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**AN ORDINANCE**

AUTHORIZING THE EXECUTION OF AN AMENDMENT OF THE CAPITAL IMPROVEMENTS FUNDING CONTRACT FOR CONSTRUCTION-RELATED EXPENSES FOR THE DECO DISTRICT AND THE MASTER LEASE AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE JEFFERSON WOODLAWN LAKE COMMUNITY DEVELOPMENT CORPORATION FOR ACTIVITIES RELATED TO THE DEVELOPMENT OF THE TRAVIS BUILDING AND STREETScape ENHANCEMENTS FOR FREDERICKSBURG ROAD; AUTHORIZING ADDITIONAL FUNDING IN AN AMOUNT NOT TO EXCEED \$757,854.00 FROM 2003 GENERAL OBLIGATION FUNDING FOR STREETS, SIDEWALKS, LANDSCAPING, SIGNAGE AND LIGHTING IMPROVEMENTS FROM QUENTIN TO KINGS HIGHWAY AND DEMOLITION, DESIGN, AND CONSTRUCTION FOR THE REQUIRED PARKING LOT AT THE TRAVIS BUILDING; RATIFYING THE EXECUTION OF THE TEXAS DEPARTMENT OF TRANSPORTATION AGREEMENT BETWEEN THE STATE OF TEXAS AND THE CITY OF SAN ANTONIO FOR THE CONSTRUCTION OF IMPROVEMENTS WITHIN THE RIGHT OF WAY ALONG FREDERICKSBURG ROAD; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \* \*

**WHEREAS**, the City of San Antonio owns fee simple title to a building commonly known as the Travis Building (the "Building") located in the 1800 block of Fredericksburg Road, San Antonio, Bexar County, Texas; and

**WHEREAS**, the Building is at the center of a key activity node of an area of the City known as the "Deco District commercial corridor" (the "Deco-District") which area the City has targeted for revitalization under the Neighborhood Commercial Revitalization Program (the "NCRP"); and

**WHEREAS**, the Jefferson/Woodlawn Lake Community Development Corporation (the "CDC") has been a participant in the NCRP since 1998, working closely with the City in revitalizing the physical appearance of the Deco-District and in efforts to create economic and employment opportunities; and

**WHEREAS**, by Ordinance No. 94958, passed on November 15, 2001, the City Council authorized the execution of a Capital Improvements Funding Contract in the amount of \$1,400,000.00 and a Master Lease and Management Agreement with the CDC for activities related to the redevelopment of the Building and Streetscape Enhancements on Fredericksburg Road; and

**WHEREAS**, in an effort to provide additional pedestrian improvements along Fredericksburg Road and the required parking lot for the Building, additional funding was approved through the 2003 Bond Program in the amount of \$950,000.00; and

**WHEREAS**, it is now the desire of the City and the CDC to amend the Capital Improvements Funding Contract to provide additional funding to the CDC for streets, sidewalks, landscaping, signage and lighting from Quentin to Kings Highway, as well as acquisition, demolition, design and construction for parking lot development at the Building; and

**WHEREAS**, it is also the intention of the City and the CDC to amend the Master Lease Agreement to clarify what property is to be managed by the CDC and what property it may sublet; and

**WHEREAS**, this ordinance also approves and ratifies a Texas Department of Transportation agreement between the State of Texas and the City of San Antonio for the construction of improvements within the right of way along Fredericksburg Road; **NOW THEREFORE:**

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

**SECTION 1.** The Interim City Manager or in his stead, either an Assistant City Manager, an Assistant to the City Manager or the Director of the Neighborhood Action Department is authorized to execute the First Amendment to the Capital Improvements Funding Contract for Construction Related Expenses for the Deco District with the Jefferson/Woodlawn Lake Community Development Corporation (CDC), thereby increasing the contract amount by \$757,854.00 for additional activities related to the redevelopment of the Travis Building and Streetscape Enhancements on Fredericksburg Road. A copy of said amendment, in substantially final form, is attached hereto and incorporated herein for all purposes as Exhibit A.

