

**CITY OF SAN ANTONIO  
PARKS AND RECREATION DEPARTMENT  
CITY COUNCIL AGENDA MEMORANDUM**

**TO:** Mayor and City Council

**FROM:** Malcolm Matthews, Director, Parks and Recreation Department

**SUBJECT:** San Antonio River Barge Concession Request for Proposals

**DATE:** November 18, 2004

**SUMMARY AND RECOMMENDATIONS**

This ordinance accepts a proposal to operate the San Antonio River Barge Concession and authorizes the Interim City Manager to negotiate a ten year license agreement with this firm.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

The current license agreement for operation of the San Antonio River barge concession will expire on August 31, 2005. The concession agreement includes operation of general barge tours, dining and cocktail charters, taxi service, photography management and retail sales.

During a City Council B Session on April 8, 2004, staff provided a briefing to review the preliminary scope and schedule for the issuance of a Request for Proposals (RFP) to select an operator for a new contract. A second B Session briefing was held on June 3, 2004 for the City Council to approve the final scope and schedule for the RFP.

On June 14, 2004 the RFP was released. It was advertised in the San Antonio Express-News and San Antonio Business Journal. The RFP was posted on the City's website, where it received 577 data requests. City staff held a pre-proposal conference and tour on July 21, 2004 and twelve interested parties attended.

On September 20, 2004 the RFP closed and responses were received from the following five companies:

- Fiesta Del Rio (San Antonio, Texas)
- Rio San Antonio Cruises (San Antonio, Texas)
- Ripley Entertainment (Orlando, Florida)
- River Walk Cruises (San Antonio, Texas)
- Selrico Services Inc. (San Antonio, Texas)

The City established an evaluation committee, which included the following representatives from the listed City departments and organizations:

Christopher J. Brady, City Manager's Office  
Malcolm Matthews, Parks and Recreation Department  
Milo Nitschke, Finance Department  
Janis Schmees, Convention and Visitors Bureau  
Michael Sawaya, Convention Facilities  
Ramiro Cavazos, Economic Development Department  
Jason Cosby, Public Works Department  
Ben Brewer, Downtown Alliance  
Barbara Johnson, Conservation Society

On October 11, 2004, each proposer provided a 20 minute presentation to the evaluation committee and answered questions from committee members. The evaluation committee met on October 18, 2004 to score the proposals. The evaluation committee evaluated the proposals based on criteria established in the RFP. The evaluation criteria, and the points allocated to each item, are outlined below:

<u>Criteria</u>	<u>Points</u>
Quality of Proposal	35
Operating Plan (15)	
Price Strategy (5)	
Affordability (5)	
Marketing Strategy and Outreach Plan (5)	
Marketing and Community Investment (5)	
Operator's Background and Capability	25
Experience and Reputation (15)	
Financial Capability (10)	
Proposed Economic Terms	20
Percentage Payment to City (15)	
Minimum Annual Guarantee (5)	
Small Business Consideration	20
Local Business Enterprise (10)	
Historically Underutilized Enterprise (5)	
SBEDA Compliance (5)	
Total	100

Staff reported the numerical scores derived for the proposals by the evaluation committee during a City Council B Session on November 4, 2004. Details are shown in Exhibit 1. Overall ratings based on the above criteria are as follows:

<u>Proposer</u>	<u>Score</u>
Fiesta Del Rio	51.00
Rio San Antonio Cruises	79.04
Ripley Entertainment	70.86
River Walk Cruises	68.72
Selrico Services Inc.	67.65

During the B Session, City staff recommended the selection of Rio San Antonio Cruises, Inc. as the proposal to accept for contract negotiations. The recommendation of Rio San Antonio Cruises, as was reflected in the scoring, is based on the following points:

- Joint ticketing plan (VIA, City, museums)
- Extensive marketing plan
- Barges "in the water," full ownership of fleet
- All new CNG engines in last 18 months, can convert to electric
- Very thorough plan of operation
- Strong employee training program
- Successful record of operation improvements
- Continuity of service

Rio San Antonio Cruises has operated a successful concession after taking over from the previous operator in 2002. Adjusted gross sales have increased from \$6,653,990 in FY02 to \$8,619,850 in FY04. The corresponding payment to the City was \$2,952,229 in FY02 and \$3,828,751 in FY04.

City Council desired to have each company make a 12 minute presentation to City Council during the November 18, 2004 City Council meeting prior to making a final determination.

Based on the above criteria, and the evaluation committee's recommendations, City staff recommends that the City Council authorize staff to begin contract negotiations with a selected proposer for the operation of the San Antonio River Barge Concession.

### **POLICY ANALYSIS**

The issuance of the RFP for operation of the City's San Antonio River barge concession was part of a recommendation and review of the RFP evaluation criteria presented to City Council during a B Session on April 8, 2004 and a subsequent B Session presentation on June 3, 2004. The RFP was developed and issued by City staff, following all the standard City criteria for such actions.

### **FISCAL IMPACT**

The fiscal impact to the City by each proposal is shown on the attached exhibits. Exhibit 2 lists the service categories and percent paid to the City from them. Exhibit 3 lists the minimum annual guaranteed payment to the City.

### **COORDINATION**

This RFP was coordinated with the City Attorney and the Departments of Economic Development, Contract Services and Finance.

**ATTACHMENTS**

Exhibit 1 – Proposals Rating Summary  
Exhibit 2 – Service Categories and Percent to City  
Exhibit 3 – Minimum Annual Guarantee to City


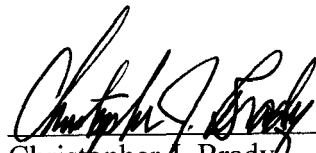

  
\_\_\_\_\_  
Malcolm Matthews  
Director of Parks and Recreation  
\_\_\_\_\_  
Christopher J. Brady  
Assistant City Manager  
\_\_\_\_\_  
J. Rolando Bono  
Interim City Manager

Exhibit 1  
Proposals Rating Summary

	Fiesta del Rio	Rio San Antonio Cruises	Ripley Entertainment	River Walk Cruises	Selrico Services
<b>Quality of Proposal - (35 Pts.)</b>					
Operating Plan - 15 Pts.	5.94	13.06	10.13	11.88	8.19
Price Strategy - 5 Pts.	3.06	4.38	2.75	3.88	3.81
Affordability - 5 Pts.	4.67	4.96	4.65	5.00	4.88
Marketing Strategy & Outreach Plan - 5 Pts.	1.75	4.00	3.63	4.00	2.38
Marketing & Outreach Investment - 5 Pts.	1.86	2.54	5.00	3.61	1.06
Sub-Total	17.28	28.94	26.16	28.37	20.32
<b>Background &amp; Capability - (25 Pts.)</b>					
Experience & Reputation - 15 Pts.	2.69	14.06	11.88	10.06	7.81
Financial Capability - 10 Pts.	1.00	5.00	7.00	3.00	3.00
Sub-Total	3.69	19.06	18.88	13.06	10.81
<b>Economic Terms - (20 Pts.)</b>					
Percentage Payment to City - 15 Pts.	8.16	14.49	15.00	13.34	13.52
Minimum Annual Guarantee - 5 Pts.	3.87	3.55	4.82	3.95	5.00
Sub-Total	12.03	18.04	19.82	17.29	18.52
<b>Sub-Total</b>	<b>33.00</b>	<b>66.04</b>	<b>64.86</b>	<b>58.72</b>	<b>49.65</b>
<b>SBEDA - (20 Pts.)</b>					
Local Business Enterprise - 10 Pts.	10.00	10.00	6.00	10.00	10.00
Historically Underutilized Enterprise - 5 Pts.	5.00	0.00	0.00	0.00	5.00
Compliance with SBEDA Policy - 5 Pts.	3.00	3.00	0.00	0.00	3.00
Sub-Total	18.00	13.00	6.00	10.00	18.00
<b>Total Score</b>	<b>51.00</b>	<b>79.04</b>	<b>70.86</b>	<b>68.72</b>	<b>67.65</b>

Exhibit 2

**Service Categories and Percent to City**

	Fiesta Del Rio	Rio S.A. Cruises	Ripley Entertainment	Riverwalk Cruises	Selrico Services
Barge Tours, Charters, Taxis	51%	**52%	*51%	51%	51%
Photography	20%	20%	25%	20%	20%
Retail	15%	15%	15%	20%	15%
Other:					
Advertising, Yr 1-5	10%	15%			
Advertising, Yr 6-10	15%	15%			
Paddle Boats				20%	
Signature Dining, Base Rate				51%	
Signature Dining, Catering Fee				20%	
Pedicab, Yr 1-5	10%				
Pedicab, Yr 6-10	15%				
Popsicles, Yr 1-5	10%				
Popsicles, Yr 6-10	15%				
Video Productions, Yr 1-5	10%				
Video Productions, Yr 6-10	15%				
Other Tours, Yr 2-5	10%				
Other Tours, Yr. 6-10	15%				

\* Yr 1-3: 60% over \$3M; Yr 4-6: 60% over \$4M; Yr 7-10: 60% over \$5M

\*\* 52.5% if Gross Revenue \$7M - \$8M; 55.0% if Gross Revenue \$8 - \$9M

Exhibit 3  
**Minimum Annual Guarantee to City**

	Fiesta Del Rio	Rio SA Cruises	Ripley	River Walk Cruises	Selrico
Year 1	\$ 2,000,000	\$ 2,000,000	\$ 2,500,000	\$ 2,500,000	\$ 3,000,000
Year 2	\$ 2,000,000	\$ 2,000,000	\$ 2,500,000	\$ 2,500,000	\$ 3,000,000
Year 3	\$ 2,000,000	\$ 2,000,000	\$ 2,500,000	\$ 2,500,000	\$ 3,000,000
Year 4	\$ 2,000,000	\$ 2,000,000	\$ 3,000,000	\$ 2,500,000	\$ 3,150,000
Year 5	\$ 2,500,000	\$ 2,000,000	\$ 3,000,000	\$ 2,500,000	\$ 3,150,000
Year 6	\$ 2,500,000	\$ 2,500,000	\$ 3,000,000	\$ 2,500,000	\$ 3,150,000
Year 7	\$ 2,500,000	\$ 2,500,000	\$ 3,500,000	\$ 2,500,000	\$ 3,300,000
Year 8	\$ 3,000,000	\$ 2,500,000	\$ 3,500,000	\$ 2,500,000	\$ 3,300,000
Year 9	\$ 3,000,000	\$ 2,500,000	\$ 3,500,000	\$ 2,500,000	\$ 3,300,000
Year 10	\$ 3,000,000	\$ 2,500,000	\$ 3,500,000	\$ 2,500,000	\$ 3,300,000
<b>Total</b>	<b>\$ 24,500,000</b>	<b>\$ 22,500,000</b>	<b>\$ 30,500,000</b>	<b>\$ 25,000,000</b>	<b>\$ 31,650,000</b>

H.

### Discretionary Contracts Disclosure

#### Disclosure of Parties, Owners, and Closely Related Persons

(1) the identity of any **individual** who would be a party to the discretionary contract:

Laura L. Stolmeier  
Jonathan P. Stolmeier

(2) the identity of any **business entity**<sup>1</sup> that would be a party to the discretionary contract:

By Laura AKA Fiesta Del Rio (FDR)

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

Ultered Vision - computer	Branch Professional Painting - construction
The Original Image, Inc. - printing	T-Shirt Expressive Inc. - retail, marketing
Roman Castillo Co. - accounting	Prieto Co. - marketing
RM & M Enterprises, Inc. - concession & retail	

and the name of:

(B) any individual or business entity that is known to be a **partner**, or a **parent** or **subsidiary** business entity, of any individual or business entity who would be a party to the discretionary contract;

By Laura AKA Fiesta Del Rio (FDR)



(3) the identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

None


#### Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individuals's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
None	N/A	N/A

#### Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefits, by participating in official action relating to the discretionary contract.

None		
<b>Signature:</b> 	<b>Title:</b> President <b>Company:</b> By Laura AKA Fiesta Del Rio (FDR)	<b>Date:</b> 9-17-2004

## City of San Antonio Discretionary Contracts Disclosure\*

*For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2*

*Attach additional sheets if space provided is not sufficient.*

*State "Not Applicable" for questions that do not apply.*

*\* This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.*

### Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract:

JoAnn E. Boone

(2) the identity of any **business entity**<sup>1</sup> that would be a party to the discretionary contract:

Rio San Antonio Cruises

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

Rio San Antonio Photography  
The CE Group, Inc.  
San Antonio Press, Inc.

and the name of:

(B) any individual or business entity that is known to be a **partner**, or a **parent** or **subsidiary** business entity, of any individual or business entity who would be a party to the discretionary contract;

JoAnn E. Boone

<sup>1</sup> A business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.



- (3) the identity of any *lobbyist* or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

Baltazar R. Serna, Jr.  
The CE Group Inc.

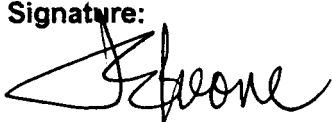
### Political Contributions

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To Whom Made:	Amount:	Date of Contribution:
Art Hall	\$ 500.00	October 6, 2003
Joel Williams	\$ 500.00	November 5, 2003
Julian Castro	\$ 500.00	November 5, 2003
Edward D. Garza	\$1,000.00	November 14, 2003
Patti Radle	\$ 500.00	February 10, 2004
Ron Segovia	\$ 500.00	February 11, 2004
Chip Haas	\$ 500.00	May 24, 2004

### Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

<b>Signature:</b> 	<b>Title:</b> President  <b>Company:</b> Rio San Antonio Cruises	<b>Date:</b> September 20, 2004

<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.





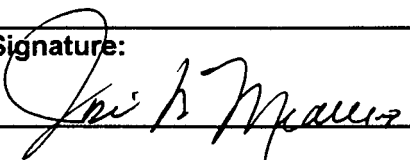
**ATTACHMENT B – Discretionary Contracts Disclosure (additional page)****San Antonio Press, Inc.****Political Contributions**

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

<b>To Whom Made:</b>	<b>Amount:</b>	<b>Date of Contribution:</b>
None	None	None

**Disclosures in Proposals**

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

<b>Signature:</b> 	<b>Title:</b> President	<b>Date:</b> September 20, 2004
<b>Company:</b> San Antonio Press, Inc.		

<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.



**ATTACHMENT B – Discretionary Contracts Disclosure (additional page)****Law Offices of Serna & Serna****Political Contributions**

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

<b>To Whom Made:</b>	<b>Amount:</b>	<b>Date of Contribution:</b>
Thomas Aguillon	\$ 250.00	February 5, 2003
Enrique Barrera	\$ 500.00	August 11, 2003
Julian Castro ( <i>in-kind contribution</i> )	\$ 1,033.26	March 12, 2003
Phil Cortez	\$ 250.00	May 20, 2003
Phil Cortez	\$ 500.00	January 14, 2003
Edward Garza	\$ 1,000.00	November 17, 2003
Edward Garza	\$ 500.00	February 24, 2003
Edward Garza	\$ 500.00	April 2, 2003
Chip Haas	\$ 500.00	September, 2003
Art Hall	\$ 500.00	March 30, 2004
Toni Moorehouse	\$ 350.00	March 25, 2003
John Sanders	\$ 300.00	May 2, 2003
John Sanders	\$ 750.00	April 16, 2003
Carroll Schubert	\$ 1,000.00	July 30, 2002
Ron Segovia	\$ 250.00	June 2, 2003
Ron Segovia ( <i>in-kind contribution</i> )	\$ 714.80	May 27, 2003
Joel Williams	\$ 500.00	November 5, 2003

**Disclosures in Proposals**

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

<b>Signature:</b> 	<b>Title:</b> Partner	<b>Date:</b>
	<b>Company:</b> Serna & Serna	September 20, 2004

<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.



**City of San Antonio**  
**Discretionary Contracts Disclosure\***

*For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2*

*Attach additional sheets if space provided is not sufficient.*

*State "Not Applicable" for questions that do not apply.*

***This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below before the discretionary contract is the subject of council action, and no later than five (5) business days after any change in the information which information is required to be filed.***

**Disclosure of Parties, Owners, and Closely Related Persons**

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract:

None

(2) the identity of any **business entity**<sup>1</sup> that would be a party to the discretionary contract:

Ripley Entertainment Inc.

**and the name of:**

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

None

**and the name of:**

(B) any individual or business entity that is known to be a **partner**, or a **parent** or **subsidiary** business entity, of any individual or business entity who would be a party to the discretionary contract;

None

<sup>1</sup> A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

- (3) the identity of any *lobbyist* or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

None

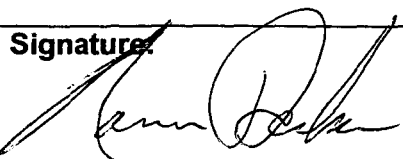
#### Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
None		

#### Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

None		
<b>Signature:</b> 	<b>Title:</b> Executive Vice President I. P. <b>Company:</b> Ripley Entertainment Inc.	<b>Date:</b> 09 / 22 / 04

<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.



## H. Discretionary Contracts Disclosure

### ATTACHMENT B DISCRETIONARY CONTRACTS DISCLOSURE FORM

#### Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City in the enforcement of provisions contained in the City

Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract

from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract:

Lisa Wong, Kate Forbes, Don Karner, Kevin Morrow, Gregg Weston

(2) the identity of any **business entity**<sup>1</sup> that would be a party to the discretionary contract:

Weston Entertainment, Electric Watercraft Enterprises (EWE), Electric Transportation Engineering Corporation (ETEC), Lisa's Café and Cantina, Inc. DBA Rosario's Café and Cantina

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

and the name of:

(B) any individual or business entity that is known to be a **partner**, or a **parent**, or **subsidiary** business entity, of any individual or business entity who would be a party to the discretionary contract;

(3) the identity of any *lobbyist* or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

<sup>1</sup> A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

Discretionary Contracts Signature Page  
Lisa Wong and Gregg Weston



w/a

**Political Contributions**

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

<b>To Whom Made:</b> Please see attached sheet  MA	<b>Amount:</b>	<b>Date of Contribution:</b>
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**Disclosures in Proposals**

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

 LISA WONG		
<b>Signature:</b>  GREGG WESTON	<b>Title:</b> MANAGERS <b>Company:</b> RIVERWALK CRUISES	<b>Date:</b> SEPT 20, 2004

<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

Kate Forbes

no one identity of any individual or political entity that would be for purposes relating to the disclosure of any interest or conflict of interest by any individual or political entity would be a party to the disclosure of any interest or conflict of interest.

None

**Point of Conflicts of Interest**

and whether or not any individual or political entity that would be for purposes relating to the disclosure of any interest or conflict of interest by any individual or political entity would be a party to the disclosure of any interest or conflict of interest.

To Whom Made:	Amount:	Date of Contribution:
None	None	None

and whether or not any individual or political entity that would be for purposes relating to the disclosure of any interest or conflict of interest by any individual or political entity would be a party to the disclosure of any interest or conflict of interest.

Signature:	Title: Chief Financial Officer	Date:
Kathleen A. Fales	Company: Electric Transportation Engineering Corp	9-20-04

<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

Don Karner

[REDACTED]

None

[REDACTED]

To Whom Made:	Amount:	Date of Contribution:
None	None	None

[REDACTED]

Signature: Don Karner	Title: President Company: Electric Transportation Engineering Corp	Date: 9-20-04

<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

\*\*\*\*\*

## ATTACHMENT B DISCRETIONARY CONTRACTS DISCLOSURE

### Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City of San Antonio in the enforcement of provisions contained in the City of San Antonio's Charter and the code of ethics, an individual or business entity seeking a discretionary contract from the City of San Antonio is required to disclose in connection with a proposal for a discretionary contract:

