PW:gg
12/4/2014
Item No. 34.

**AN ORDINANCE** 2014-12-04-0973

**AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BEXAR COUNTY AND ACCEPTANCE OF BEXAR COUNTY FLOOD CONTROL FUNDS IN THE AMOUNT OF $4,000,000 FOR THE MENGER CREEK DRAINAGE PROJECT, A 2012-2017 GENERAL OBLIGATION BOND PROJECT, LOCATED IN COUNCIL DISTRICT 2.**

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**WHEREAS,** this Ordinance authorizes the execution of an Interlocal Agreement with Bexar County to accept funds in the amount not-to-exceed of $4,000,000.00 from Bexar County for the completion of the Barbara Drive Drainage Project, including the design and construction management as well as the property acquisitions; and

**WHEREAS,** the Menger Creek Drainage Project is a 2012-2017 Bond Project that will construct channel improvements beginning 400 feet east of North Walters and extending eastwards to the Union Pacific Railroad tracks; and

**WHEREAS,** the Project will include a pedestrian bridge to replace the existing one at Grimes Street, allowing safe public access across the Menger Creek Channel, box culverts across the channel at Rio Grande will be replaced by a span bridge and additional drainage culverts are proposed to be placed at the Union Pacific Railroad Bridge to the east; and

**WHEREAS,** the additional culverts and the Rio Grande Bridge will significantly reduce water surface elevation along the channel, thus removing an anticipated 49 properties from the floodplain; and

**WHEREAS,** Bexar County Commissioners Court at its February 4, 2014 meeting approved a resolution authorizing Bexar County Flood Control funds in the amount of $4,000,000 for improvements to Menger Creek Channel; and

**WHEREAS,** the Menger Creek Drainage Project currently has $6,526,000 in funds from the 2012-2017 General Obligation Bond and the $4,000,000 in supplemental funding from Bexar County Flood Control Program will increase project budget to a total of $10,526,000; and

**WHEREAS,** approval of this Ordinance will be a continuation of Council's policy to collaborate and coordinate with other governmental agencies in supporting the City's commitment to maintaining and improving existing infrastructure; **NOW THEREFORE,**

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

**SECTION 1.** The City Manager or her designee is hereby authorized to execute an Interlocal Agreement with Bexar County for acceptance of an amount not to exceed $4,000,000.00 for the Menger Creek Channel Improvement Project. The Interlocal Agreement must be executed by all parties within 90 days of signing of this Ordinance; otherwise, the Agreement must be considered through a subsequent Ordinance.

**SECTION 2.** The following financial adjustments are hereby approved:

a) Funds are authorized to be received from Bexar County to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00328, Menger Creek Drainage, and the budget shall be revised by increasing WBS element 40-00328-90-10-01, Bexar County Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of $4,000,000.00.

b) The amount of $4,000,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00328, Menger Creek Drainage, SAP WBS Element 40-00328-05-02-08, Construction-Bexar County and SAP General Ledger 5201245.

c) The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, 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 Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 3.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this **4th** day of **December, 2014.**

**M A Y O R**
**Ivy R. Taylor**

**ATTEST:**

**Leticia M. Vacek, City Clerk**

**APPROVED AS TO FORM:**

for Frank S. Nelton

**Martha G. Sepeda, Acting City Attorney**

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|---|---|
| **Agenda Item:** | **34 ( in consent vote: 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 16D, 16E, 17, 18, 19, 20, 21, 22A, 22B, 23, 24, 26, 27, 28, 30, 31, 33, 34 )** |
| **Date:** | 12/04/2014 |
| **Time:** | 09:28:18 AM |
| **Vote Type:** | Motion to Approve |
| **Description:** | An Ordinance authorizing an Interlocal Agreement between the City of San Antonio and Bexar County and acceptance of Bexar County Flood Control Funds in the amount of $4,000,000 for the Menger Creek Drainage Project, a 2012-2017 General Obligation Bond Project, located in Council District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements] |
| **Result:** | Passed |

| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
|---|---|---|---|---|---|---|---|
| Ivy R. Taylor | Mayor | | x | | | | |
| | District 1 | x | | | | | |
| Keith Toney | District 2 | | x | | | | |
| Rebecca Viagran | District 3 | x | | | | | |
| Rey Saldaña | District 4 | | x | | | | x |
| Shirley Gonzales | District 5 | | x | | | | |
| Ray Lopez | District 6 | x | | | | | |
| Cris Medina | District 7 | x | | | | | |
| Ron Nirenberg | District 8 | | x | | | | |
| Joe Krier | District 9 | | x | | | | |
| Michael Gallagher | District 10 | | x | | | x | |