

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

ORDINANCE

**AUTHORIZING THE CITY MANAGER OR DIRECTOR OF PUBLIC
WORKS TO EXECUTE LOCAL ON-SYSTEM IMPROVEMENT
PROJECT AGREEMENTS (LOSAS) BETWEEN THE TEXAS
DEPARTMENT OF TRANSPORTATION (TXDOT) AND THE CITY
OF SAN ANTONIO WITHOUT FURTHER CITY COUNCIL ACTION**

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WHEREAS, Texas Department of Transportation (TxDOT) Local On-system Agreements (LOSAs) allow the City to construct City funded and executed projects within the state highway system right of way, which system is managed by TxDOT; and

WHEREAS, the TxDOT LOSA is a standard template agreement that varies only as to the project description and project budget; and

WHEREAS, all required engineering, consulting, environmental and construction contracts associated with each project to be constructed within the TxDOT ROW are procured, awarded and funds appropriated in accordance with federal, state and local laws and policies, to include City Council approval; and

WHEREAS, City will then be responsible for project completion in a timely manner with no additional State or Federal funding and without decreasing the scope and/or terms of the work of the Project; and

WHEREAS, before issuing a LOSA to City for execution, TxDOT has to approve the project plan, determine whether environmental work is required, and approve the project budget for the portion of the work to be done within the TxDOT ROW; and

WHEREAS, after TxDOT issues a LOSA to City for execution, the LOSA must go through the request for council action process for Council approval, which process can delay the project construction; and

WHEREAS, so long as the LOSA is in substantially the same form as the template attached hereto as **Attachment A**, and the fixed price amount of payment by City to TxDOT for state costs is set at \$0, this ordinance authorizes the City Manager or the Director of the Public Works Department to execute TxDOT LOSAs without further City Council action; and

WHEREAS, the duration of the ordinance will be through May 2027 to coincide with the five-year 2022 Bond Program; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

DAH
4/4/2024
Item No.

SECTION 1. The City Manager or designee, or the Director of the Public Works Department or designee, is hereby authorized to approve and execute Texas Department of Transportation (TxDOT) Local On- system Agreements (LOSAs) without further City Council action in substantially the same form as the template attached here to as **Attachment A**, so long as the LOSA sets the fixed price amount of payment by City to TxDOT for state costs at \$0.

SECTION 2. This Ordinance is effective through May 2027.

SECTION 3. 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 #####, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney