

AN ORDINANCE **101475**

APPOINTING COUNCILMAN RICHARD PEREZ, DISTRICT FOUR, AS THE CITY OF SAN ANTONIO'S ELECTED REPRESENTATIVE AND CARROLL SCHUBERT AS THE CITY OF SAN ANTONIO'S REPRESENTATIVE OF THE BUSINESS COMMUNITY TO THE AUSTIN-SAN ANTONIO INTERMUNICIPAL COMMUTER RAIL DISTRICT; AUTHORIZING PAYMENT OF THE CITY OF SAN ANTONIO'S ANNUAL MEMBERSHIP DUES TO THE DISTRICT IN THE AMOUNT OF \$49,500.00 FOR THE PERIOD OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2006; AND PROVIDING FOR PAYMENT.

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WHEREAS, in 1997, the Texas Legislature authorized the formation of an Intermunicipal Commuter Rail District for the Austin-San Antonio Corridor (the "District") through the enactment of Senate Bill 657 in order to facilitate the creation of a regional passenger rail system that would help reduce congestion, lower traffic fatalities, improve mobility, promote economic development and accelerate commerce along the corridor; and

WHEREAS, in 2002, the cities of Austin and San Antonio and the counties of Travis and Bexar voted to create the District, as required by the Legislature; and

WHEREAS, almost three million people in Central Texas, living and working between San Antonio and Georgetown depend on IH-35 for access to work, school, recreation, emergency and medical care and their every day transportation needs; and

WHEREAS, according to a Federal Highway Administration study, the IH-35 corridor in Central Texas has the highest levels of automobile-related fatalities, the worst congestion, the slowest average driving speed, the lowest levels of service and the highest levels of highway related pollution; and

WHEREAS, population estimates for the Williamson, Travis, Hays, Comal and Bexar County areas are projected to increase by sixty-nine percent (69%) in the next 25 years and state and local governments' ability to build roads to ease congestion and facilitate commerce is simply being outpaced by skyrocketing population and economic growth; and

WHEREAS, the 1999 *Austin-San Antonio Commuter Rail Feasibility Study* was the first study of alternative modes of passenger transportation within the Austin-San Antonio Corridor and in March 2004 the District commissioned an update of this Study; and

WHEREAS, the *Update Study* estimated construction costs for the initial service to be \$394 million, with an additional \$28 million per year in operations and maintenance costs; and

WHEREAS, state law requires that the City appoint two (2) members to serve two (2)-year terms on the District's Board of Directors, one from among the City's elected leaders and one appointed by the City to represent the business community; and

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WHEREAS, this Ordinance proposes the appointment of Councilman Richard Perez, District Four, as the City's elected representative and Carroll Schubert as the City's representative of the business community; and

WHEREAS, the cities of San Antonio and Austin, the counties of Bexar and Travis, and VIA and Capital Metro, will each contribute \$49,500.00 in annual membership dues to fund staff operations and hire specialized assistance related to legal, accounting, technical and legislative issues; **NOW THEREFORE:**

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

SECTION 1. The City Council appoints Councilman Richard Perez, District Four, to serve as the City's elected representative on the District's Board of Directors for a two (2)-year term.

SECTION 2. The City Council appoints Carroll Schubert to serve as the City's representative of the business community on the District's Board of Directors for a two (2)-year term.

SECTION 3. Payment to the Austin-San Antonio Intermunicipal Commuter Rail District for membership dues in the amount of \$49,500.00 for the period October 1, 2005 through September 30, 2006 is authorized and approved.

SECTION 4. Funds in the amount of \$49,500.00 are authorized to be encumbered in Cost Center 8002430003, entitled "Commuter Rail District", General Ledger 5203050, entitled "Membership Dues", Fund 11001000, entitled "General Fund" and made payable to the Austin-San Antonio Intermunicipal Commuter Rail District when a purchase order is issued.

SECTION 5. 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 6. This Ordinance shall be effective on and after the tenth day after passage.

PASSED AND APPROVED this 29th day of September, 2005.



M A Y O R
PHIL HARDBERGER

ATTEST:



City Clerk

APPROVED AS TO FORM:



for Acting City Attorney