

**State of Texas
County of Bexar
City of San Antonio**



**DRAFT
Meeting Minutes
City Council Special Meeting
Henry B. Gonzalez Convention Center
900 East Market
San Antonio, Texas**

Thursday, May 25, 2017

9:00 AM

Municipal Plaza Building

The City Council convened in a Special City Council Meeting. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

PRESENT: 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier, and Gallagher

Mrs. Vacek announced that Councilmember Medina was attending the meeting via videoconference as he was attending Military Training.

1. The Invocation was delivered by Pastor Ray D. Brown, Redland Oak Community Church, guest of Mike Gallagher, District 10.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA ITEMS

No items were pulled for Individual Consideration. Councilmember Lopez moved to approve the remaining Consent Agenda Items. Councilmember Treviño seconded the motion.

Mayor Taylor called upon Mr. Jack M. Finger to speak on the Consent Agenda.

Mr. Jack M. Finger spoke in opposition to the on-call structural design services contracts (Item 8) due to the campaign finance contributions made to various Councilmembers.

The motion to approve the Consent Agenda Items prevailed by the following vote:

AYE: 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

2017-05-25-0377

4. An Ordinance accepting the bid from Quantum Office Solutions, Inc. for the purchase of two replacement mail systems, including maintenance, service and support, and the lease of two postage meters for an initial, total annual cost of \$50,059.62, funded from the FY 2017 Finance Department Procurement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2017-05-25-0378

5. An Ordinance authorizing a contract with The Brandt Companies, LLC to provide the San Antonio Airport System with on call plumbing maintenance and repair services for an estimated annual amount of \$180,000.00, funded from the Aviation Operations and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2017-05-25-0379

6. An Ordinance authorizing a contract with GateKeeper Systems, Inc. to provide the San Antonio International Airport with a web-hosted rideshare monitoring application solution for a total cumulative amount of \$79,255 for an initial term of three years, with options to renew the term of the agreement for two additional one-year periods, funded from the Airport Operating and Maintenance Funds. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2017-05-25-0380

7. An Ordinance authorizing the execution of three On-Call Building Commissioning and Leadership in Energy and Environmental Design (LEED) Monitoring Services Agreements with Lackey de Carvajal Cx, Alderson & Associates, Inc. and Jasmine Engineering, Inc. each in the amount not to exceed \$200,000.00 per year for a term of one year with the option to renew each agreement for three one year extensions

under the same terms and conditions. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

2017-05-25-0381

8. An Ordinance authorizing the execution of five On-Call Structural Design Services Contracts with Alpha Consulting Engineers, Inc., Intelligent Engineering Services, LLP, RSCR, Inc., LNV, Inc., and Structural Engineering Associates, Inc. each in the amount not to exceed \$200,000.00 per year for a term of one year with the option to renew each agreement for three one year extensions under the same terms and conditions. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2017-05-25-0382

9. An Ordinance authorizing the execution of two On-Call Professional Services Agreements with Foster CM Group, Inc., and IDCUS, Inc., each in the amount not-to-exceed \$450,000.00 per year for a term of one year with one additional one-year extension option to provide On-Call Construction Inspection Services for federally funded projects. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2017-05-25-0383

10. An Ordinance authorizing, upon approval and release of supplemental grant funds from the Office of the Governor, Criminal Justice Division, a five-year lease with Brass LeftOut, LLC for office space at 4402 West Piedras Street to be used for the Texas Anti-Gang Initiative at an annual rent of \$694,404.00 in the first year increasing to \$720,819.60 in the fifth and final year of the term. [Erik Walsh, Deputy City Manager; William P. McManus, Chief of Police]

2017-05-25-0384

11. An Ordinance authorizing the submission of a grant application in an amount up to \$2,000,000.00 to the Office of the Governor, Criminal Justice Division for the Texas Anti-Gang Program, acceptance of funds upon award for a grant period of September 1, 2017 through August 31, 2019, and authorizing a personnel complement of one new grant funded position. [Erik Walsh, Deputy City Manager; William P. McManus, Chief, Police]

2017-05-25-0385

12. An Ordinance authorizing a Memorandum of Agreement between the City of San Antonio and Lackland Air Force Base and Fort Sam Houston Army Base known as Joint Base San Antonio for the City to provide animal care services for a three-year period with the option to renew two one-year terms. [Maria Villagómez, Assistant

City Manager; Heber Lefgren, Director, Animal Care Services]

2017-05-25-0386

13. An Ordinance requesting the extension of line-of-duty injury leave for San Antonio Fire Department Fire Engineer Kelly Abbott. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

2017-05-25-0387

14. An Ordinance authorizing an agreement with the Southwest Texas Regional Advisory Council to provide funding in an amount not to exceed \$7,500.00 in support of multiagency funded license for EverBridge software related to public health emergency preparedness activities for Bexar County for a period from July 1, 2017 through June 30, 2018. [Erik Walsh, Deputy City Manager; Colleen M. Bridger, MPH, PhD, Director of Health]

CONSENT ITEMS CONCLUDED

INDIVIDUAL ITEMS FOR STAFF BRIEFING

2017-05-25-0376

3. An Ordinance authorizing the negotiation and execution of a contract to provide the daily operation of river barges and river barge concessions on the San Antonio River to begin on October 1, 2017. [Carlos Contreras, Assistant City Manager; Kevin Barthold, City Auditor]

Carlos Contreras presented a power point and outlined the goals of the Request for Proposals (RFP) for the daily operation and concession of the river barges. He provided an overview of the evaluation criteria and final scores in which Go Rio San Antonio scored higher of the top two firms. He reported that although scoring lower; staff recommended San Antonio River Cruises due to their experience and qualifications. He highlighted San Antonio River Cruises' 39 years of experience and being a premier provider of water based sightseeing, taxi, and dining. He noted that their proposal included a restaurant dining experience in partnership with Johnny Hernandez. He outlined the economic benefit to the city noting that staff recommended negotiating an increase to their Minimum Annual Guarantee based on projections. He indicated that staff would negotiate contract terms within 30 days of Council action and highlighted the various items that would be negotiated. He provided an overview of ticket prices for barge tours, taxis, and charters for both firms. He concluded by stating that the Selection Committee recommended San Antonio River Cruises as the best operator to provide programming that enhances the customer experience, leverages unique assets, and provides a new and exciting experience.

Mayor Taylor called upon the citizens registered to speak.

Phil Bakke spoke in support of the proposal submitted by San Antonio River Cruises.

Deborah Omowale, Chair of the Alamo City Black Chamber of Commerce, spoke in support of San Antonio River Cruises noting they included African-American Owned Businesses.

Henry Rodriguez representing LULAC Concilio Zapatista spoke in favor of Go Rio San Antonio noting the need to support local ownership.

Joe Linson spoke in support of the selection of San Antonio River Cruises.

Casandra Matej, CEO of Visit San Antonio, stated that they would like the City Council to consider the company with extensive guest experience.

Liza Barratachea, President and CEO of the San Antonio Hotel and Lodging Association, stated that the operator selected to have the experience to take the city to the next level of service and accessibility.

Robert Shelby stated that he was a resident of the Riverwalk and believed San Antonio River Cruises was the best option to operate the river barges.

Paul Sanette, Vice-President of Entertainment Cruises, spoke of their work and experience asking support for San Antonio River Cruises.

Johnny Hernandez spoke of his commitment to the City of San Antonio and expressed support for San Antonio River Cruises.

Tony Gradney stated that he would like to make history as the first African-American business on the Riverwalk and was supportive of San Antonio River Cruises.

George Mery, CEO of Mery and Associates doing business as Buena Vista Barges, addressed the City Council in support of their proposal. He expressed concern with the process and noted that local preference points should not have been awarded to Go Rio San Antonio as they had not been headquartered in San Antonio for a year.

Fred Tawil stated that he was a local sub for Buena Vista Barges and spoke in support of their proposal to operate the river barges.

Mitsuko Ramos stated that she was advocating for Buena Vista Barges as they had the best interest of San Antonio at heart.

Jimmy Hasslocher spoke in support of the proposal submitted by Go Rio San Antonio.

Skeeter Miller, Owner of County Line Restaurants, spoke in support of Go Rio San Antonio.

Felicia Glenn played a video about visitor perspective and expressed support for Buena Vista Barges.

Alek Harmeyer stated that he was a 22-year old student born and raised in San Antonio and was supportive of local control for the river barge operations.

Nick Mery addressed the City Council in support of Buena Vista Barges.

Patricia Benson addressed the City Council in support of Buena Vista Barges.

Najla Mery addressed the City Council in support of Buena Vista Barges.

Anel Silva addressed the City Council in support of Buena Vista Barges.

Morgan Sigler played a video of individuals supportive of Buena Vista Barges.

HJ Sigler expressed concern with an illegal campaign finance contribution made by a Go Rio San Antonio Lobbyist to a candidate during the blackout period. He noted that he was supportive of Buena Vista Barges.

Morgan Gray stated that as a student at Texas A&M University, she had been tasked with studying the SA Tomorrow Comprehensive Plan. She quoted the plan with regard to growing locally and expressed support for Buena Vista Barges.

Chris Levy addressed the City Council in support of Buena Vista Barges.

Ryan Harris addressed the City Council in support of Buena Vista Barges.

Pat Boone of Rio San Antonio Cruises thanked the citizens of San Antonio for giving him the opportunity to be custodians of the Riverwalk since 2002. He asked that the City Council consider a Local entity and added that they were available to assist as needed.

Rachel Garza recognized Pat Boone for his great work over the years and asked the City Council to vote Local when considering the new contract.

Jack M. Finger expressed concern with the prices at Landry's Restaurants and stated that bidders were not local.

Susan Oliver Heard presented letters of support for San Antonio River Cruises.

Christopher Herring, Chair of the Five-Year Contracting Diversity Plan Committee, addressed the City Council in support of awarding the contract to a Local, Small, Minority-Owned Business.

Nicole Peisen addressed the City Council in support of Buena Vista Barges.

Patrick Richardson addressed the City Council in support of Go Rio San Antonio.

Mark Ross addressed the City Council in support of San Antonio River Cruises.

Oscar Vicks stated that he was a retired Vietnam Veteran in support of Buena Vista Barges.

Hope Andrade, Lisa Wong, and Frank Burney representing Go Rio San Antonio addressed the City Council in support of their proposal to operate the River Barges.

Mrs. Vacek read written testimony received from Janet Dietel, San Antonio Conservation Society President, requesting: 1) The river be maintained; 2) The barge operation ensure that patrons learn about the city and its landmarks; 3) Operate in the most environmentally friendly manner; and 4) Operators have expertise in each type of river cruise.

Mayor Taylor thanked everyone that spoke and worked on said item. She stated that there were two strong proposals and that no single factor was considered more than another. She noted that based on the RFP scoring and the research she conducted; she was recommending Go Rio San Antonio for the River Barge Contract. She asked of the allegation regarding preference points for Go Rio San Antonio. Troy Elliott replied that a change was made to the City Ordinance in 2014 that allowed them to look below the Go Rio San Antonio, LLC to the components that make it up.

Councilmember Lopez stated that this had been a transparent process and spoke of the transformation of the Riverwalk. He asked if the process was followed fairly and equitably. Kevin Barthold replied that it was a fair and transparent process.

Councilmember Lopez moved to approve the contract with Go Rio San Antonio, LLC. Councilmember Gallagher seconded the motion.

Councilmember Krier stated that he and his staff had conducted thorough research and expressed concern with current and varied financial issues of bidder San Antonio River Cruises. He spoke of the SBEDA Program and noted that all businesses should have a fair opportunity to do business in San Antonio. He added that Hope Andrade and Lisa Wong had a 51% ownership of the venture and he was supportive of Go Rio San Antonio.

Councilmember Gonzales stated that she would have liked to receive presentations from all of the firms that submitted proposals. She noted that she was most concerned with economic returns to the city, ability to operate the barges, and commitment to the policies and preference points adopted when the contract was issued. She asked why the Financial and Economic Terms components of the RFP were scored so low. Mr. Elliott replied that they work with the associated department to determine the point allocations. Mrs. Sculley added that high profile contracts were reviewed with the Audit Council Committee and staff had proceeded with their approval. Councilmember Gonzales stated that based on the economic returns, the ability to maintain and deploy the barges, as well as the local preference criteria; she would be voting for Go Rio San Antonio.

Councilmember Treviño thanked Pat Boone for being a great steward of the Riverwalk. He noted some of the concerns that have been brought up and asked how local businesses along the Riverwalk might be impacted. Mr. Contreras replied that both firms gave their recommendation on how they would engage with the restaurants on the river. San Antonio River Cruises proposed to provide smaller restaurants the opportunity to offer river barge dining experiences. Councilmember Treviño spoke of the importance of the partnership between the City of San Antonio and the River Barge Operator. He highlighted the new barges and that have inspired new operational opportunities and strategies to expand services for the city. Lori Houston stated that the barges were being fabricated and hoped to receive the first 20 barges this summer. She noted that they would ensure that the operator was certified and had the expertise with the type of engine used for the barges. Councilmember Treviño spoke of the economic benefits and asked if staff was confident with the Minimum Annual Guarantee of both firms. Mr. Contreras replied that they were.

Councilmember Medina thanked all of the teams that have been part of the process. He recalled that after Air Force Basic Training; the Riverwalk being the number one destination that everyone wanted to visit. He stated that although the process was not a perfect one; he respected it. He noted that he was disappointed that they did not see all of the presentations as one could argue that Buena Vista was the most local. He asked that same be taken into consideration in the future. He added that Go Rio San Antonio had

scored the highest and he was supportive of awarding them the River Barge Contract.

Councilmember Saldaña stated that it was important to get this right as it is only done every 10 years. He noted that they must support whoever come out ahead and to remove politics and follow policy. He recommended Go Rio San Antonio but was not in favor of a mascot. He requested of Go Rio San Antonio to readjust going forward.

Councilmember Nirenberg recognized Pat and Joann Boone for their steadfast service in stewarding the river. He stated that the reason that the City Council is not typically involved in these procedures is that they want to avoid politicizing the process. He commended Hope Andrade and Lisa Wong for being extraordinary members of the community; however, he also highlighted the work of Johnny Hernandez and Tony Gradney who were part of the San Antonio River Cruises Team. He stated that he trusts the staff and citizens involved in the committee process and felt the best choice was San Antonio River Cruises.

Councilmember Gallagher thanked Mayor Taylor for hitting the restart button on this process and thanked everyone for their input. He stated that this was extremely close competition but all factors needed to be taken into consideration. He expressed support for Go Rio San Antonio.

Councilmember Warrick asked if the winner of the contract was restricted from using any of the ideas submitted by other groups. Andy Segovia noted that they could use any ideas or concepts that came forward to the extent that they are protected by any proprietary or IP rights. Councilmember Warrick stated that he looked forward to the winner of the contract to include African-American, small, and women-owned businesses, because all have played a part in growing San Antonio. He stated that he trusted the Go Rio San Antonio Team moving forward with what is best for the city.

Councilmember Viagran noted that this process was unprecedented on many levels but was very important as it affected locals and visitors alike. She spoke of the need to follow policy and receive the best economic benefits for the city. She highlighted the group of transformational Latinas who own 51% of Go Rio San Antonio. She expressed support for awarding Go Rio the River Barge Contract. She thanked Pat Boone for his work and the graciousness he demonstrated. Mayor Taylor also thanked Mr. Boone for his service to the community over the years.

The motion to approve the contract with Go Rio San Antonio, LLC prevailed by the following vote:

AYE: 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Krier and Gallagher

NAY: 1 - Nirenberg

POINT OF PERSONAL PRIVILEGE

Mayor Taylor recognized Councilmember Medina for his many years of service to the City of San Antonio and to our Country through his involvement in the United States Military. City Councilmembers thanked Councilmember Medina for his service and wished him well. Councilmember Medina stated that it had been a true privilege to serve on Council and was thankful to serve alongside colleagues who all loved San Antonio.

15. City Manager's Report

There was no City Manager's Report.

EXECUTIVE SESSION

Mayor Taylor recessed the meeting into Executive Session at 12:48 pm to discuss the following:

- A.** Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B.** The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C.** Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D.** Litigation matters involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E.** Discuss legal issues relating to grant requirements promulgated by the State of Texas pursuant to Texas Government Code Section 551.071 (consultation with attorney).

RECONVENED

Mayor Taylor reconvened the meeting at 2:02 pm and announced that no action was taken in Executive Session.

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 2:02 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/CMC/MMC
CITY CLERK