

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

ORDINANCE

APPROVING THE EXECUTION OF AN AMENDMENT IN THE INCREASED AMOUNT NOT TO EXCEED \$134,404.97 TO THE CONSTRUCTION CONTRACT WITH LONGHORN TEJAS PROPERTY BUILDERS, LLC. FOR A REVISED CONTRACT TOTAL OF \$809,233.60 FOR THE INSTALLATION AND CONSTRUCTION OF THE CREEK WAY CROSSING AT KARDON PARK. FUNDING FOR THIS AMENDMENT IS AVAILABLE FROM PREVIOUSLY AUTHORIZED CERTIFICATES OF OBLIGATION IN THE AMOUNT OF \$5,644.07 AND \$128,759.93 FROM REVENUES COLLECTED FROM UNIFIED DEVELOPMENT CODE (UDC) FEES IN LIEU OF PARKLAND DEDICATION TO THE COUNCIL DISTRICT 2 INFRASTRUCTURE IMPROVEMENTS (KARDON PARK) PROJECT INCLUDED IN FY 2023 – FY 2028 CAPITAL IMPROVEMENT PROGRAM. THIS ORDINANCE ALSO AUTHORIZES THE APPROPRIATION AND AMENDING OF THE FY 2023 – FY 2028 CAPITAL IMPROVEMENT PROGRAM IN THE AMOUNT OF \$128,759.93 FROM THE UDC FEES IN LIEU OF PARKLAND DEDICATION.

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WHEREAS, as part of the FY 2020 Adopted Budget, funds in the amount of \$1,000,000.00 were allocated to Council District 2 Infrastructure Improvements, including improvements to Kardon Park; and

WHEREAS, on January 27, 2022, City Council approved a construction contract with Longhorn Tejas Property Builders, LLC. in the amount of \$669,466.63 for construction of the Council District 2 Infrastructure Improvements (Kardon Park) Project through Ordinance 2022-01-27-0033; and

WHEREAS, a previous amendment to provide the difference in the San Antonio Water System (SAWS) Impact Fees for the project increased this contract by \$5,362.00 for a total contract amount of \$674,828.63; and

WHEREAS, this ordinance authorizes an amendment totaling \$134,404.97 for the construction of a creek way crossing to provide an accessible path from the East Village subdivision to the Kardon Park thereby increasing the contract value to a total amount of \$809,233.60; and

WHEREAS, revenues collected from the UDC fees in lieu of parkland dedication in the amount of \$128,759.93 are available for the construction of the creek way crossing; and

WHEREAS, this ordinance approves the execution of an amendment in the increased amount not to exceed \$134,404.97 to the construction contract with Longhorn Tejas Property Builders, LLC. for a revised contract total of \$809,233.60 for the installation and construction of the creek way crossing at Kardon Park. This ordinance also authorizes the appropriation and amending of the FY 2023 – FY 2028 Capital Improvement Program in the amount of \$128,759.93 from the UDC fees in lieu of parkland dedication; **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 approve an amendment in the increased amount of \$134,404.97 and authorize payment to Longhorn Tejas Property Builders, LLC. for the construction a creek way crossing.

SECTION 2. The amount of \$25,609.34 is appropriated in 29088156 SATX 2016 LLC Fund and is authorized to be transferred to Fund 43099000 Certificates of Obligation Capital Projects, WBS 23-03774-90-07-01, GL 6101100 Transfer In.

SECTION 3. The amount of \$38,390.43 is appropriated in 29088171 San Antonio Lennar Fund and is authorized to be transferred to Fund 43099000 Certificates of Obligation Capital Projects, WBS 23-03774-90-07-02, GL 6101100 Transfer In.

SECTION 4. The amount of \$64,343.64 is appropriated in 29088147 LECA Construction LLC Fund and is authorized to be transferred to Fund 43099000 Certificates of Obligation Capital Projects, WBS 23-03774-90-07-03, GL 6101100 Transfer In.

SECTION 5. The amount of \$416.49 is appropriated in 29088181 Civil Design Services Fund and is authorized to be transferred to Fund 43099000 Certificates of Obligation Capital Projects, WBS 23-03774-90-07-04, GL 6101100 Transfer In.

SECTION 6. The budget in Project 23-03774 Council District 2 Infrastructure Improvements shall be revised by increasing the WBS Elements and GL Accounts by the amounts in the tables below each totaling \$128,759.93.

| WBS | GL | AMOUNT |
|-------------------|---------|--------------|
| 23-03774-90-07-01 | 6101100 | \$25,609.37 |
| 23-03774-90-07-02 | 6101100 | 38,390.43 |
| 23-03774-90-07-03 | 6101100 | 64,343.64 |
| 23-03774-90-07-04 | 6101100 | 416.49 |
| TOTAL | | \$128,759.93 |

| WBS | GL | AMOUNT |
|-------------------|---------|--------------|
| 23-03774-01-02-01 | 5201140 | \$128,759.93 |
| TOTAL | | \$128,759.93 |

SECTION 7. Payment is authorized to be encumbered and made payable to Longhorn Tejas Property Builders, LLC in an amount not to exceed \$134,404.97. Payment is in support of the Council District 2 Infrastructure Improvements Project using Fund 43099000 with the WBS element 23-03774-01-02-01 and GL account 5201140. Funding for this project is provided by CO Bonds, SATX 2016 LLC Fund, San Antonio Lennar Fund, LECA Construction LLC Fund, Civil Design Services Fund and is in the FY2023-FY2028 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 8. 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 9. 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 November 2022.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney