

AN ORDINANCE **95579**

APPROVING A DEVELOPMENT AGREEMENT AMONG THE CITY OF SAN ANTONIO, THE PROPOSED CIBOLO CANYON CONSERVATION AND IMPROVEMENT DISTRICT NO. 1, BEXAR COUNTY, TEXAS AND LUMBERMEN'S INVESTMENT CORPORATION ON THE TERMS AND CONDITIONS SET OUT THEREIN, PROVIDING FOR, AND CONDITIONED UPON, RATIFICATION OF THE PROPOSED AGREEMENT BY THE DISTRICT'S GOVERNING BODY UPON ITS FORMATION, AND PROVIDING FOR THE EXECUTION OF ALL NECESSARY DOCUMENTS REQUIRED PURSUANT TO THE DEVELOPMENT AGREEMENT.

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WHEREAS, Senate Bill 1629 passed and approved in the 77th Texas Legislative Session provided for the formation of the Cibolo Canyon Conservation and Improvement District No. 1; and

WHEREAS, that legislation provides that the said District can not be formed or maintained without the execution of a Development Agreement establishing the rights and duties of the parties; and

WHEREAS, two Public Hearings were held in Council Chambers and additional meetings were conducted in each of the ten Council districts; and

WHEREAS, Lumbermen's Investment Corporation, the Developer, the Cibolo Canyon Conservation and Improvement District No. 1 and the City have formulated a Development Agreement as authorized by the state; **NOW THEREFORE**,

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

SECTION 1. If an agreement can be executed substantially in accordance with the terms of the Development Agreement attached hereto and incorporated herein, the City Manager, the Assistant City Manager, or an Assistant to the City Manager is authorized to execute such an agreement without further City Council action.

SECTION 2. Notwithstanding anything elsewhere in this ordinance, the approval of the Development Agreement by the City of San Antonio and any obligations undertaken by the City of San Antonio is expressly conditioned upon and subject to ratification of the Development Agreement in accordance with state law.

SECTION 3. The City agencies and departments noted within said Development Agreement shall faithfully perform all obligations set forth therein including but not limited to the following:

- A. The San Antonio Water System "SAWS" shall enforce the Golf Course Environmental Management Plan and shall provide the quarterly reports required by the Development Agreement.
- B. The Economic Development Department shall perform such audits as are necessary to assure the hotel's compliance with the wage requirements of the Development Agreement.
- C. The Planning Department shall initiate such actions as may be necessary to amend the Major Thoroughfare Plan to conform to the provisions of the Development Agreement.

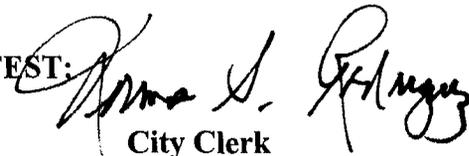
SECTION 4. The City agrees to accept title by warranty deed to the Open Space Restricted Tracts as provided in the Development Agreement.

SECTION 5. The City agrees to lease the Trail Head Tract as provided in the Development Agreement.

SECTION 6. This ordinance shall become effective ten (10) days after it is passed and approved by City Council.

PASSED AND APPROVED this 4th day of April, 2002.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney