woodlawn Avenue) project. Funding is provided by 2017 General Obligation Bond funds and is included in the FY 2024 - FY 2029 CIP Budget.

SECTION 4. 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 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 19th day of September, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney