

AN ORDINANCE 100836

AUTHORIZING THE EXECUTION OF A CONTRACT WITH BARRIO COMPREHENSIVE FAMILY HEALTH CARE CENTER, INC., IN ORDER TO PROVIDE \$400,000.00 OF 2003 GENERAL OBLIGATION BOND FUNDS, AND \$600,000.00 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO PAY CERTAIN CONSTRUCTION COSTS FOR THE DEVELOPMENT OF THE DR. FRANK BRYANT HEALTH CENTER, WHICH IS TO BE LOCATED AT 3066 EAST COMMERCE STREET; AND AUTHORIZING PAYMENTS IN CONNECTION THEREWITH.

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WHEREAS, a bond election was held on the 4th day of November, 2003, which authorized the issuance of bonds for public health and safety improvements pursuant to Ordinance No. 98020 calling the election, and which was passed and approved by the City Council of the City of San Antonio on August 14, 2003 as amended; and

WHEREAS, Proposition Number 5 of the bond election authorized the City of San Antonio (City) to issue and sell general obligation bonds of the City in the principal amount of \$35,500,000.00 for the purpose of making permanent public improvements and for public purposes, to wit: acquiring, constructing, improving, renovating and equipping public health and safety facilities, and acquiring lands and rights-of-way necessary thereto, which included a City Council District 2 Comprehensive Health Facility; and

WHEREAS, as set forth in Ordinance No. 98467, canvassing the results of the bond election, which was passed and approved by the City Council of the City of San Antonio on November 13, 2003, a majority of the resident qualified voters of the City voted for the authorization and issuance of the \$35,500,000.00 of general obligation bonds and the levy and pledge of the ad valorem tax in payment thereof as provided in Proposition No. 5, and the City Council was thereby authorized to issue the general obligation bonds and to levy the ad valorem tax; and

WHEREAS, the City has received certain funds from the U.S. Department of Housing and Urban Development (HUD) under Title I of the Housing and Community Development Act of 1974, as amended for utilization in connection with its Community Development Block Grant (CDBG) Program; and

WHEREAS, Barrio Comprehensive Family Health Care Center, Inc. (Barrio), on land that it currently owns, has proposed the construction of the Dr. Frank Bryant Health Center (the Project) to be located at 3066 East Commerce Street within District 2 of the City of San Antonio at the estimated total cost of \$8,903,142.00 for the purpose of providing comprehensive health services to the public to include medical, dental, mental health, and a pharmacy on site; and

WHEREAS, Barrio has commenced construction of the Project as of October 13, 2004;
and

WHEREAS, City has the legal ability to use \$400,000.00 of bond funds, plus interest earned by said bond funds, from Proposition No. 5 to pay certain construction costs of the Project; and

WHEREAS, City has available up to \$600,000.00 of CDBG funds to pay certain construction costs of the Project; and

WHEREAS, the City Council has adopted a budget for said bond proceeds and CDBG funds and has included therein the expenditure of such proceeds and funds for the Project, offering the same for use by Barrio; and

WHEREAS, it is now necessary to formally authorize these proposed transactions through the approval by City Council of a contract with Barrio Comprehensive Family Health Care Center, Inc., providing \$400,000.00 plus interest from 2003 General Obligation Bond Funds and \$600,000.00 from CDBG funds to be used to pay for certain construction costs for the development of the Project, and authorizing payments in connection therewith; **NOW THEREFORE:**

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

SECTION 1. The Interim City Manager, or his designee, is hereby authorized to execute a contract with Barrio Comprehensive Family Health Care Center, Inc. in order to provide \$400,000.00 of 2003 General Obligation Bond Funds, plus interest earned by said bond funds, and \$600,000.00 of Community Development Block Grant (CDBG) Program funds to pay certain construction costs for the development of the Dr. Frank Bryant Health Center which is to be located at 3066 East Commerce Street within District 2 of the City of San Antonio. A copy of the contract with Barrio Comprehensive Family Health Care Center, Inc. is set out in Attachment I and incorporated herein for all purposes.

SECTION 2. The amount of \$ 400,000.00 is appropriated in SAP fund 45805000, 2003 Health and Public Safety General Obligation Bonds, WBS GO-00048-01-01-15, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer from 23-00494-90-01. The amount of \$400,000.00 is authorized to be transferred from SAP fund 45805000 to SAP fund 45805000.

SECTION 3. The budget in SAP fund 45805000, 2003 Health and Public Safety General Obligation Bonds, Project Definition 23-00494 Dist. 2 Comprehensive Health Facility Project, shall be revised by increasing WBS element 23-00494-90-01, entitled "TRF FR GO-00048-01-01-15", SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$400,000.00.

SECTION 4. The amount of \$400,000.00 appropriated in SAP fund 45805000, 2003 Health and Public Safety General Obligation Bonds, SAP Project definition 23-00494, General Ledger Account 5201140, WBS Element 23-00494-05-02, entitled "Construction Cost", and is

authorized to be encumbered and made payable to Barrio Comprehensive Family Health Care Center, Inc., in connection with the Dist. 2 Comprehensive Health Facility Project.

SECTION 5. The sum up to \$600,000.00 is appropriated in CDBG SAP Fund No. 28026000 in the amount of \$200,000.00 and CDBG SAP Fund No. 28030000 in the amount of \$400,000.00 for above said Project.

SECTION 6. Payments are authorized up to \$200,000.00 in CDBG funds to Barrio Comprehensive Family Health Care Center, Inc. from SAP Fund 28026000, Cost Center 3101020001, Internal Order 131000000988, SAP GL No. 5202025, in accordance with the contract set out in Attachment I.

SECTION 7. Payments are authorized up to \$400,000.00 in CDBG funds to Barrio Comprehensive Family Health Care Center, Inc. from SAP Fund 28030000, Cost Center 3101020001, Internal Order 131000001014, SAP GL No. 5202025, in accordance with the contract set out in Attachment I.

SECTION 8. 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, the Interim City Manager, or the City Manager's designee, correct allocation 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 9. Should the project require an amount other than that budgeted for, or should the contract require terms and conditions different than those currently existing, acceptance of the contract and budget will be subject to subsequent City Council ordinance.

SECTION 10. This ordinance shall be effective on and after May 22, 2005.

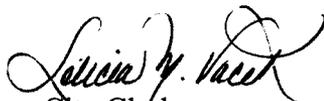
PASSED AND APPROVED this 12th day of May, 2005.



M A Y O R

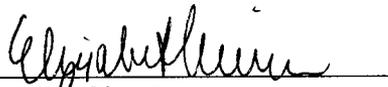
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney