

**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 \$5,409,644.00 FROM TXDOT FOR CONSTRUCTION-RELATED EXPENSES, AUTHORIZING PAYMENT IN THE AMOUNT NOT TO EXCEED \$96,886.00 TO TXDOT FOR ADMINISTRATIVE OVERSIGHT OF FEDERAL FUNDS FOR THE NORTH FRIO BIKE AND PEDESTRIAN IMPROVEMENTS (WEST HOUSTON STREET TO INTERSTATE HIGHWAY 10) PROJECT LOCATED IN COUNCIL DISTRICT 5, AND AUTHORIZING A \$1,352,411.00 CITY MATCH AND CONSOLIDATES PROJECTS. FUNDING IS AVAILABLE FROM THE GENERAL FUND AND THE 2022 GENERAL OBLIGATION BOND PROGRAM.

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WHEREAS, as part of the adopted FY 2023 Budget, \$2.2 million was authorized to provide connectivity and pedestrian safety improvements along the North Frio corridor from West Houston Street to Interstate Highway 10. The project scope includes the construction of bike lanes, sidewalks, and improved connections to VIA Centro Plaza; and

WHEREAS, the North Frio Bike and Pedestrian Improvements (West Houston Street to Interstate Highway 10) project was selected for funding through the Alamo Area Metropolitan Planning Organization (AAMPO) Transportation Improvement Program (TIP) with funding allocated from Transportation Alternatives (TA) for bike and pedestrian projects. Local agency projects are managed by the City but receive federal funds administered through the Texas Department of Transportation (TxDOT). The funds paid to TxDOT by the City are for costs associated with oversight for administration of the federal funds; and

WHEREAS, TIP requires a local government funding match of 20% of the construction cost with the remaining 80% being provided federally 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 \$5,409,644.00. The remaining construction cost will be the responsibility of the City of San Antonio; and

WHEREAS, the North Frio Bike and Pedestrian Improvements (West Houston Street to Interstate Highway 10) project will provide safety and connectivity for pedestrians and bicyclists by constructing 6-foot sidewalks and 5-foot bike lanes to connect the surrounding residents and businesses to VIA Centro Plaza; and

WHEREAS, this project is currently under design and will provide connectivity for pedestrians and cyclists within the City of San Antonio to walk and bike in the area. The City will design and construct the improvements, leveraging funding from TxDOT. Project construction is anticipated to begin in Winter 2027 and is estimated to be completed in Winter 2028; and

WHEREAS, this ordinance authorizes the execution of 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 \$5,409,644.00 from TxDOT for construction-related expenses, authorizing payment in the amount not to exceed \$96,886.00 to TxDOT for administrative oversight of federal funds for the North Frio Bike and Pedestrian Improvements (West Houston Street to Interstate Highway 10) project located in Council District 5, and authorizing a \$1,352,411.00 City match. Funding is available from the General Fund and the 2022 General Obligation Bond 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 an Advance Funding Agreement between the City of San Antonio and Texas Department of Transportation (TxDOT) and accept reimbursement in the amount up to \$5,409,644.00 for construction-related expenses costs. A copy of the agreement is substantially final form is attached hereto and incorporated herein for all purposes as **Attachment xx**.

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. Upon acceptance of this award, a new fund and internal order number will be created, upon which the award amount up to \$5,409,644.00 will be appropriated from TxDOT.

SECTION 4. Upon appropriation, the amount of \$5,409,644.00 is authorized to be transferred and appropriated from the new grant fund to Fund 45099000, Project 23-03869, WBS Element 23-03869-90-06-01 and GL Account 6101100.

SECTION 5. Funds in the amount of \$5,409,644.00 is authorized to be appropriated in Fund 45099000, WBS Element 23-03869-03-05-02-08 and GL Account 5201245.

SECTION 6. Funds in the amount of \$1,352,411.00 for the required City match is available in Fund 45099000, WBS Element 23-03869-03-05-02-01 and GL Account 5201140.

SECTION 7. Funds in the amount of \$96,886.00 is available in Fund 45099000, WBS Element 23-03869-03-05-02-09 and GL Account 5201140.

SECTION 8. Payment in the amount of \$96,886.00 is authorized to TxDOT for administrative oversight of federal funds and shall be encumbered by a purchase order. Funding is provided by General Obligation bond funds as part of the Fiscal Year 2025 Adopted Budget.

SECTION 9. Funds in the amount of \$2,333,530.00 are authorized to be reallocated from Fund 43099000, Project 23-04063 and into Fund 45099000, Project 23-03869. This will be done in the form of a change order upload submitted to Finance from Public Works.

SECTION 10. 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 11. 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 February, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney