

AN ORDINANCE

2016-04-28-0292

AN AMENDMENT TO THE RIVER BARGE CONCESSION CONTRACT TO EXTEND THE CONTRACT TERM THROUGH SEPTEMBER 30, 2017 AND TO ADJUST TICKET PRICES EFFECTIVE MAY 1, 2016.

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WHEREAS, on May 26, 2005, City Council awarded the River Barge Concession Contract to Rio San Antonio Cruises (RSAC) with a contract term of September 1, 2005 through August 31, 2015; and

WHEREAS, on January 8, 2015, City Council authorized a contract extension through September 5, 2016; and

WHEREAS, on October 30, 2015, the City and the local chapter of the American Institute of Architects (AIA) initiated a design competition to re-imagine the existing river barges; and

WHEREAS, after City Council's selection of a barge design in April, the City will issue a Request for Proposals for construction of a new barge fleet; and

WHEREAS, in order to allow for award, construction, and delivery of new barges without a disruption in river barge service, it is necessary to extend RSAC's contract; and

WHEREAS, RSAC has not increased barge prices since June 2009; and

WHEREAS, in order to cover increased operating costs and to ensure continued payments to City at current levels, the following ticket price increases are proposed to become effective May 1, 2016:

Ticket Categories	Current Prices	Proposed Prices
Adult	\$8.25	\$10.00
Local Resident	\$6.00	\$8.00
Child	\$2.00	\$6.00
Military	\$6.00	\$8.00
Senior	\$6.00	\$8.00
One Way Taxi Downtown	\$5.00	\$10.00
One Day Pass Taxi Downtown	\$10.00	\$12.00
Three Day Pass Taxi Downtown	\$25.00	\$25.00

Ticket Categories	Current Prices	Proposed Prices
One Day Pass Taxi Museum Reach	\$10.00	\$12.00
Three Day Pass Taxi Museum Reach	\$25.00	\$25.00
One Day Pass Downtown & Museum Reach	\$15.00	\$16.00
Charter - Peak Hours - General Public	\$125.00	\$175.00
Charter - Non-Peak Hours - General Public	\$100.00	\$150.00

WHEREAS, extending the contract term is necessary during the period new river barges are manufactured and allowing RSAC to increase ticket prices will ensure continued payments to the City; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee, or the Director of the Center City Development and Operations Department or his designee, is authorized to amend the River Barge Concession Contract to extend the contract term through September 30, 2017 and adjust ticket prices effective May 1, 2016. A copy of the amendment, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 219000000001 and General Ledger 4407701.

SECTION 3. 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 or the City Manager's designee, correct allocations 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 4. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 28th day of April, 2016.



M A Y O R

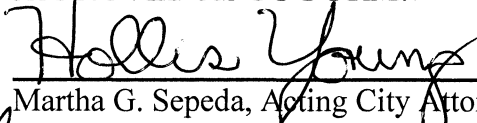
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Martha G. Sepeda, Acting City Attorney

Agenda Item:	4B (in consent vote: 4A, 4B)						
Date:	04/28/2016						
Time:	10:18:34 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance approving an amendment to the River Barge Concession Contract to extend the contract term through September 30, 2017 and to adjust ticket prices and percentage payment to the City effective May 1, 2016.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

**DOWNTOWN SAN ANTONIO RIVER
BARGE CONCESSION CONTRACT**

AMENDMENT 5

This Amendment No. 5 ("Amendment") to the DOWNTOWN SAN ANTONIO RIVER BARGE CONCESSION CONTRACT is entered into by the City of San Antonio, a Texas municipal corporation ("City"), acting by and through its City Manager or her designee, pursuant to Ordinance No. _____ passed and approved on _____.

The City of San Antonio ("CITY") and RIO San Antonio Cruises, LTD. ("Contractor") entered into the Downtown San Antonio River Barge Concession Contract pursuant to Ordinance No. 100962 with an effective date of September 1, 2005. Said CONTRACT was amended pursuant to Ordinance No. 2006-11-02-1252, Ordinance No. 2008-11-20-1049, Ordinance No. 2010-06-17-0546, and Ordinance No. 2015-01-08-0007 (Amendments No. 1 through 4).

In consideration of the mutual covenants set forth herein, the Parties agree to amend, and do hereby amend, the Contract as follows:

1. Per ARTICLE 1.1 of aforementioned contract, CITY and CONTRACTOR agree to extend the term of the contract through September 30, 2017.
2. Per ARTICLE 12.1 of aforementioned contract, CITY and CONTRACTOR agree prices for barge services shall be revised as stated below and shall be effective May 1, 2016.

Barge Service Categories	Revised Prices eff. 5/1/2016
Adult	\$10.00
Local Resident	\$8.00
Child	\$4.00
Military	\$7.00
Senior	\$7.00
One Way Taxi Downtown	\$10.00
One Day Pass Taxi Downtown	\$12.00
Three Day Pass Taxi Downtown	\$25.00
One Day Pass Taxi Museum Reach	\$12.00
Three Day Pass Taxi Museum Reach	\$25.00
One Day Pass Combination Downtown &	\$16.00

Museum Reach	
Charter – Peak Hours	\$175.00 per Hour
Charter – Non-Peak Hours	\$150.00 per Hour

3. Per ARTICLE 43.1 of aforementioned contract CITY and CONTRACTOR agree that CONTRACTOR will pay CITY a CONCESSION FEE of fifty-two percent (52%) of its ADJUSTED GROSS SALES on all Tours, Charters and Taxi services provided under the CONTRACT, effective May 1, 2016. CITY understands that CONTRACTOR has previously confirmed charter events through September 5, 2016 at original charter rates; all charter events booked after May 1, 2016 will be contracted under above approved charter rates.

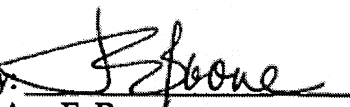
4. All other terms and conditions of the Contract shall remain in full force and effect throughout the extended term.

Executed this _____ day of _____ 2016.

CITY OF SAN ANTONIO,
A Texas Municipal Corporation

RIO SAN ANTONIO CRUISES, LTD.

By: _____
Sheryl Sculley
City Manager

By: 
JoAnn E. Boone
President

APPROVED AS TO FORM:

City Attorney