

AN ORDINANCE **98579**

AUTHORIZING FUNDS IN THE AMOUNT OF \$32,415.50 PAYABLE TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: ASHLEY ROAD – BASCUM TO S. FLORES PROJECT; BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT; CHERRY STREET DRAINAGE PROJECT #15B PHASE II; ESCALON STREET #1008 DRAINAGE PROJECT; HI-LIONS DRAINAGE #80, PHASES III & V PROJECT; HILDEBRAND AVENUE FROM I.H. 10 TO BREEDEN MPO PROJECT; WESTERN AVENUE DRAINAGE #74 III-A PROJECT; WURZBACH ROAD AT I.H. 10 AND IRONSIDE INTERSECTIONS PROJECT; WURZBACH PARKWAY PROJECT; AND THE FAY PHASE I COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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WHEREAS, legal services were required for the Ashley Road – Bascum Blvd. to S. Flores project, Bitters Road – West Avenue to Heimer MPO project, Cherry Street Drainage Project #15B Phase II project, Escalon Street #1008 Drainage project, Hi-Lions Drainage Project #80, Phases III & V, Hildebrand Avenue – I.H. 10 to Breeden MPO project, Western Avenue Drainage #74, III A project, Wurzbach Road at I.H. 10 and Ironside Intersections project, Wurzbach Parkway Project; and the Fay Phase I Community Development Block Grant (CDBG) project; and

WHEREAS, charges for such services are reasonable and necessary expenses relating to the above-mentioned projects; **NOW THEREFORE**;

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

SECTION 1. The total amount of \$32, 415.50 is hereby authorized to be encumbered from the financial adjustments stated below and made payable to **BRACEWELL & PATTERSON, L.L.P.**, 711 Louisiana, Suite 2900, Houston, Texas 77002-2781 for the Projects indicated.

- (a) The amount of \$496.95 is appropriated in Fund 45-717152, 1987 Street Improvement Bonds, Sold in 1991, in Index Code 564195, entitled “Legal Fees”, in connection with the Ashley Road – Bascum Blvd. to S. Flores Project **Parcels 13302 & 13303.**
- (b) The amount of \$72.20 is appropriated in Fund 43-070004, 2000A Certificates Of Obligation MPO, in Index Code 617365, entitled “Legal Fees”, in connection with the Bitters Road – West Avenue to Heimer MPO Project **Parcel 16448.**

- (c) The amount of \$2,000.00 is appropriated in fund 45-468012, 1994 Drainage Bonds Sold in 1998A, in index code 936625, entitled Trf to 45-336004 Cherry St Drainage. The amount of \$2,000.00 is authorized to be transferred from 45-468012 to Fund 45-336004.

The Budget in fund 45-336000, 1983 Drainage Improvements Sold 1993, shall be revised by increasing index code 122234, entitled Trf Fr 45-468012 (45-336004) Cherry St Dr, by the amount of \$2,000.00.

The amount of \$2,000.00 is appropriated in fund 45-336004, 1983 Drainage Improvements Sold 1993, in index code 579474, entitled Legal Fees, in connection with the Cherry Street Drainage Project #15B, Phase II **Parcel 14040**.

- (d) The amount of \$123.30 is appropriated in Fund 45-460008, 1994 General Obligation Street Improvements Bonds; in Index Code 488585, entitled "Legal Fees", in connection with the Escalon Street Drainage Project #1008 **Parcel 14815**.
- (e) The amount of \$72.00 is appropriated in Fund 45-766021, 1987 General Obligation Drainage Improvements Bonds, Sold in 1996; in Index Code 632174, entitled "Legal Fees", in connection with the Hi-Lions Drainage Project #80, Phase III and V Project **Parcel 11569**.
- (f) The budget in Fund 43-172095, 2002 Certificates Of Obligation Street Improvements Bonds, shall be revised by reducing Index code 753046, entitled Unallocated Appropriations, in the amount of \$23,401.55.

The budget in Fund 43-172014, 2002 Certificates Of Obligation Street Improvements Bonds, shall be revised by increasing Index code 941369, entitled Transfer to 43-617012, in the amount of \$23,401.55. The amount of \$11,061.50 is authorized to be transferred from Fund 43-172014 to Fund 43-617012.

The budget in Fund 43-617000, 1996 Certificates Of Obligation Street Improvements Bonds, shall be revised by increasing Index code 134734, entitled Transfer from 43-172014 (43-617012), in the amount of \$23,401.55.

The amount of \$23,401.55 is appropriated in Fund 43-617012, 1996 Certificates of Obligation Street Improvements, in Index code 563528, entitled Legal Fees, in connection with the Hildebrand Avenue from IH10 to Breeden (MPO) Project **Parcels 10-14630**.

- (g) The amount of \$3,424.10 is appropriated in Fund 45-506454, 1985 General Obligation Drainage Bonds, in Index Code 564187, entitled "Legal Fees", in connection with the Western Avenue Drainage #74, IIIA Project **Parcels 10571 & 10572**.
- (h) The amount of \$18.00 is appropriated Fund 43-617037, 1996 Certificates Of Obligation Street Improvements, in Index Code 648188, entitled Legal Fees, in connection with the Wurzbach at I.H. 10 and Ironside Intersections (MPO) Project **Parcel 4-14504**.

- (i) The budget in fund 43-172095, 2002 Certificates of Obligation Street Improvements, shall be revised by reducing index code 753046, entitled Unallocated Appropriations, in the amount of \$2,753.40.

The amount of \$2,753.40 is appropriated in fund 43-172022 2002 Certificates of Obligation Street Improvements, in index code 942631, entitled Transfer to fund 43-152009 Wurzbach Parkway.

The budget in fund 43-152000, 2002 MPO, shall be revised by increasing index code 115337, entitled Trf Fr 43-172022 (43-152009) Wurzbach, by the amount of \$2,753.40.

The amount of \$2,753.40 is appropriated in fund 43-152009, 2002 MPO, in index code 313486, entitled Legal Fees, in connection with the Wurzbach Parkway Project **Parcel C119-14028**.

- (j) The amount of \$54.00 is appropriated in Fund No. 26-013517 to Interfund Transfer-In Index No. 112870, entitled transfer from Project No. 28-027029 and to Index No 280180, Legal fees. In addition the budget of Fund No. 28-027029 is authorized to be revised by transferring \$54.00 from Index No. 402255, construction contract to Transfer Out Index No. 915918, entitled transfer to Fund No. 26-013517, Fay Phase I Project. Parcel 16816.

SECTION 2. The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Code and Fund Numbers as necessary to carry out the purpose of this ordinance.

SECTION 3. This Ordinance shall be effective on the 28th day of December, 2003.

PASSED AND APPROVED this the 18th day of December, 2003.

ATTEST: *Jolanda L. Kedron*
CITY CLERK

Ed D. Garza
M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM: *Edward D. Wood*
City Attorney