(1) The identity of any individual who would be a party to the discretionary contract:

**Not Applicable**

(2) The identity of any business entity that would be a party to the discretionary contract:

**Not Applicable**

(A) Any individual or business entity that would be a subcontractor on the discretionary contract – **Not Applicable**

(B) Any individual or business entity that is known to be a partner or a parent or subsidiary business entity, or any individual or business entity who would be a party to the discretionary contract: - **Not Applicable**

(3) The identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by an individual or business entity who would be a party to the discretionary contract – **Not Applicable**

### Political Contributions

Any individual or business entity seeking a discretionary contract from the City of San Antonio must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100.00) or more within the past twenty-four (24) months made directly or indirectly to any member of the City of San Antonio, City Council, or to any political action committee that contributes to the City of San Antonio or City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law.

**To Whom Made:** **Not Applicable**

**Amount:** **Not Applicable**

**Date of**

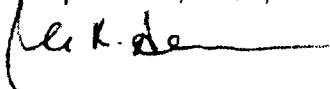
**Contribution:** **Not Applicable**

### Disclosure in Proposal

Any individual or business entity seeking a discretionary contract with the City of San Antonio shall disclose any known facts which, reasonably understood, raise a question as to whether any city official would violate Section 1 of Part B by participating in official action relating to the discretionary contract.

### Acknowledgement

The undersigned, an official of Selrico Services Incorporated, acknowledges, on this 17<sup>th</sup> day of September, 2004, the above disclosure statement to be true and factual.



John R. Aleman, President  
Selrico Services Incorporated

9/20/04  
Date

**AN ORDINANCE**

**SELECTING A FIRM TO OPERATE THE SAN ANTONIO RIVER BARGE  
CONCESSION FOR A TEN (10) YEAR TERM.**

\* \* \* \* \*

**WHEREAS**, the current license agreement for operation of the San Antonio River barge concession will expire on August 31, 2005; and

**WHEREAS**, the concession agreement includes operation of general barge tours, dining and cocktail charters, taxi service, photography management and retail sales; and

**WHEREAS**, during a City Council B Session on April 8, 2004, staff provided a briefing to review the preliminary scope and schedule for the issuance of a Request for Proposals (RFP) to select an operator for a new contract; and

**WHEREAS**, a second B Session briefing was held on June 3, 2004 for the City Council to approve the final scope and schedule for the RFP; and

**WHEREAS**, on June 14, 2004 the RFP was released; and

**WHEREAS**, on September 20, 2004 the RFP closed and responses were received from the following five companies:

Fiesta Del Rio (San Antonio, Texas)  
Rio San Antonio Cruises (San Antonio, Texas)  
Ripley Entertainment (Orlando, Florida)  
River Walk Cruises (San Antonio, Texas)  
Selrico Services Inc. (San Antonio, Texas)

; and

**WHEREAS**, the City staff established an evaluation committee, which included representatives from the various City departments and outside organizations; and

**WHEREAS**, the evaluation committee met on October 18, 2004 to score the proposals; and

**WHEREAS**, staff reported the numerical scores derived for the proposals by the evaluation committee during a City Council B Session on November 4, 2004; and

**WHEREAS**, during the B Session, City staff recommended the selection of Rio San Antonio Cruises, Inc. as the proposal to accept for contract negotiations and council directed staff to bring

forward the proposals to City Council A Session for presentations by the proposers and selection by City Council of a firm with which to begin negotiations; **NOW THEREFORE:**

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

**Section 1.** The Interim City Manager or his designee is hereby authorized to enter into contract negotiations with \_\_\_\_\_ for the operation of the River Barge Concession on the San Antonio River. The resulting negotiated contract shall be brought back to the City Council for final approval.

**Section 2.** This ordinance shall be effective on and after November 28, 2004.

PASSED AND APPROVED this \_\_\_\_\_ day of November 2004.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM:

Hollis Young  
for City Attorney