**SECTION 2.** The Interim City Manager or in stead, either an Assistant City Manager, an Assistant to the City Manager or the Director of the Neighborhood Action Department is authorized to execute a First Amendment to the Master Lease and Management Agreement with the Jefferson/Woodlawn Lake Community Development Corporation (CDC) to clarify what property is to be managed by the CDC and what property the CDC can sublet. A copy of said amendment, in substantially final form, is attached hereto and incorporated herein for all purposes as Exhibit B.

**SECTION 3.** The Texas Department of Transportation agreement between the State of Texas and the City of San Antonio for the construction of improvements within the right of way along Fredericksburg Road, which is attached hereto and incorporated herein for all purposes as Exhibit C, is hereby approved and ratified. The Interim City Manager or in his stead, either an Assistant City Manager, an Assistant to the City Manager or the Director of Public Works is authorized to execute said agreement and any and all documents necessary to effectuate the actions taken by this ordinance.

**SECTION 4.** The amount of \$757,854.00 is appropriated in SAP fund 45801000, 2003 Street Bonds, in WBS element entitled Trf to 45099000, 23-02010-90-03, SAP GL account 6102100 - Interfund Transfers Out. The amount of \$757,853.97 is authorized to be transferred from SAP fund 45804000 to SAP fund 45099000.

**SECTION 5.** The budget in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, shall be revised by increasing WBS element 23-02010-90-03, entitled "Trf Fr 45801000", SAP Gl Account 6101100 - Interfund Transfers In, by the amount of \$757,854.00.

**SECTION 6.** The amount of \$14,509.05 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-01-01, entitled Project Initiation, and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for project initiation, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 7.** The amount of \$43,527.15 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-01-02, entitled Design Costs, and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for project initiation, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 8.** The amount of \$48,363.50 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-01-03, entitled Consultant Contingency, and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for consultant contingency expenses, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 9.** The amount of \$18,600.00 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-01-04, entitled Design Capital Administrative Costs, and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for design capital administrative costs, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 10.** The amount of \$24,063.00 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-02-01, entitled Utilities Costs, and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for utilities costs, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 11.** The amount of \$3,000.00 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-03-02-05, entitled Miscellaneous, and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for miscellaneous costs, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 12.** The amount of \$569,927.77 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-05-02-02, entitled Construction (Outside Contractor), and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for construction, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 13.** The amount of \$35,863.53 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-02010, in WBS element 23-02010-05-03, entitled Construction Contingency, and is authorized to be encumbered and made payable to the Jefferson Woodlawn Lake Community Development Corporation for construction contingency expenses, in connection with the Deco District - Fredericksburg Road Streetscape And Sidewalks And Travis Building Parking Lot - Quentin To Kings Highway project, when the purchase orders are issued.

**SECTION 14.** 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 Interim City Manager, an Assistant City Manager or an Assistant to the City Manager, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 15.** This ordinance shall become effective on and after November 14, 2004.

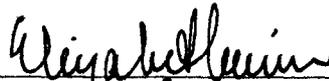
PASSED AND APPROVED this 4<sup>th</sup> day of November, 2004.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

# Agenda Voting Results

**Name:** 35.

**Date:** 11/04/04

**Time:** 06:07:20 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance authorizing the execution of an amendment of the Capital Improvements Funding Contract for construction-related expenses for the Deco District and the Master Lease and Management Agreement between the City of San Antonio and the Jefferson Woodlawn Lake Community Development Corporation for activities related to the development of the Travis Building and Streetscape Enhancements for Fredericksburg Road; authorizing additional funding in an amount not to exceed \$757,854.00 from 2003 General Obligation funding for streets, sidewalks, landscaping, signage and lighting improvements from Quentin to Kings Highway and demolition, design, and construction for the required parking lot at the Travis Building; ratifying the execution of the Texas Department of Transportation Agreement between the State of Texas and the City of San Antonio for the construction of improvements within the right of way along Fredericksburg Road; revising the project budget; appropriating funds; and providing for payment. [Presented by David D. Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Assistant City Manager]

**Notes:** Motioned: RON H. SEGOVIA    Seconded: ART A. HALL    Notes:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2	Not present			
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR ED GARZA	MAYOR		x		