

**HIGH PROFILE CONTRACT COUNCIL COMMITTEE
MEETING MINUTES**

**TUESDAY, JUNE 10, 2014
10:00 A.M.
MEDIA BRIEFING ROOM**

Members Present: Councilmember Diego Bernal, Chair, *District 1*
Councilmember Ivy Taylor, *District 2*
Councilmember Rebecca Viagran, *District 3*
Councilmember Rey A. Saldaña, *District 4*
Councilmember Ray Lopez, *District 6*

Members Absent: None

Staff Present: Troy Elliott, *Finance Director*; Kevin Barthold, *City Auditor*; Ben Gorzell, *Chief Financial Officer*; Debbie Sittre, *Assistant Director, TCI*; Alex Lopez, *Assistant Director, EDD*; Ed Belmares, *Assistant City Manager*; Jed Maebius, *Mayor's Office*; Stephen Whitworth, *Assistant City Attorney*; Sebastian Guajardo, *Special Projects Manager, DCCD*; Carlos Contreras, *Assistant City Manager*; Ray Rodriguez, *Assistant City Attorney*; Jennifer Ramirez, *Contract Coordinator, SAPD*; Janette Torres-Gloria, *Contract Manager, SAPD*; Deputy Chief Anthony Treviño, *SAPD*; Chief William P. McManus, *SAPD*; Assistant Chief Jose Banales, *SAPD*; Dennis Rosenberry, *Administrative Services Officer, SAPD*; Felix Padrón, *Director, DCCD*; Loyce D. Clark, *Assistant Director, Aviation*; Fred Garcia, *Court Clerk, Municipal Court*; Kristie Blust, *Legal Administrator, Municipal Court*; Ryan Cook, *Office of the City Clerk*

Others Present: James Munoz, *KENS 5*; Ed Lopez and Dan Polo, *UR VMS*; Baudi Cepeda and Madeline Gatlin, *LGBS*; Bruce Cummings and Carol Alvarado, *MSB*; Mitsuko Ramos and Bill Kaufman, *K&K Law Firm*; Johnny Shannon, *KTSA 550*; Barry and Tanya Clark, *Scentships*

1. Approval of Minutes from the May 13, 2014 High Profile Contract Council Committee Meeting

Councilmember Taylor moved to approve the Minutes from the May 13, 2014 High Profile Contract Council Committee Meeting. Councilmember Lopez seconded the motion. Motion carried unanimously by those present.

Chairman Bernal announced that there would not be a Citizens to be Heard portion of the meeting.

Councilmember Saldaña entered the meeting at this time.

Individual High Profile Contract Initiatives for consideration

Pre-Solicitation briefings:

2. Management of Towing Services [SAPD]

Chief William McManus introduced Dennis Rosenberry and the Management of Towing Services Item.

Mr. Rosenberry provided background information on the City's Towing Services Contracts and stated that the Current Contracts would expire November 30, 2014. He noted that the San Antonio Police Department (SAPD) was recommending the release of a Request For Proposals (RFP) seeking a contractor to Manage Towing Services for the City. He stated that over the proposed Six Year Term, the estimated value of Gross Receipts to the Contractor, based on current fees, would be \$35,051,316 and an estimated value of City Revenue at \$889,800. He stated that the proposed terms would begin December 1, 2014 through November 30, 2017 and includes three, one year extensions. He explained that the Management Services would include Dispatching, Recording, Oversight, Auditing and Reporting. He mentioned that SAPD tows Abandoned Vehicles and Illegally Parked Vehicles in addition to Vehicles that become Evidence as part of Criminal Cases. He stated that Vehicles would be towed under the Asset Forfeiture Proceedings. He noted that Police and City initiated Towing Services would be performed by Multiple Subcontractors who would need to meet current City Qualifications, as well as being Licensed and Experienced. He indicated that Response Times would be reduced in an effort to clear Roadways faster and increase Officer and Citizen Safety. He stated that the RFP identified three National Institute of Government Purchasing (NIGP) Codes and reported that the number of Vendors to be notified were as follows: 24 Central Vendor Registry (CVR); 72 Veteran Owned Small Businesses; and 209 Targeted Vendor Outreach. He added that the City would advertise on TVSA Channel 21, COSA Bidding Opportunities Website and the Express News. He mentioned that the proposal originally submitted to the Public Safety Council Committee requested the release of an RFP in June 2014; however, Committee Members expressed concerns regarding a potential Increase in Towing Fees and the Inability for Current Contractors to recoup any Recent Capital Expenditures. He stated that the Committee recommended extending the Current Towing Contracts for one year. He indicated that Staff provided an Alternate Recommendation of Reducing and Extending the Current Contracts, in accordance with the Public Safety Committee's Recommendations in addition to delaying the release of the RFP. He stated that the extension and delay would afford Staff the opportunity to determine the best course of action for Towing Services.

Councilmember Lopez asked of the concept change and if Control Measures would be implemented within the RFP. Chief McManus replied that the individuals used in the past lacked the experience of the Tow Managers today. He added that Tow Management Companies were used throughout a majority of the largest cities and Tow Management was their expertise. In response to Control Measures, Mr. Rosenberry stated that SAPD requires a Towing Service Response Time of 30 minutes and would continue to require such on a monthly basis; however the Response Time would gradually be decreased from 30 minutes to 14-16 minutes. Councilmember Lopez asked if 30 minutes was a Maximum Response Time. Mr. Rosenberry confirmed that it was.

Councilmember Viagran stated that she was a member of the Public Safety Committee and reiterated the concerns as reported by Mr. Rosenberry. She spoke in favor of the Alternate Recommendation.

Councilmember Taylor thanked Councilmember Viagran and spoke against the concern of the Current Contractors Inability to Recoup Expenditures and added that it should not be a concern of the City's. She then spoke in favor of and accepted the Alternate Recommendation.

Councilmember Saldaña concurred with Councilmember Taylor. Discussion ensued regarding the RFP and Tow Rates.

Chairman Bernal concurred with Councilmember Taylor and asked Mr. Erik Walsh if the proposed RFP was for three years with three, one year extensions. Mr. Walsh replied that it was. Chairman Bernal stated that the construction of the RFP was a challenging process. He suggested that the RFP include definite terms in an attempt to avoid these particular circumstances. Chief McManus concurred with Chairman Bernal and stated that he understood. He noted that the primary intent of the Department is Officer and Public Safety.

No action was required for Item 2.

3. La Villita Leases [DCCD]

Felix Padrón provided information and a brief background of the La Villita RFP. He stated that on March 18, 2014, the Department for Culture and Creative Development (DCCD) presented a recommendation to this Committee requesting the issuance of an RFP to solicit proposals for 25 City-Owned Buildings in the Historic La Villita Arts Village. He stated that the Goals of the La Villita RFP were to advance toward the original objectives of the 1939 La Villita Ordinance and Encourage Participation of Local Artists, Artisans, and Creative Business to partner in an Arts Village to augment the Artistic Aspects of the Facility. He stated that the DCCD would solicit Proposals from Respondents seeking to operate Retail Establishments in 23 City-Owned Buildings, totaling 25 Leases spaces. He noted that two separate RFP's would be issued: The First would solicit proposals for 22 Retail Shops, Galleries and Working Artists Studio Galleries in 20 Buildings; and the Second would solicit proposals for three Restaurants in three Buildings. He described a Working Artist Studio Gallery as a Retail Business operated by a Working Artist that sells Works of Art or Craft produced by hand. He mentioned that a minimum of 50% of the Art exhibited must be produced in the gallery by the Artist. He added that an additional 40% of the Art exhibited must be produced by hand by an Artist, either on or off the premises. He explained that a Gallery was a Retail Business that exhibits and sells Works of the Art or Crafts that are produced by hand off the premises. He noted that a minimum of 90% of the Art or Crafts exhibited and available for purchase must be created/produced by hand by an Artist, Artisan, or Craft Person off premises. He stated that a Retail Shop was a Retail Business that sells Well Designed Goods and Items, that may include Clothing, Apparel, and Accessories for Men, Women, Children, Babies, and Pets and/or Well Designed Items for the Home and Garden.

Mr. Padrón defined a Restaurant as a Retail Business that sells Food and Beverages. He noted that each Restaurant would have an opportunity for Outdoor Patio Seating adjacent to the Lease Space to Activate Plazas and Open Spaces. He indicated that one Restaurant would be required to serve breakfast and lunch at minimum and two Restaurants would be required to serve lunch and dinner at minimum. He spoke of Stakeholder' Meetings and highlighted their feedback: 1) Stakeholders generally supported the RFP Recommendations; 2) Agreed that La Villita needed the changes; 3) San Antonio Conservation Society and the SA Tourism Council submitted letters in support of the RFP. As a result of the meetings, DCCD has made the following changes: DCCD increased the RFP Solicitation Periods to 90 Days and 120 Days, Rental Abatements would be allowed for Capital Improvements and Additional Improvements would be addressed through on-going efforts. He stated that the City of San Antonio (COSA) recognizes that the retail mix was not the only improvement that needed to be made at La Villita. He stated that DCCD would retain the services of a retail expert to serve as a Technical Advisor for the RFP Selection and DCCD was recommending budget improvements for FY 2015 to enhance marketing and programming. He mentioned that a Public Input Meeting was held on April 30, 2014 at the Central Library and indicated that a majority of the attendants were Artists/Business Persons interested in applying. He indicated that the participants were overwhelmingly supportive of the recommendations.

Councilmember Lopez asked if the City was providing support to individuals interested in applying and showing them how to be successful with an RFP. Mr. Padrón replied that they had not but would take providing assistance into consideration. Troy Elliott added that training was part of the Pre-Submittal Process. Sebastian Gujardo stated that all of the tenants were invited to attend a Training Session held in April 2014.

Chairman Bernal commended the DCCD's Public Outreach efforts.

No action was required for Item 3.

4. Construction Services for Hemisfair Historic Homes Rehabilitation and Stabilization Project [TCI]

Debbie Sittre provided a briefing and update on Construction Services for the Hemisfair Historic Homes Rehabilitation and Stabilization Project. She stated that Construction Services would provide 10 existing Historic Homes located inside the Park with Stabilization and Selective Exterior Rehabilitation. She noted that the project was part of the 2012-2017 Bond Program. She stated that the Scope of the Project would include, but was not limited to: Interior and Exterior Building Stabilization; Rehabilitation of Exterior Historical Elements; Mechanical or Electrical or Plumbing Repairs/Renovations; and Site Enhancements. She reported that there were 150 NIGP Construction, Architectural and Engineering Codes identified and 450 Vendors were to be notified. She stated that advertising would take place on TVSA Channel 21, COSA Bidding Opportunities Website, San Antonio Hart Beat, and Texas Electronic State Business Daily.

Chairman Bernal asked if the houses would be occupied by residents. Carlos Contreras replied that the intended use of the houses was for Park Serving.

No Action was required for Item 4.

Post-Solicitation items:

5. Delinquent Accounts Collection Services for Municipal Court- Outstanding Fines, Fees, and Costs [Municipal Court]

Fred Garcia provided a briefing and update on the Delinquent Accounts Collection Services for the Municipal Courts Outstanding Fines, Fees, and Costs. He stated that the scope of the project would require the contractor to perform all necessary services to successfully collect delinquent Fines, Fees, and Costs with all Federal, State and Local Laws, as well as, other Court Requirements. He stated that Cases subject to referral would be Delinquent Adjudicated Traffic, Non-Traffic, Parking and Civil Administrative Violations from a Delinquency Period of a minimum of 60 days and additional cases which have been Delinquent since 2001. He mentioned that expected services would include Producing and Mailing Collection Letters, Delinquent Statements, Electronic and Manual Skip-Tracing for Bad Addresses, Bankruptcy and Death Records Searches, Telephone Calls and Customer Inquires. He noted that pursuant to Article 103.0031 of the Texas Code of Criminal Procedure, the Contractor would be paid a Collection Fee of 30%. He stated that the Collection Fee would be added to the Amount Owed, but would not apply to a fee that had been Dismissed by the Court or to any Amount that has been Satisfied though Time Served Credit or Community Service.

Councilmember Saldaña excused himself from the meeting at this time.

Troy Elliott reported that 29 Vendors were notified and 6 Responses were received, of which 4 received interviews. He stated that as a result of the Minimum Requirements Review, no issues were noted. However, it was discovered during the Due Diligence Review that one Respondent had their Franchise Tax Ended. He noted that the Respondent was not recommended for award. He further reported that one Respondent did not provide Audited Financial Statements. He added that although not providing the Statements did not prohibit the firm from continuing to compete; they were not selected for award. He mentioned that two Respondents Failed to Meet Expectations; one Respondent did not submit Proof of Automobile Insurance; one Respondent indicated that a Subcontractor served on the VIA Transit Board; and Several Firms identified Lawsuits but were still Responsive.

Kevin Barthold stated that there were no Conflicts of Interests indentified.

Councilmember Lopez moved to forward the Delinquent Accounts Collection Services for Municipal Court- Outstanding Fines, Fees, and Costs to the full City Council for consideration. Councilmember Taylor seconded the motion. Motion carried unanimously by those present.

6. Gas Station Concession at the San Antonio International Airport [Aviation]

Loyce Clark provided a briefing and update on the Gas Station Concession at the San Antonio International Airport. He stated that the City sought proposals from Qualified Respondents to provide complete Development, Financing, Design, Construction, Operation, and Maintenance of a Gas Station Concession up to 4.67 acres at the Northeast Corner of Loop 410 and Airport Boulevard at the San Antonio International Airport. He indicated that the Gas Station Concession would provide Gasoline, Diesel Fuel, Standard Inventory and Amenities of a Convenience Store and Fast Food Restaurant.

Mr. Elliott reported that no issues were discovered during the Due Diligence Review.

Councilmember Viagran moved to forward the Gas Station Concession at the San Antonio International Airport to the full City Council for consideration. Councilmember Lopez seconded the motion. Motion carried unanimously by those present.

Other

Discussion on Employee Benefits Consultant Contract

Ben Gorzell provided an update on the Employee Benefits Consultant RFP. He stated that the Department was seeking to hire a Benefits Consultant to review the Civilian Employee Benefits Plans. He stated that the Benefits Consultant that was selected currently worked for the Legacy Task Force and was also working to support the Collective Bargaining Team with the Uniformed Fire and Police Employees. He noted that an Addendum was placed within the RFP stating that the City intends to merge all plans into one contract. He reported that the RFP received eight responses of which three were eligible to be considered and five were Deemed Non-Responsive. He indicated that many of the Bidders did not provide much detail regarding Uniformed Employee Benefits which would have allowed the City to bring both Civilian and Uniformed Employee Plans under one contract. He stated that after review of the Responses, the Department opted for a One-Year Civilian Contract instead of a Multi-Year Contract. He mentioned that early next year, the City intends to issue another RFP for both Civilian and Uniformed Employees. He noted that the goal of the Department was to return to One Contract for both Civilian and Uniformed Employees.

Councilmember Viagran asked if any details could be provided. Mr. Gorzell replied that Contract Negotiations were completed today and more detail would be listed in the Request For Council Action (RFCA) Memo.

Executive Session

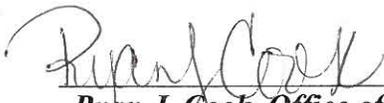
The Executive Session was not held.

Consideration of items for future meetings: Next meeting date: July 8, 2014

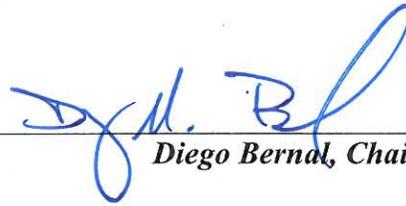
Adjourn

There being no further discussion, the meeting was adjourned at 11:21 a.m.

Respectfully Submitted,



Ryan J. Cook, Office of the City Clerk



Diego Bernal, Chair