

**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 \$3,600,000.00 FROM TXDOT FOR CONSTRUCTION-RELATED EXPENSES AND AUTHORIZING PAYMENT IN THE AMOUNT NOT TO EXCEED \$61,699.00 TO TXDOT FOR ADMINISTRATIVE OVERSIGHT OF FEDERAL FUNDS FOR THE ZARZAMORA PEDESTRIAN IMPROVEMENTS (SIDEWALK AND BICYCLE LANES) PROJECT, A GENERAL OBLIGATION BOND AND FEDERALLY FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 1, 4, 5, AND 7.

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WHEREAS, to increase pedestrian and vehicular safety, especially around highly traveled pedestrian areas and transportation sites, the Zarzamora Pedestrian Improvements (Sidewalk and Bicycle Lanes) project was selected for funding through the Alamo Area Metropolitan Planning Organization (AAMPO) Transportation Improvement Program (TIP). The City manages Local Agency Managed projects but receives federal funds administered through TxDOT. The funds paid to TxDOT by the City are for costs associated with the administrative oversight of the federal funds; and

WHEREAS, the Zarzamora Pedestrian Improvements project from Fredericksburg Road to Loop 13 will include constructing and replacing sidewalks along Zarzamora Street to enhance pedestrian safety and connectivity. Additional improvements in this project include traffic signal upgrades, signage, and striping throughout the 7-mile corridor. The City will design and construct the improvements leveraging funding from TxDOT; and

WHEREAS, as a requirement of the TIP, the local agency is responsible for 20% of the construction cost, with the remaining 80% being provided federally through TxDOT; and

WHEREAS, this ordinance authorizes approval an Advanced Funding Agreement between the City of San Antonio and the Texas Department of Transportation (TxDOT), accepting reimbursement up to the federally approved amount not to exceed \$3,600,000.00 from TxDOT for construction-related expenses and authorizing one-time capital improvement expenditure in the amount not to exceed \$61,699.00 to TxDOT for administrative oversight of federal funds for the Zarzamora Pedestrian Improvements (Sidewalk and Bicycle Lanes) project, as well as committing to a local cost share of \$900,000.00 for the remainder of the construction costs.

Funds are available from the General Obligation Bond Program included in FY 2023 – FY 2028 Capital Improvement Program; and

WHEREAS, this ordinance authorizes the acceptance of funds from TxDOT for reimbursement of construction costs in an amount not to exceed \$3,600,000.00 in federal funds allocated to the City from TxDOT and administered by TxDOT as a federal pass-through grant associated with the construction of the Zarzamora Pedestrian Improvements (Sidewalk and Bicycle Lanes) project. Actual costs to be reimbursed by TxDOT will be finalized with the award of a construction contract.; **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) accepting funding of \$3,600,000.00 for the Zarzamora Pedestrian Improvements (Sidewalk and Bicycle Lanes) 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. Upon acceptance of this award \$3,600,000.00 will be appropriated and transferred from Fund 2205923026 Zarzamora Sidewalk with Internal Order Number 123000000398 to Fund 40099000 Other Capital Projects, Project 40099000.

SECTION 4. The budget in Fund 40099000 Project 23-01782 Zarzamora Pedestrian Improvements shall be revised by increasing WBS 23-01782-90-06-01 with GL 6101100 and WBS 23-01782-04-02-09 with GL 5201245 each by \$3,600,000.00.

SECTION 5. Upon acceptance of the Advanced Funding Agreement payment is authorized to be encumbered and made payable to TXDOT in an amount not to exceed \$61,699.00. Payment is in support of the Zarzamora Pedestrian Improvements Project using Fund 40099000, with the WBS element 23-01782-05-02-01 and GL account 5201140. Funding for this project is provided by GO Bonds and TXDOT 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 6. 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

TG/MK
05/18/2023
Item No.

Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 7. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this 18th 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