

AN ORDINANCE      **9 8 7 4 8**

**ACCEPTING A PROPOSAL AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$21,403.40 FROM 1999 FLOOD CONTROL WITH PARK IMPROVEMENTS BOND FUNDS TO EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L.P., FOR ENVIRONMENTAL REMEDIATION SERVICES UNDER AN EXISTING PROFESSIONAL SERVICE AGREEMENT IN CONNECTION WITH THE SALADO CREEK HIKE AND BIKE PROJECT, PHASE I MPO PROJECT, LOCATED IN COUNCIL DISTRICT 2, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, a subsurface investigation identified waste debris in two locations associated with the Salado Creek Hike and Bike Project; and

**WHEREAS**, it is therefore necessary to provide for the removal, transportation, and disposal of subsurface soil in connection with the Project; **NOW THEREFORE**,

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

**SECTION 1.** The amount of \$21,403.40 is hereby authorized to be paid to Eagle Construction and Environmental Services, L.P. (Eagle), for environmental services necessary to the Salado Creek Hike and Bike Project. Said work is within the scope of an existing Environmental Professional Services Consulting Contract that was originally authorized by Ordinance No. 95847, dated May 30, 2002, also known as a stand-by or on-call professional services agreement.

**SECTION 2.** A copy of the proposal is attached hereto and incorporated herein verbatim for all purposes as Attachment A; however, any provision or verbiage in the Eagle proposal (Attachment A) which conflicts with or purports to depart from provisions of the controlling contract, authorized by Ordinance No. 95847, shall be and are hereby disregarded as unauthorized by this Ordinance. This Ordinance does not amend or modify said controlling contract.

**SECTION 3.** Financial provisions or adjustments to effect this Ordinance are hereby approved as follows:

(a) The budget in Fund 45-952095, 1999 General Obligation Flood Control & Park Improvements, Sold in 2001, shall be revised by reducing Index Code 695593, entitled Unallocated Appropriations, in the amount of \$21,403.40.

(b) The amount of \$21,403.40 is appropriated in Fund 45-952010, 1999 General Obligation Flood Control & Park Improvements, Sold in 2001, in Index Code 940726, entitled Trf to 40-002082 Salado. The amount of \$21,403.40 is authorized to be transferred from Fund 45-952010 to Fund 40-002082.

(c) The budget in fund 40-002082, On Call Prof Services-Environ Consulting Svc FY2001-2002, shall be revised by increasing index code 133322, entitled Transfer from 45-952010 Salado Hike & Bike, by the amount of \$21,403.40.

(d) The budget in fund 40-002082, On Call Prof Services-Environ Consulting Svc FY2001-2002, shall be revised by reducing index code 129437, entitled Funds to be Identified, by the amount of \$21,403.40.

**SECTION 4.** 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 allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This ordinance shall take effect on February 8, 2004.

**PASSED AND APPROVED** this 29<sup>th</sup> day of January, 2004.



M A Y O R

EDWARD D. GARZA

ATTEST: Jola W. L. Ledon  
City Clerk

APPROVED AS TO FORM: [Signature]  
for City Attorney