

**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 SAN ANTONIO COMMISSION CONTRACT TO AUTHORIZE THE CARNIVAL CONCESSION BE AWARDED FOR UP TO SEVEN YEARS, TO ALTER THE FIESTA 2014 EVENT DATES TO AVOID CONFLICTING WITH THE EASTER HOLIDAY, AND TO INCLUDE CONTRACT LANGUAGE REGARDING RECYCLING AT EVENTS.**

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**WHEREAS**, the City Council approved a 10 year contract with the Fiesta Commission in 2008 for the years 2009-2018 to coordinate and oversee Fiesta events; and

**WHEREAS**, the contract includes a provision requiring the Fiesta Commission to issue a request for proposals (RFP) for the selection of a carnival and parade concession operator for no more than a five year term; and

**WHEREAS**, the Fiesta Commission awarded their Fiesta Carnival and Parade Route Concessions Contract to W.G. Wade Shows, Inc. in 2008 for the period 2009-2011, then exercised an option to extend the term for 2012-2013; and

**WHEREAS**, W.G. Wade Shows provides the Fiesta Commission a \$500,000.00 guaranteed annual payment or 37.5% of gross revenue over \$2,000,000.00; and

**WHEREAS**, from 2009-2013, W.G. Wade Shows has paid the Fiesta Commission only the guaranteed annual payment of \$500,000.00; and

**WHEREAS**, the Fiesta Commission has requested the City amend their contract to increase the maximum authorized term with their carnival operator from five to seven years, based on the quality of Wade Shows' operations, the increasingly limited number of legitimate carnival operators, and the expense associated with the RFP process; and

**WHEREAS**, in exchange, the Fiesta Commission has agreed to increase Wade Shows' guaranteed annual payment from \$500,000.00 to \$550,000.00, which will result in no less than a \$50,000.00 annual payment to the City from the Fiesta Commission since the payment structure directs 100% of Wade's payment from \$0-\$500,000.00 to the Fiesta Commission, 100% from \$500,000.00-\$650,000.00 to the City, and payments over \$650,000.00 split evenly between the Commission and the City; and

**WHEREAS**, the proposed amendment also revises the dates of Fiesta 2014 due to Good Friday and Easter Sunday falling on April 18 and 20, respectively. In order to schedule Fiesta events so as not to conflict with Easter weekend, the amendment identifies the period of Fiesta 2014 from April 10-27; and

**WHEREAS**, in addition, the Fiesta Commission has agreed to implement efforts to improve recycling at events with 1:1 garbage to recycling collection at events, placement of recycling receptacles as close as possible to garbage receptacles with visible signage on each, and delivery of collected recyclables to certified recycling materials facilities; **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 Downtown Operations Department or his designee, is authorized to execute an amendment to the Fiesta San Antonio Commission contract to authorize the carnival concession be awarded for up to seven years, to alter the Fiesta 2014 event dates to avoid conflicting with the Easter Holiday, and to include contract language regarding recycling at events. A copy of the amendment is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 219000000005 and General Ledger 4407702.

**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:**

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Leticia M. Vacek, City Clerk

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Michael Bernard, City Attorney