

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

AN ORDINANCE

AUTHORIZING AN AMENDMENT TO THE FIESTA EVENT AT MARKET SQUARE LICENSE AGREEMENT WITH EL CONSEJO REAL DE REYES FEOS ANTERIORES DBA REY FEO CONSEJO EDUCATIONAL FOUNDATION IN ORDER TO REMOVE A CONFLICT BETWEEN THE FIRST DAY OF FIESTA AND GOOD FRIDAY.

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WHEREAS, on December 9, 2010, City Council approved Ordinance 2010-12-09-1035 to award a license agreement to the Rey Feo Consejo Educational Foundation (Licensee) to conduct the ten day Fiesta event at Market Square for the years 2011-2015 with an option to extend for up to five years; and

WHEREAS, per the terms of the license agreement, the City is responsible for providing event security while the Licensee is responsible for all event planning, set-up, and clean-up; and

WHEREAS, the Licensee pays the City a minimum annual guarantee of \$135,000.00, plus fees for each beer and non-alcoholic beverage sold (\$.75 and \$.25, respectively); and

WHEREAS, the City requires this event charge no admission; and

WHEREAS, in order to avoid a conflict with Good Friday during Fiesta, the City and Licensee have agreed to eliminate April 18, 2014 from this year's event dates, thereby reducing the number of event days from ten to nine; and

WHEREAS, in consideration for reducing the number of event days, the City and Licensee have agreed that in lieu of a minimum annual guarantee this year the Licensee shall pay the City 50% of all net revenues; and

WHEREAS, the requirement that fees be paid for each beer and non-alcoholic beverage sold will remain unchanged; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee, or the Director of the Center City Development Office or her designee, is authorized to execute an amendment to the Fiesta Event at Market Square License Agreement with El Consejo Real de Reyes Feos Anteriores dba Rey Feo Consejo

Educational Foundation in order to remove a conflict between the first day of Fiesta and Good Friday. A copy of the first amendment to the license agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Funds generated by this ordinance will be deposited into Fund 29604001, Internal Order 228000000151 and General Ledger 4407700.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance 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 4. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of _____.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney