

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

ORDINANCE

**APPROVING AN AGREEMENT TO CONTRIBUTE RIGHT-OF-
WAY FUNDS (FIXED PRICE) BETWEEN THE CITY OF SAN
ANTONIO AND THE TEXAS DEPARTMENT OF
TRANSPORTATION (TXDOT) AND AUTHORIZING PAYMENT IN
THE AMOUNT NOT TO EXCEED \$9,200.20 TO TXDOT FOR THE
ACQUISITION OF RIGHT-OF-WAY ASSOCIATED WITH THE
TXDOT HIGHWAY US 90 IMPROVEMENTS PROJECT LOCATED
0.8 MILES WEST OF IH 410 TO IH 410. FUNDS ARE AVAILABLE
FROM THE GENERAL FUND.**

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WHEREAS, the Texas Administrative Code requires a joint participation agreement and monetary contribution from the local government to TxDOT for certain State highway improvement projects requiring the acquisition of right-of-way and the relocation or adjustment of utilities.

WHEREAS, the FY 2022 Adopted Budget, approved funding in the amount of \$363,139.00 for the City of San Antonio's required monetary contribution for right-of-way and utility adjustments expenses for two TxDOT projects; and

WHEREAS, the agreement will allow the City to contribute right-of-way acquisition funds for the TxDOT Highway US 90 Improvements project located 0.8 miles west of IH 410 to IH 410 and is necessary to complete the project. The City is responsible for 10% of the reimbursable cost for right-of-way acquisition in accordance with the Texas Administrative Code. Approval of this ordinance will continue the City's commitment to maintaining and improving existing infrastructure in collaboration with other governmental agencies.; and

WHEREAS, this ordinance approves an agreement to contribute right-of-way funds (fixed price) between the City of San Antonio and the Texas Department of Transportation (TxDOT) and authorizes payment in the amount not to exceed \$9,200.20 to TxDOT for the acquisition of right-of-way associated with the TxDOT Highway US 90 Improvements project located 0.8 miles west of IH 410 to IH 410; **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 agreement between the City of San Antonio and the Texas Department of Transportation (TxDOT) authorizing payment to in the amount not to exceed \$9,200.20 to TxDOT for the acquisition of right-of-way associated with the TxDOT Highway

US 90 Improvements project located 0.8 miles west of IH 410 to IH 410.

SECTION 2. Payment is authorized to be encumbered and made payable to Texas Department of Transportation (TxDOT) in an amount not to exceed \$9,200.20. Payment is in support of the TxDOT Right of Way Projects Phase 2 Project using Fund 29660000 using WBS 23-03825-03-14-03 with GL 5209010. Funding for this project is provided by General Fund and is in the FY2023-FY2028 CIP Budget.

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 3. 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 4. 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 May, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney