

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

**AMENDING THE GO RIO SAN ANTONIO, LLC AGREEMENT,
PERMITTING GO RIO TO RETAIN 80% OF FEE COLLECTED FOR
RIVER BARGE AND MARINA IMPROVEMENTS AND PAY THE
CITY THE REMAINING 20% FOR THE PERIOD FY 2024
THROUGH FY 2030. GO RIO'S PAYMENT INTO THE CITY'S
RIVER BARGE IMPROVEMENT REVENUE FUND IS ESTIMATED
TO BE \$1,624,873.20.**

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WHEREAS, the initial contract with Go Rio stipulated that Go Rio would collect and utilize the River Barge Improvement Fee in Year 1 of the contract, and then would collect the fee and remit the revenue to the City for future years of the contract; and

WHEREAS, once the fee revenue transitioned to the City, the City would remain responsible for ongoing replacement of batteries for the remainder of the contract term; and

WHEREAS, in 2019, the second amendment altered the contract so that the River Barge Improvement Fee revenue would remain with Go Rio from year three through year six of the contract. The Barge Improvement Fee revenue staying with the operator relieved the City of the responsibility of managing a procurement program for highly specific battery modules, in a situation where any purchasing delay could result in operational impacts to our partner; including boats unnecessarily out of service.; and

WHEREAS, under the terms of the contract, the City was to provide the batteries to Go Rio within three days of notice of necessary replacement and allow the operator flexibility to purchase and test alternative batteries and components in coordination with the City to improve the fleet; and

WHEREAS, FY 2024 is the seventh year of the contract and the fee revenue under the existing terms would be collected by Go Rio and provided to the City, less sales tax, and then deposited into the City's River Barge Improvement Revenue Fund; and

WHEREAS, this item will adjust the revenue share so that Go Rio remains responsible for battery replacement and uses the funds for ongoing maintenance to the barge fleet as detailed in the contract and the City will receive 20% of the revenue collected for future enhancements or issues that must be addressed at the end of the contract; and

WHEREAS, Go Rio has partnered with City Pass since the vendor's May 2023 launch in San Antonio and that partnership is currently supported by an administratively approved six-month pilot program, this item will grant the Director of CCDO the authority to approve partnerships with vendors to sell Go Rio ticket using dynamic pricing and revenue models.

NOW THEREFORE:

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

SECTION 1. Authority to Approve Partnerships with Ticket Sales Vendors. Director of Center City Development and Operations is granted authority to approve partnerships with established vendors that will sell Go Rio tickets using dynamic pricing and revenue models.

SECTION 2. The City Manager or designee, or the Director of the Center City Development and Operations Department or designee is authorized to amend the Go Rio San Antonio, LLC agreement, permitting Go Rio to retain 80% of fee collected for river barge and marina improvements and pay the City the remaining 20% for the period FY 2024 through FY 2030. Go Rio's payment into the City's River Barge Improvement Revenue Fund is estimated to be \$1,624,873.20.

SECTION 3. Funds received for this ordinance for river barge and marina improvements will be deposited in Fund 29093001, Internal Order 219000000167 and General Ledger 4407770.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer 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 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 12th day of October, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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