

AN ORDINANCE 2011-02-10-0125

AUTHORIZING A FUNDING AGREEMENT AND ACCEPTING UP TO \$68,500.00 FROM AMERICAN CAMPUS COMMUNITIES OPERATING PARTNERSHIP LP FOR COSTS RELATED TO THE CONSTRUCTION OF SIDEWALKS ON ONE SIDE OF BABCOCK ROAD AT UTSA BOULEVARD, AND ON ONE SIDE OF UTSA BOULEVARD FROM BABCOCK ROAD TO GEORGE BRACKENRIDGE, LOCATED IN COUNCIL DISTRICT 8; AND AUTHORIZING PAYMENT TO JCD CONSTRUCTION, LLC UNDER AN EXISTING INDEFINITE DELIVERY CONTRACT.

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WHEREAS, American Campus Communities Operating Partnership LP (ACC) approached the City of San Antonio (City) in October 2010 with a potential partnership for the construction of sidewalks adjacent to the Villas at Babcock located at 14333 Babcock Road for students to walk to UTSA from the apartment complex; and

WHEREAS, ACC has offered to provide up to \$68,500.00 towards the cost of constructing sidewalks in two locations near the apartment complex, first one being at the intersection of Babcock Road at UTSA Boulevard and the second, at UTSA Boulevard from Babcock Road to George Brackenridge; and

WHEREAS, this Ordinance authorizes the execution of a funding agreement with **ACC** and accepts funds up to \$68,500.00 from **ACC** that will be used towards the construction of sidewalks adjacent to the Villas at Babcock; and

WHEREAS, a total of approximately 1,697 feet of new sidewalk will be constructed to alleviate the need for students to walk through unimproved areas to reach the UTSA campus; **NOW THEREFORE,**

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

SECTION 1. The City Manager or her designee is hereby authorized to execute a funding agreement and accept funds in the amount of \$68,500.00 from **American Campus Communities Operating Partnership LP** for the construction of sidewalks adjacent to the Villas at Babcock located at 14333 Babcock Road.

SECTION 2. Funds in the amount up to \$68,500.00 is authorized to be paid to JCD Construction, LLC under an existing indefinite delivery contract.

SECTION 3. The following financial adjustments are hereby authorized to effect this Ordinance:

- a) Funds generated by this ordinance up to \$68,500.00 will be deposited into Fund 11001000, Internal Order 223000000002 and General Ledger 6301120.

- b) Upon acceptance, the amount of \$68,500.00 is appropriated for this ordinance in Fund 11001000, Cost Center 2303020001, General Ledger 5201040 and the Fiscal Year 2011 budget is amended to reflect this change.
- c) Funding in the amount of \$68,500.00 for this ordinance is available in Fund 11001000, Cost Center 2303020001, General Ledger 5201040, as part of the Fiscal Year 2011 Budget.
- d) Payment not to exceed the budgeted amount of \$68,500.00 is authorized for payment to **JCD Construction, LLC** and should be encumbered with a purchase order.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the 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.

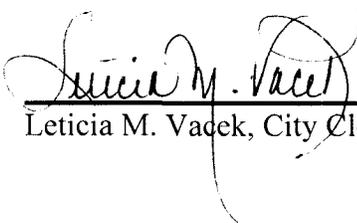
SECTION 5. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 10th day of February, 2011.



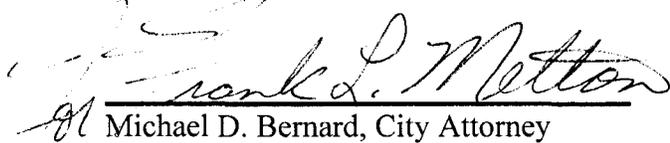
M A Y O R
Julián Castro

ATTEST:

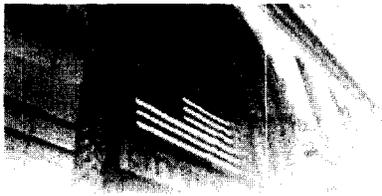


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
**COUNCIL
 ACTION**

City of San Antonio



Agenda Voting Results - 25

Name:	25						
Date:	02/10/2011						
Time:	02:47:27 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a Funding Agreement and accepting up to \$68,500.00 from American Campus Communities Operating Partnership LP for costs related to the construction of sidewalks on one side of Babcock Road at UTSA Boulevard, and on one side of UTSA Boulevard from Babcock Road to George Brackenridge, located in Council District 8; and authorizing payment to JCD Construction, LLC under an existing Indefinite Delivery Contract. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x			x	
Elisa Chan	District 9		x				x
John G. Clamp	District 10		x				