

AN ORDINANCE **99008**

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE 2004 FIESTA SAN ANTONIO CELEBRATION; APPROVING THE LOCATIONS, DATES AND TIMES FOR THE FIESTA CARNIVAL AND OFFICIAL FIESTA EVENTS, AND RELATED REQUIREMENTS AND CONDITIONS; APPROVING THE FIESTA PARADE ROUTES; AND AMENDING ORDINANCE NO. 97380, PASSED ON MARCH 27, 2003 TO REFLECT SUCH CHANGES; PROVIDING FOR A FINE OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF THIS ORDINANCE AND ORDINANCE 88270

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WHEREAS, San Antonio's annual Fiesta San Antonio Celebration, through the dedicated efforts of many civic-minded persons and nonprofit organizations, has achieved state wide, national, and international recognition as one of the outstanding festival events in our nation; and

WHEREAS, Ordinance No. 88270 of August, 13, 1998, set the dates for Fiesta San Antonio for the years 2000 through 2008, designated the Fiesta San Antonio Commission as the planning and coordinating organization for the event, provided for and allocated financial support to Fiesta events, adopted regulations for Fiesta events, and made other provisions in connection with Fiesta; and

WHEREAS, planning is underway for the 2004 Fiesta San Antonio, and it is necessary to approve certain events, close streets to vehicular traffic in connection with certain events, approve the dates, times and locations for events, including the Fiesta Carnival, and declaring the rules, rates, regulations and conditions for staging these events; and also to approve the Fiesta Parade Routes and close streets to vehicular traffic in connection with the Fiesta Parades; and

WHEREAS; in planning for the 2004 Fiesta San Antonio, it has been agreed that certain portions of Ordinance No. 97380 of March 27, 2003, be amended; **NOW THEREFORE**:

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

SECTION 1. In support of an initiative by the Texas Department of Transportation to inform and protect the interests of the citizens of San Antonio, all Fiesta San Antonio Commission participating member organizations are encouraged to place the slogan "Fiesta Safe, Drive Sober" on cups and other collateral material distributed during the 2004 Fiesta San Antonio. This is the 10th year the the Texas Department of Transportation has sponsored this public information campaign highlighting the need to actively promote and provide public notice to party responsibly during Fiesta 2004.

SECTION 2. The following Fiesta events are approved for the dates and times as set forth below. The listed public streets and ways shall be closed to vehicular traffic during the dates and times indicated to facilitate the events and their use of the public property. For the events listed in this section, no carnivals or games are permitted on public right-of-way.

1. SOUTHWEST SCHOOL OF ART AND CRAFT FIESTA ARTS FAIR:

- FRIDAY, APRIL 16TH, 8:00 A.M. TO 6:00 P.M. and
SUNDAY, APRIL 18TH, 5:00 P.M. TO 8:00 P.M.
Augusta between Navarro and Giraud closed to through traffic.
Augusta between Giraud and Convent open to **one-way** traffic **southbound** to allow parking on the east side of Augusta.
Police officers stationed at all times at Augusta & Giraud and at Augusta & Convent.
- SATURDAY, APRIL 17TH, 9:00 A.M. TO 6:00 P.M. and
SUNDAY, APRIL 18TH, 11:00 A.M. TO 5:00 P.M.
Augusta between Navarro and Giraud closed to ALL traffic.
Augusta between Giraud and Convent open to **two-way** traffic.
Police officers stationed at all times at Augusta & Navarro and at Augusta & Giraud.

Both off-duty officers will be required to direct vehicular and pedestrian traffic, and must be at their posted locations throughout the entire duration of the requested street closures. The daily placement and daily removal of all traffic control devices shall only be done by the certified barricade company, at the expense of the event sponsor. Augusta Street from Convent to Navarro shall be open to two-way traffic during non-event hours.

2. **NIGHT IN OLD SAN ANTONIO:**

Presa St. The following streets will be closed beginning Saturday, April 17, 2004 at 8:30 a.m. to 12:00 noon on Sunday, April 25, 2004; South Presa Street from Market Street to Nueva Street. South Presa Street from Nueva St. to Arcienga St will be made a one-way southbound during event hours only. Access to Villita Assembly Hall will be maintained for participants in the "Patriotic and Historic Ball" on Saturday evening April 17, 2004.

Alamo St. The southbound lane of Alamo St. between Market and Nueva Streets shall be closed to thru traffic April 20, 2004 to April 23, 2004 between the hours of 4:00 p.m. to 12:00 midnight. Access to the Hilton Hotel shall remain open and a temporary northbound lane shall be established for Hilton two-way traffic ingress and egress. The southbound curblane of Alamo St. between Villita and Nueva St. excluding the area in front of the southbound VIA bus shelter at S. Alamo and Nueva streets from Saturday, April 17, 2004 8:30 a.m. through Sunday, April 25, 2004 12:00 noon;

Nueva St. The following streets will be closed beginning Saturday, April 17, 2004 at 8:30 a.m. to 12:00 noon on Sunday, April 25, 2004: the median and west bound lanes of Nueva Street from South Alamo Street to 175 feet west of South Presa Street; The east bound lanes of Nueva St. from Presa St. to Alamo St. shall be closed to thru traffic from April 20, 2004 to April 23, 2004 between the hours of 8:00 p.m. to 12:00 midnight. Vehicular access to the Fairmount Hotel shall remain open.

River Walk Areas: NIOSA is approved to expand the controlled area during event hours only, to include the Bombach walkway in-between the Little Rhein Steakhouse and the Hilton Palacio Hotel leading from S. Alamo street walkway down to the river walk area. NIOSA may also erect two (2) gate locations beginning at 4:30 p.m. until 10:30 p.m. each event night along the south bank of the river walk at (1) the Hilton/Little Rhein sidewalk landing, and (2) at a point approximately fifty (50) feet west of the Arneson River Theater Iron Gate, also on the south bank of the San Antonio river.

3. **FIESTA FANTASIAS AT MARKET SQUARE:** San Saba Street from Dolorosa to West Commerce Street closed entirely to include sidewalks and the roadway from 9:00 a.m. on Tuesday, April 13, 2004 through 6:00 p.m. on Monday April 26, 2004.

During the closure of San Saba St. between Dolorosa and W. Commerce St. a certified peace officer will be required to man the traffic barricades during the following dates and times:

Tuesday April 13, 2004 to Thursday, April 15, 2004 from **7:00 a.m. to 10:00 p.m.** each day.

Friday, April 16, 2004 to Monday April 26, 2004 from **7:00 a.m. to 10:00 a.m.**, each day.

NO SIDEWALKS OR TRAFFIC LANES SHALL BE CLOSED AT ANY OTHER PERIOD OTHER THAN THE DATE AND TIME INDICATED BY THIS ORDINANCE.

Fiesta Fantasias Approved Event Hours of Operation (Reference City Ordinance 98642):

April 16 – 23, 2004: 10:00 a.m. to 12:00 midnight

April 24, 2004: 10:00 a.m. to 1:00 a.m.

April 25, 2004: 10:00 a.m. to 12:00 a.m.

Pecos Street: The area from the "Tour Bus Loading Zone" to the temporary fence erected under IH-35 ramp shall be used for parking ***by permit only*** as issued by the City of San Antonio Public Works Department, for Market Square vehicles relating to the Fiesta Fantasias event. Parking on Gateway Plaza must limit vehicles to ¾ ton pickups or smaller in size. A band stage and a large trailer for the speaker system can be provided, but the semi-tractor rig and other associated non-conforming vehicles must be elsewhere. Parking on City sidewalks and Gateway Plaza and other Plaza pedestrian walkways **WILL NOT BE AUTHORIZED AND STRICTLY ENFORCED BY SAPD AND PUBLIC WORKS PARKING ENFORCEMENT PERSONNEL.**

Approved Vendor Service Vehicle Parking: Commercial vendor's service vehicles with a valid affixed commercial placard and displayed valid parking permit (parking meter bag) issued by the City of San Antonio (Public Works Traffic Engineering) will be authorized to park at the following locations:

On the west bound, south curb lane of W. Commerce between Santa Rosa and San Saba Streets (6 band vehicles or trucks)

On the west bound, south curb lane of W. Commerce between Pecos and Leona Streets (2 trucks)

On the north bound, east curb lane of San Saba just north of Dolorosa (1-trailer)

On the west curb lane of San Saba between Commerce and Houston (1-trailer, 2-vehicles)

On north side of Dolorosa between San Saba and Santa Rosa (1-trailer, 2-trucks)

On north side of Dolorosa from San Saba to Santa Rosa between the hours of 7:00 am to 3:00 pm on weekdays and 7:00 am to 9:00 am weekends.

On the west curb lane of San Saba between Dolorosa and Nueva. (Band vehicles only)

The serving, loading and/or unloading of any parked trailers on Dolorosa Street during event operations will be hereby prohibited and violators will be towed at owner's expense.

The parking on the south side of Dolorosa St. shall be restricted between San Saba and Santa Rosa streets. Strict enforcement will begin at 3:00 p.m. on weekdays and 9:00 a.m. on weekends. **Absolutely no beer trucks or trailers will be permitted to park on the south curb at any time.**

4. **ST. MARY'S OYSTER BAKE:** Marquette Street from 36th Street to Camino Santa Maria; Overhill Street from 36th Street to Camino Santa Maria; Ligustrum Street from Woodlawn to Marquette Street. Streets will be closed to thru traffic on Friday, April 16, 2004 from 3:30 p.m. until 11:00 p.m. and Saturday, April 17, 2004 from 9:30 a.m. until 11:00 p.m. Camino Santa Maria from Colgate to Wake Forest (westside curb only for VIA bus parking, twelve foot (12') width, from face of curb) on Friday, April 16, 2004 at 3:30 p.m. until 11:00 p.m. and Saturday, April 17, 2004 from 9:30 a.m. to 11:00 p.m.

The following streets shall be closed from Hillcrest to 36th streets on Friday, April 16, 2004 from 3:30 p.m. to 11:00 p.m. and on Saturday, April 17, 2004 from 9:30 a.m. to 11:00 p.m.

Overhill, Marquette, Riverdale, Bangor, Globe, Continental, Lark and Brandywine. Belfair from Woodlawn Ave. to Overhill Street will also be closed during this same time period on April 16th and 17^h, 2004.

5. **FIESTA MISSION RUN:** Padre Drive from East White to Pyron Avenue; Hike and Bike Trail from Padre Drive and Pyron Ave to Mission Espada. Streets will be closed on Saturday, April 17, 2004 from 8:00 a.m. until 10:00 a.m.
6. **PILGRIMAGE TO THE ALAMO:** Auditorium Circle and Alamo Plaza from East Houston Street to Crockett Street. Parkway will be restricted or prohibited on Martin Street from Jefferson Street to Navarro Street and Jefferson Street to Commerce Street. The streets will be closed on Monday, April 19, 2004 from 3:00 p.m. until 5:30 p.m.
7. **PARADES: BATTLE OF FLOWERS AND FIESTA FLAMBEAU:** Both parades will follow this route: assemble at E. Grayson to Broadway, south on Broadway, east on 3rd Street, south on Alamo Street, west on Commerce, north on Santa Rosa to Martin, disband on Martin.

Broadway from Newell to Jones Avenue will be closed on Saturday, April 24, 2004 from 11:00 p.m. until Sunday, April 25, 2004 at 2:00 a.m. for bleacher removal.

Forming Area: Access to forming area shall be limited to parade participants, parade organizers, residents and business employees living or working within the formation area and emergency personnel – This includes **both** vehicular and pedestrian traffic.

Broadway between Jones and Josephine streets
Ave B between Jones and Mill Race Streets
Ave A between San Antonio River and Josephine Street
Elmira between St. Mary's and Josephine Streets
Newell between Elmira and Broadway
Camden between Jones and Newell
Quincy between Jones and Schiller
McClane between Euclid and Quincy
Park Avenue between Euclid and the San Antonio River
Myrtle Street between Euclid and the San Antonio River

Locust between Euclid and Elmira
Grayson between Euclid and Alamo Streets
Isleta between Grayson and Josephine Streets
Karnes between Newell and Josephine Streets
Pearl Parkway between Ave A and Broadway
Roy Smith between Broadway and the San Antonio River

Disbanding Area: Access to the Disbanding area shall be limited to parade participants, parade organizers, residents and business employees living or working within the disbanding area and emergency personnel – This includes **both** vehicular and pedestrian traffic.

Martin between IH-35 and Flores Street
Cameron between IH 35 and Travis Streets
Salinas between Flores and Cameron Streets
San Saba between Houston and Martin Streets
Columbus between Martin and Cameron Streets
Kingsbury between Cameron and Flores Streets
Quincy between Martin and Cameron Streets

Forming and Disbanding Area access restrictions for the Battle of Flowers parade begins at 8:00 a.m. and ends at the conclusion of the parade on on Friday, April 23,2004. Access restrictions for the Fiesta Flambeau parade begins at 3:30 p.m. and ends at the conclusion of the parade on Saturday, April 24, 2004

8. **KING WILLIAM FAIR:** East Guenther from South Alamo Street to South Main; King William Street from East Guenther to South St. Mary's Street; Madison from East Guenther to St. Mary's Street; Washington from Arsenal to Turner; East Johnson and East Sheridan Streets from the San Antonio River to South Alamo Street; East Sheridan from the San Antonio River to South Alamo Street; Beauregard and Turner Streets from Washington to South Alamo Street; Pancoast from Washington to Durango Street; Arsenal Street from Washington to Main Streets; streets will be closed on Friday, April 23, 2004 from 7:00 a.m. until Saturday, April 24, 2004, 10:00 p.m. In addition, Eagleland Street from St. Mary's Street to Guenther Street, and Adams from Stierren to Eagleland; will be closed on Saturday, April 24, 2004 from 6:00 a.m. until 12:00 noon for parade staging.

9. **ST. LUKE'S FIESTA FINALE:** Manitou Drive from Callaghan to Winlock streets will be closed from 10:00 a.m. until 11:00 p.m. on Sunday, April 25, 2004. Also on this date and time, Winlock Drive from Horizon to Callaghan will be made temporarily one-way with traffic flowing north to south.

10. **FIESTA SAN FERNANDO:**

Street Closure and Setup:

Main Street:

All lanes of Main Street closed from Dolorosa to Commerce at 10:00 p.m. on Wednesday, April 21, 2004 until 6:00 a.m. on Thursday, April 22, 2004 for set-up of booths, Main St. to reopen at 6:00 a.m. All lanes of Main Street closed from Dolorosa to Commerce on Thursday, April 22, 2004 from 11:30 a.m. until 2:00 a.m.

All lanes of Main Street from Dolorosa to Commerce Street closed on: Friday, April 23, 2004 from 11:30 a.m. until 2:00 a.m.; Saturday, April 24, 2004 from 11:30 a.m. until 3:00 a.m.; and Sunday, April 25, 2004 from 11:30 a.m. until 2:00 a.m.

Soledad Street:

All lanes of Soledad Street from Dolorosa to Commerce closed at 10:00 p.m. on Wednesday, April 21, 2004 until 6:00 a.m. on Thursday, April 22, 2004 for set-up of booths, Soledad St. to reopen at 6:00 a.m.

All lanes of Soledad Street closed from Dolorosa to Commerce Street on Thursday, April 22, 2004 from 6:00 p.m. until 2:00 a.m.

All Lanes Soledad Street from Dolorosa to Commerce Street closed on: Friday, April 23, 2004 from 11:30 a.m. until 2:00 a.m., Saturday, April 24, 2004 from 11:30 a.m. until 3:00 a.m.; and Sunday, April 25 2004 from 11:30 a.m. until 2:00 a.m. The east curb lane of Soledad between Dolorosa and Commerce streets shall be kept clear of any obstructions and dedicated a FIRE lane.

Approved Hours of Operation:

Thursday April 22, 2004: 6:00 p.m. until 12:00 a.m.
Friday April 23, 2004: 12:00 a.m. until 12:00 a.m.
Saturday April 24, 2004: 12:00 a.m. until 1:00 a.m.
Sunday April 25, 2004: 12:00 a.m. until 8:00 p.m.

No carnival rides or games shall be located on Main Ave. or within Main Plaza Park or other public rights of way. A copy of the approved location is attached hereto and incorporated herein as **Attachment 1**.

11. **FIESTA FUNDAY SUNDAY PARADE:** IH-10 West Access road from Leon Springs Elementary School, 23881 IH-10 West to Leon Springs Dance Hall, 24135 IH-10 West. Forming area at Leon Springs Elementary School Parking Lot. Parade ends at Leon Springs Dance Hall Courtyard. Parade route will not cross Boerne Stage Road. Parade begins at 1:00 p.m. and ends at 1:30 p.m. Sunday, April 25, 2004.
12. **10TH STREET RIVER FEST – SAM HOUSTON VFW POST 76:** 10th street from Gate entrance of VFW Post 76 to Avenue B, Thursday, April 22, 2004 from 6:00 p.m. to 12:00 midnight; Friday and Saturday, April 23 and 24, 2004 from 12:00 noon to 12:00 midnight each day. No carnival rides or games shall be located on Ave B or other public right of way.
13. **QUEEN OF THE MISSIONS AT MISSION SAN JOSE:** San Jose Drive from E. Pyron Ave. to Napier Ave. will be closed on Sunday, April 25, 2004 from 11:00 a.m. to 6:00 p.m.
14. **EARTH DAY AT WOODLAWN LAKE:** Westbound Cincinnati Ave. will be closed from just east of Alexander St. to the entrance of Woodlawn Lake Park at Ashby on Saturday, April 17, 2004 from 7:00 a.m. to 10:00 a.m.

SECTION 3. Ordinance No. 97380 of March 27, 2003 is hereby amended so that the list of dates selected for the 2003 Fiesta San Antonio events and activities in Section One (1) of said Ordinance is changed to the 2004 dates stated in Section One (1) herein. Said Ordinance is further amended so that the carnival site, as provided for in Section Three (3), is changed. The Ordinance is hereby amended to adopt a carnival location map for the 2004 carnival. A copy of the approved location is attached hereto and incorporated herein as **Attachment 2**.

SECTION 4. The 2004 Carnival shall conform to the following schedule and requirements and conditions. The Fiesta Commission must enforce these regulations through its contract for the carnival concession.

A. **CARNIVAL SCHEDULE:** The approved hours of operation are as follows:

Day	Date	Hours of Operation	Description
Wednesday	April 14, 2004	6:00 p.m. until 12:00 midnight	"Pay One Price" \$15.00 Wrist Band Night.
Thursday	April 15, 2004	6:00 p.m. until 12:00 midnight	"Pay One Price" \$15.00 Wrist Band Night.
Friday	April 16, 2004	6:00 p.m. until 1:00 a.m.	All Areas: Normal Operating Rates and Conditions
Saturday	April 17, 2004	12:00 noon until 1:00 a.m.	All Areas: Normal Operating Rates and Conditions
Sunday	April 18, 2004	1:00 p.m. until 12:00 midnight	All Areas: Normal Operating Rates and Conditions
Monday	April 19, 2004	5:00 p.m. until 12:00 midnight	\$1.00 "Ride All Night" night
Tuesday	April 20, 2004	5:00 p.m. until 12:00 midnight	Pay one price \$15.00 wrist band; All Rides Night
Wednesday	April 21, 2004	5:00 p.m. until 12:00 midnight	Pay one price \$15.00 wrist band; All Rides Night

Day	Date	Hours of Operation	Description
Thursday	April 22, 2004	5:00 p.m. until 1:00 a.m.	All Areas: Normal Operating Rates and Conditions
Friday	April 23, 2004	11:00 a.m. until 2:00 a.m.	All Areas: Normal Operating Rates and Conditions
Saturday	April 24, 2004	12:00 noon until 2:00 a.m.	All Areas: Normal Operating Rates and Conditions
Sunday	April 25, 2004	1:00 p.m. until 12:00 midnight	All Areas: Normal Operating Rates and Conditions

- B. The following City properties/streets will be used for the carnival on the dates and times listed below:
Properties:

Property	Dates of Use
Parking Lots	
Health Department Parking Lot:	11:00 p.m. Friday, April 9, 2004 until 6:00 a.m. Wednesday, April 28, 2004
Dolorosa Street Parking Lot:	7:00 a.m. Saturday, April 10, 2004 until 6:00 a.m. Wednesday, April 28, 2004
Streets	
Dolorosa Street between Santa Rosa and Flores (one lane open for traffic to Flores)	12:01 a.m. Monday, April 12, 2004 until 6:00 a.m. Monday, April 26, 2004
Laredo St. between Nueva and Commerce	7:00 a.m. Saturday, April 10, 2004 until 6:00 a.m. Wednesday, April 28, 2004
Nueva St. (West bound lanes only) between Santa Rosa and Laredo. East bound lanes open for traffic to Flores.	12:01 a.m. Monday, April 12, 2004 until 6:00 a.m. Monday, April 26, 2004

- C. The plan for placement of carnival booths, stands, and carnival rides must be received by the City Manager's Office by Monday, April 5, 2004. The plan must have approval of the Police Department. The Police shall be provided Police Command Posts at the carnival location as requested by the Police Department and include utility services as necessary.
- D. The Carnival Concessionaire shall provide sight triangles at street intersections that are not closed to traffic according to City standards.
- E. The Carnival Concessionaire shall erect a five foot (5') chain link fence at the following locations, if applicable:
1. In all medians on Santa Rosa from Nueva Street to Commerce Street
 2. San Pedro Creek between Dolorosa and Commerce Streets
 3. Around all plant materials at City Hall as approved by the Parks and Recreation Department
 4. Around the Plaza de Armas and Spanish Governor's Palace: plant materials, flagstone sidewalk and statue
 5. On the south side of West Commerce from South Flores to Cameron, behind the sidewalk
 6. On South Flores between West Commerce and Dolorosa
- F. The Carnival Concessionaire shall maintain chemical toilets with large banners above the area and security lighting. The location and number of toilets shall be as required by the Director of Health. All chemical toilets shall be serviced a minimum of every four hours during the hours that the carnival is open to the public and once after the carnival closes. If a chemical toilet overflows, the area shall be cleaned immediately. Fiesta San Antonio Commission agrees to place a minimum of four (4) chemical toilets at the San Fernando Gym and Maverick Park sites for parade days of April 23th and 24th, 2004.

- G. The Carnival Concessionaire shall provide garbage receptacles and/or dumpsters on the Carpool Lot. The City of San Antonio, if necessary, shall determine additional locations.
- H. The Carnival Concessionaire shall coordinate with the respective utility companies to insure that all manhole covers are covered and secured.
- I. The Carnival Concessionaire, at his expense, shall submit a traffic control plan sealed by a professional engineer to the City Traffic Engineer in advance of the Fiesta Carnival opening date. The Carnival Concessionaire shall use a barricade company approved by the City to provide the traffic control devices needed to properly barricade the carnival both during operating and non-operating hours. The Carnival Concessionaire must adhere to the traffic notes in the Annual Fiesta Ordinance plus the traffic notes and details on the existing traffic control plan.
- J. The Carnival Concessionaire agrees to execute and deliver to the City Clerk's Office by Monday, April 5, 2004 a Performance Bond, Cash or Cashier's Cheque made to the City of San Antonio in the amount of \$50,000.00 approved by the City as to form and sufficiency, guaranteeing that the Carnival Concessionaire shall comply with all terms, conditions and provisions of this ordinance and all other applicable City Ordinances. The Performance Bond shall be valid through May 31, 2004.
- K. The Carnival Concessionaire shall provide and pay for supplementary twenty-four (24) hour security (City of San Antonio Police Officers) for City Hall, Plaza de Armas, and the City Hall Annex at 506 Dolorosa Street from Wednesday April 14, 2004 through Monday, April 26, 2004. The Carnival Concessionaire shall also provide and pay for security for the south parking area of the Health Department from 7:00 a.m. until 5:00 p.m., April 12, 2004 through April 16, 2004 and from April 19, 2004 through April 23, 2004. The officers shall be paid at the rate of time consistent with the Police Collective Bargaining Agreement. All such City documented security costs shall be paid in full to the City of San Antonio no later than seven (7) days after receipt of the final invoices from the Police Department.
- L. The Carnival Concessionaire shall provide and pay for one (1) on call fire inspector for the carnival site from one (1) hour prior to the carnival beginning to carnival closing, each day from April 14, 2004 to April 25, 2004. The fire inspector shall be paid at the rate of time consistent with the Fire Collective Bargaining Agreement. All such City documented inspection costs shall be paid in full to the City of San Antonio no later than seven (7) days after receipt of the final invoices from the Fire Department.
- M. The Carnival Concessionaire agrees to comply with all other conditions set by the City Manager's Office necessary to insure the public health, safety and welfare.
- N. All sidewalks located next to or in the carnival area must remain open to full width during non-carnival operating hours. No encroaching of any sort will be allowed during non-carnival operating hours.
- O. A fifteen foot (15') fire lane must remain open with no obstructions of any sort on Dolorosa from Santa Rosa to South Flores streets, and Laredo from Dolorosa to Commerce Streets during carnival operating hours. Reference **Attachment 3**, Approved Carnival site map.
- P. At any time, the City's rights-of-ways are closed or partially closed; the Carnival Concessionaire is obligated to adhere to the City's latest barricade standards and specifications.
- Q. The Carnival Concessionaire shall agree to provide substitute parking for the Health Department Parking Lot and the Dolorosa Parking Lot during the Carnival setup, event, and teardown, and incur the cost for replacement parking.
- R. The Carnival Concessionaire agrees to reimburse the City for lost revenues for use of the Health Department and Dolorosa Street parking Lots and to submit payment within thirty (30) days of

receipt of invoice from the City Public Works Parking Division The estimated reimbursement of all Public Works Department, parking facilities is as follows:

2004 Public Works/Parking Division Fiesta Reimbursement

Function	Description	Amount
Parking Lots		
	Dolorosa Parking Lot	\$ 8,304.96
	Continental Parking Lot	4,181.72
	Total Parking Areas:	<u>\$ 12,486.68</u>
Other Expenses		
	Equipment Removal & Install	1,000.00
	Parking Meter Revenues	564.00
	Total Other Expenses	<u>\$ 1,564.00</u>
Total All Expenses:		<u>\$14,050.68</u>

In addition to the reimbursement identified in the table above, the Carnival Concessionaire shall promptly repair at its own cost, any damage to parking lot infrastructure, including irrigation lines, when notified by the City and as included in the current Fiesta Carnival contract. The total expense amount in the table above is provided as the minimum reimbursement for use of these properties. The City reserves the right, as identified in the current Fiesta Carnival contract, to recover the actual expenses incurred for the use of these properties by the Carnival Concessionaire.

- S. The Carnival Concessionaire shall agree to comply to all traffic notes on the approved carnival traffic control plan and all general and special requirements as deemed necessary by the San Antonio Police Department and Public Works Traffic Division employees.
- T. The Carnival Concessionaire agrees to comply with all City, State and Federal laws, statutes and ordinances for the operation of this event. This includes, but is not limited to, the application and payment of all licenses and permits required for the inspection and operation of rides, equipment, food, drink and novelty booths.

SECTION 5. A copy of the parade route is attached hereto and incorporated herein by reference for all purposes herein as **Attachment 4**. The parade route, as attached, for the 2004 Fiesta Parades: the Battle of Flowers, and the Fiesta Flambeau, scheduled for Friday, April 23, 2004 and Saturday, April 24, 2004 is hereby approved. The public streets and ways indicated on **Attachment 4** as the 2004 Fiesta Parade Route shall be closed to vehicular traffic during the aforementioned dates, at times specified by the Chief of Police, to facilitate the event and its use of the public property.

A copy of the approved parade route food booth locations is attached hereto and incorporated herein by reference for all purposes herein as **Attachment 5**.

SECTION 6. Bleacher placement along the parade route, in accordance with the diagram is attached hereto as **Attachment 6** and incorporated herein by reference for all purposes, is hereby approved.

SECTION 7. The Commission may license vendors for the sale of bottled water during the Fiesta River Parade without a public request for proposal process, as required by Section VII of the contract approved by Ordinance No. 88270, in order to accommodate the general public attending the parade.

SECTION 8. The agreement with the U.S. Postal Service permitting placement of bleachers along the west side of the Federal Building on Alamo Plaza without blocking the letter collection boxes and the entrance to the ramp on the west side of the Federal Building is approved. The agreement is attached hereto as **Attachment 7** and incorporated by reference herein for all purposes.

SECTION 9. Sunken Garden Theater Fiesta 2004 Rental Rates. The San Antonio Zulu Association is hereby granted the use of the Sunken Garden Theater as an official Fiesta event on the following dates and the listed rental rates. This organization shall also be required to use the Valero Energy parking garage and shall reimburse the City for the actual costs for administration, insurance, security and site cleanup for each event date. The organization shall also comply with the attendance limits of not more than 6,000 persons at any one time and sound level limits as approved and applicable to the Sunken Garden Theater.

Date	Organization	Event Name	Rate*
April 17, 2004	San Antonio Zulu Association	A Taste of New Orleans	
April 18, 2004		Setup two (2) days	\$1,000.00
		Event Two (2) days	<u>6,000.00</u>
		Total:	\$7,000.00
* Rate based on	Section 22-19 of the City of	San Antonio Code	

SECTION 10. Except for changes made in this Ordinance, the 2004 Fiesta San Antonio celebration shall be conducted in accordance with Ordinance No. 88270 of August 13, 1998. All terms, conditions, requirements and restrictions contained herein shall continue to govern the Fiesta and all Fiesta events unless specifically amended or rescinded herein.

SECTION 11. A violation of any provision of this Ordinance or Ordinance 88270, passed and approved on August 13, 1998, or Ordinance 97380, passed and approved on March 27, 2003, shall be punished by a fine not exceeding two hundred (\$200.00). Each day's violation of any of the aforementioned provision shall constitute a separate offense.

PASSED AND APPROVED this 25th day of March 2004.



M A Y O R
Edward D. Garza

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

ACCEPTED AND AGREED TO IN ALL THINGS this 25th day of March 2004

FIESTA® SAN ANTONIO COMMISSION

BY: 

Chuck Blische
Executive Director