

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

**ORDINANCE**

**AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE UNION PACIFIC RAILROAD COMPANY (UPRR) IN AN AMOUNT NOT TO EXCEED \$75,000.00 FOR PRELIMINARY ENGINEERING SERVICES, TO BE PERFORMED BY UPRR, NECESSARY FOR THE RITTIMAN ROAD GRADE SEPARATION PROJECT, A FEDERALLY FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 2. FUNDS ARE AVAILABLE FROM PRIOR DEBT PROCEEDS FUNDS INCLUDED IN THE FY 2024 – FY 2029 CAPITAL IMPROVEMENTS PROGRAM.**

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**WHEREAS**, on June 5, 2023, the City of San Antonio was selected by the U.S. Department of Transportation (USDOT) for an award of \$4.8 million in federal grant funding for the design and environmental review of an overpass to eliminate a Union Pacific railroad crossing at Rittiman Road and Gibbs Sprawl Road; and

**WHEREAS**, an estimated 52,000 residents, 22,700 employees, and 3,400 students live, work, and go to school within two miles of this railroad crossing. Rittiman Road is an important west-east arterial roadway connecting Joint Base San Antonio, H-E-B Grocery Distribution Headquarters, and other destinations. Completing the design and environmental review will position this project to compete for future construction funding opportunities. Once constructed, this project is estimated to eliminate traffic congestion at the railroad crossing by as much as 40% during peak periods in the future; and

**WHEREAS**, a component of the Rittiman Road Grade Separation Project is building a four-lane grade separation with a sidewalk over the Union Pacific Railroad (UPRR). Another component is realigning Gibbs Sprawl at this intersection; and

**WHEREAS**, once funded for construction, the grade separation will eliminate an at-grade highway-rail crossing at Rittiman Road (USDOT #764362W), which is blocked multiple times per day due to high train volume and rail operations in the nearby UPRR Kirby Yard; and

**WHEREAS**, the proposed Reimbursement Agreement for Preliminary Engineering Services allows UPRR to coordinate with the City and begin engineering design services for the grade separation project. Through this agreement, the City will reimburse UPRR not exceeding \$75,000.00 for these design services within their ROW that are necessary to complete the Rittiman Road Grade Separation Project. Design completion is anticipated in late 2026; and

**WHEREAS**, this Ordinance authorizes the execution of a Reimbursement Agreement in an amount not to exceed \$75,000.00 between the City of San Antonio and the Union Pacific Railroad Company (UPRR) for Preliminary Engineering Services to be performed by UPRR for the Rittiman Road Grade Separation Project. Funds are available from prior debt proceeds 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 Reimbursement Agreement in an amount not to exceed \$75,000.00 between the City of San Antonio and the Union Pacific Railroad Company (UPRR) for Preliminary Engineering Services to be performed by UPRR for the Rittiman Road Grade Separation 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.** Funds in the amount of \$75,000.00 is available in Fund 40099000, Project 23-04110, WBS Element 23-04110-01-02-01 and GL Account 5201170.

**SECTION 4.** Payment not to exceed \$75,000.00 is authorized to be encumbered with a purchase order and made payable to Union Pacific Railroad Company (UPRR). Payment is in support of preliminary engineering services. Funding is provided by General Obligation bond funds and is included in the FY 2024 - FY 2029 CIP Budget.

**SECTION 5.** 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 6.** 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 June, 2024.

**M A Y O R**  
Ron Nirenberg

TG  
6/20/24  
Item No.

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

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