

AN ORDINANCE **99476**

**AN ORDINANCE AUTHORIZING EXECUTION OF AN AUDIT CLOSING AGREEMENT WITH THE RK GROUP JOINT VENTURE PARTNERSHIP.**

\* \* \* \* \*

**WHEREAS**, pursuant to City Ordinance No. 85056, dated October 24, 1996, the City of San Antonio entered into a Food and Beverage Service Agreement with the RK Group Joint Venture in connection with operations at the Henry B. Gonzalez Convention Center; and

**WHEREAS**, the Office of the City Auditor undertook an audit of said contract and completed that audit on June 10, 2004; and

**WHEREAS**, based on the audit performed by the City, the City alleged that the RK Group Joint Venture had not paid all commissions due and owing under the Food and Beverage Service Agreement; and

**WHEREAS**, RK Group disagrees and disputes the finding of financial non-compliance; and

**WHEREAS**, the City of San Antonio and RK Group have agreed to resolve their disagreement with respect to the alleged financial non-compliance whereby the RK Group shall pay to the City of San Antonio the amount of \$350,000.00 and both parties will release all claims each may have against the other arising prior to December 31, 2002;

**NOW THEREFORE:**

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

**SECTION 1.** The City Manager is hereby authorized to enter into an Audit Closing Agreement with the RK Group Joint Venture as attached hereto for final resolution of the claims arising from the Audit Report dated June 10, 2004.

**SECTION 2.** This ordinance shall be effective on the tenth day after passage hereof.

**PASSED and APPROVED this 22nd day of July, 2004.**

ATTEST: *Lucia N. Reed*  
City Clerk

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

APPROVED AS TO FORM: *Andrew Martus*  
City Attorney