

AN ORDINANCE **97982**

AUTHORIZING THE USE OF \$524,000.00 OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENOVATE 4,000 SQUARE FEET OF FACILITY SPACE AT BROOKS CITY-BASE FOR THE USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) AS IT'S BIOTERRORISM PREPAREDNESS LABORATORY; AND APPROVING THE ENCUMBRANCE OF THESE GRANT FUNDS PROVIDED THAT CERTAIN CONDITIONS ARE MET.

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WHEREAS, the City of San Antonio ("City") previously accepted and executed Texas Department of Health ("TDH") Public Health State Support Project 2002/2003 Contract Change Notices 05 ("Notice 05") for \$1,898,122.00 and Notice 08 ("Notice 08") for \$518,394.00 for the Bioterrorism Preparedness Program of the San Antonio Metropolitan Health District ("SAMHD"); and

WHEREAS, \$165,000.00 of Notice 05 and \$359,000.00 of Notice 08 have been budgeted to support a Bioterrorism Safety Laboratory ("the Laboratory"); and

WHEREAS, the City, with the concurrence of TDH, wishes to combine the funds from these grants for a total amount of \$524,000.00, and use said funds to design and finish out the Laboratory space; and

WHEREAS, pursuant to Ordinance No. 97817 the City entered into a Cooperative Research and Development Agreement ("CRADA") with the United States Air Force, a copy of which is set out in Attachment I, for the use of 4,000 square feet of facility space at Brooks City-Base for a term of sixty (60) months to locate and operate the Laboratory; and

WHEREAS, the City has requested that the Brooks Development Authority ("BDA") provide architectural and engineering design of this Laboratory space and contracting and construction management of tenant improvements; and

WHEREAS, the SAMHD and the BDA have expressed their mutual desire, in a Memorandum of Agreement, a copy of which is set out in Attachment II, to enter into formal agreements setting forth the terms and conditions of the provision of services for the design and construction of the Laboratory for an amount not to exceed \$690,000.00; and

WHEREAS, combining funds from Notice 05 and Notice 08 result in a total of \$524,000.00 of funds awarded by the Texas Department of Health ("TDH") to be used for this project; and

WHEREAS, an additional \$166,000.00 of funds will be formally awarded by TDH to the City for this work, and disbursed on or about October 1, 2003 subject to the approval and acceptance of the City Council; **NOW THEREFORE**:

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

SECTION 1. The use of \$524,000.00, consisting of \$165,000.00 from TDH Public Health State Support Project 2002/2003 Contract Change Notice 05 and \$359,000.00 from TDH Public Health State Support Project 2002/2003 Contract Change Notice 08, to renovate 4,000 square feet of space, located at Brooks City-Base, is hereby authorized provided: 1) a contract between the City and BDA is executed on or before August 31, 2003 for the architectural and engineering design and construction of said space; 2) the City may draw on the TDH funds for ninety (90) days following August 31, 2003; and 3) the amounts of the City's draws are in accordance with the terms and conditions of the TDH contracts associated with these funds. The encumbrance of funds in the amount of \$524,000.00 for facility space build out is also authorized provided the preceding conditions are met.

SECTION 2. Fund No. 26-016100, Activity 36-10-07, entitled "Bioterrorism Preparedness Laboratory Renovation" is hereby designated for use in accounting for the above program, and the sum of \$524,000.00 is hereby appropriated in said fund as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment III.

SECTION 3. An allocation of \$30,000.00 from Fund No. 26-016052, Activity 36-10-06, Index Code 743245 Machinery and Equipment – Auto is to be transferred to Fund 26-016052, Activity 36-10-06, Index Code 743088 Fees to Professional Contractors.

SECTION 4. The budget of Fund No. 26-016052 is authorized to be revised by reducing the budget in Bioterrorism Preparedness, Activity 36-10-05, by \$359,000.00 using Revenue Index No. 077792 and Appropriations Index No. 743880.

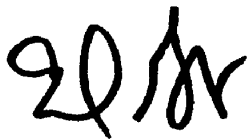
SECTION 5. The budget of Fund No. 26-016052 is authorized to be revised by reducing the budget in Bioterrorism, Activity 36-10-06, by \$165,000.00 using Revenue Index No. 078295 and Appropriations Index No. 743237.

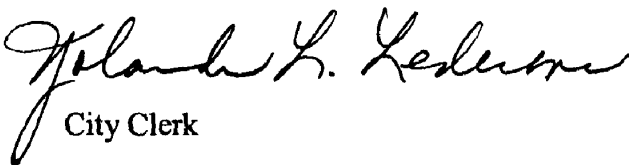
SECTION 6. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purpose of this ordinance.

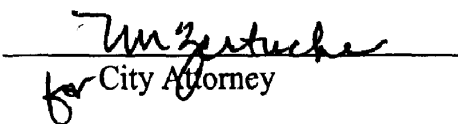
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SECTION 7. This ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 14th day of August, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney