

AN ORDINANCE

AUTHORIZING A DEVELOPMENT AGREEMENT WITH HEB
IN THE AMOUNT OF \$400,000.00 PAYABLE TO THE CITY OF
SAN ANTONIO FOR INFRASTRUCTURE IMPROVEMENTS IN
CONNECTION WITH A NEW HEB STORE ON SOUTH
ZARZAMORA IN COUNCIL DISTRICT 4

* * * * *

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

SECTION 1. The City authorizes and directs the City Manager or his designee: (A) to execute and deliver (1) a Development Agreement with HEB Grocery Company, L.P. substantially in the form attached hereto as Exhibit A and (2) and all other documents necessary or convenient to effect the transactions contemplated in the above agreement; and (B) otherwise to do all things necessary or convenient to effect the transaction.

SECTION 2. Funds are authorized to be received from HEB, fund 40099000, Project Definition 23-03745, Kyle (Military to Mayfield) Project, shall be revised by increasing WBS element 23-03745-90-01, entitled TRF FRM HEB Grocery Co., SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$400,000.00.

SECTION 3. The amount of \$387,118.37 is appropriated in Fund 40099000 Project Definition 23-03745, Kyle (Military to Mayfield) Project, WBS element 23-03745-05-02-01, GL 5201140 and is authorized to be encumbered and made payable for Construction costs when a purchase order is issued.

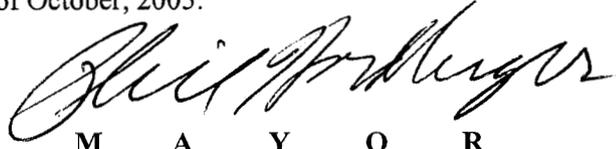
SECTION 4. The amount of \$12,881.63 is appropriated in Fund 40099000 Project Definition 23-03745, Kyle (Military to Mayfield) Project, WBS element 23-03745-05-02-01, and is authorized to be encumbered and made payable for Construction Contingency when a purchase order is issued.

SECTION 5. 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 6. If any money is left from the \$400,000 after completing the improvements required by the Development Agreement, City staff shall use so much of the excess as staff deems desirable to install speed humps where they would be conducive to public safety in the general area affected by the Development Agreement.

SECTION 7. This ordinance shall become effective October 16, 2005, unless it receives the eight votes requisite to immediate effectiveness under City Code of San Antonio § 1-15, in which case it shall be effective immediately.

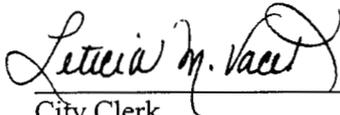
PASSED AND APPROVED this 6th day of October, 2005.



M A Y O R

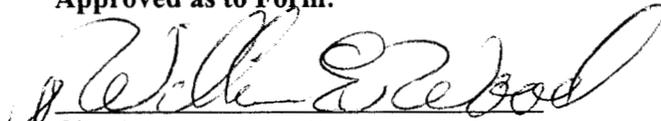
PHIL HARDBERGER

Attest:



City Clerk

Approved as to Form:



City Attorney KWS

Agenda Voting Results

Name: 15. *Main motion*

Date: 10/06/05

Time: 02:13:44 PM

Vote Type: Multiple selection

Description: An Ordinance authorizing a Development Agreement with HEB in the amount of \$400,000.00 payable to the City of San Antonio for infrastructure improvements in connection with a new HEB store on South Zarzamora in Council District 4. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR		x		

Agenda Voting Results

Name: 15. Amendment as presented by CM Perez

Date: 10/06/05

Time: 02:13:21 PM

Vote Type: Multiple selection

Motion to utilize excess funds for additional ramps in area.

Description:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR		x		