

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

ORDINANCE

**AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS
FOR THE 2021 FIESTA SAN ANTONIO CELEBRATION; APPROVING
THE DATES, TIMES AND LOCATIONS FOR SPECIFIED FIESTA
EVENTS, FIESTA RIVER PARADE ROUTE, AMENDMENTS TO
EVENTS AND APPROVE THE DATES AND TIMES FOR THE FIESTA
CARNIVAL AND RELATED REQUIREMENTS AND CONDITIONS.**

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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 statewide, national, and international recognition as one of the outstanding festival events in our nation; and

WHEREAS, Ordinance No. 2018-12-13-1019 of December 13, 2018, set the dates for Fiesta San Antonio for the years 2019 through 2028, 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, the annual Fiesta celebration begins Thursday, June 17, 2021 and runs through Sunday, June 27, 2021 those events which require street closures are outlined in **Attachment 1**; and

WHEREAS, the Fiesta Commission has a multi-year contract with Wade Shows, Inc. (Wade) for operating the Fiesta Carnival that each year requires the carnival concessionaire to coordinate security at the carnival area, maintain operating standards and policies, and ensure that revenue and cleanup requirements are maintained with this year the carnival indicated in **Attachment 2**; and

WHEREAS, due to the COVID-19 pandemic Fiesta 2021 was delayed from April to June and will operate in a limited manner with limited capacity to ensure public health and safety due to COVID-19 pandemic and the limited manner of Fiesta 2021 requires amendments to The License Agreement A Night in Old San Antonio (NIOA) and License Agreement Fiesta Event at Market Square for year 2021, attached hereinto as **Attachments 3 and 4**; and

WHEREAS, planning is underway for the 2021 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, and declaring the rules, rates, regulations and conditions for staging these events; **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 2021 Fiesta San Antonio. This is the 25th year the Texas Department of Transportation has sponsored this public information campaign highlighting the need to actively promote and provide public notice to celebrate responsibly during Fiesta 2021.

SECTION 2. The following Fiesta events are approved for the dates and times as set forth below. The listed public streets and right-of-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. Additionally, other than City-approved contractors, no use, including but not limited to, amplification and public demonstrations, will be allowed in public right-of-ways in and around the Carnival and Alamodome area. At any time, the City’s right-of-ways are closed or partially closed, all Official Fiesta Events are obligated to adhere to the City’s latest barricade standards and specifications.

1. FIESTA-FIESTA OPENING CEREMONY: BLOCK PARTY PERMIT REQUIRED

WEDNESDAY, JUNE 16, 2021 6:00 P.M. to THURSDAY, JUNE 17, 2021 MIDNIGHT
The north bound lanes of South Alamo Street between Cesar Chavez Blvd. and Villita Street, the east and west bound lanes of Nueva East in Hemisfair between South Alamo Street and Water Street, Hemisfair parking lot located on the north side of the Children’s Magik Theatre.

THURSDAY, JUNE 17, 2021 6:00 A.M. TO MIDNIGHT
The south bound lanes of South Alamo Street between Villita Street to Cesar Chavez Blvd, including the sidewalk area on both sides of the street, including the sidewalk area East and South of Maverick Plaza (La Villita), East Nueva Street between South Presa Street and South Alamo Street, including the sidewalk areas on both sides of the street, Yanaguana Gardens and adjacent areas in Hemisfair.

Event Date: **Thursday, June 17, 2021**

Event Hours: **3:00 P.M. to 9:00 P.M.**

2. NIIGHT IN OLD SAN ANTONIO:

Presa St. The following streets will be closed beginning Saturday, June 19, 2021 at 8:00 a.m. to 9:00 p.m. on Sunday, June 27, 2021; South Presa Street from Market Street to Nueva Street. South Presa Street from Nueva St. to Arciniega St will be made a one-way southbound during event hours only (4:00 p.m. until 12:00 midnight- June 22, 2021 through June 25, 2021).

Alamo St. The following streets will be closed beginning Sunday, June 20, 2021 at 6:00 a.m. to 12:00 noon on Saturday, June 26 2021; A total closure of southbound Alamo Street between Villita and Nueva Street. The southbound lanes of Alamo St. between Market and Villita will remain open to thru traffic to access the Hilton Hotel.

The northbound curb lane of Alamo Street next to the median between Villita and Nueva will also be closed for service vehicles and storage trailers designated for NIOSA.

The northbound lanes of Alamo St. between Market and Cesar Chavez Streets shall be closed to thru traffic June 22, 2021 to June 25, 2021 between the hours of 5:00 p.m. and 12:00 midnight. Access to the Alamo Lot will be allowed at Arciniega at Alamo Street. Parking passes for north curb lane between Nueva Street and Cesar Chavez Street can be obtained from SAPD Traffic.

Nueva St. The following streets will be closed beginning Saturday, June 19, 2021 at 8:00 a.m. to 9:00 p.m. on Sunday, June 27, 2021: the median and west bound lanes of Nueva Street from South Alamo Street to 235 feet west of South Presa Street; The inside eastbound lane of Nueva will be closed from Presa St. to 107' feet east of Navarro St., Tuesday, June 22, 2021 thru Friday, June 25, 2021 between the hours of 4 p.m. to midnight. The southern eastbound lane of Nueva will be available for vehicular access to the Fairmount Hotel and St. John's Lutheran Church.

Market St. VIA will use the south curb lane of Market Street between Alamo and Convention Way to drop off Park-n-Ride riders. VIA will provide their own security for their buses and drop off area.

River Walk Areas. NIOSA is approved to expand the controlled area during event hours only (4:30 p.m. until 10:30 p.m.- June 22, 2021 through June 25, 2021), 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 DE LOS REYES AT MARKET SQUARE:

Beginning at 10:00 p.m. on Tuesday, June 15, 2021, through 5:00 p.m. on Monday, June 28, 2021 San Saba Street between Dolorosa and West Commerce Street will be closed entirely, to include sidewalks and roadway.

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:

Friday, June 18, 2019 from 7:00 a.m. to 10:00 p.m.

Saturday, June 19, 2019 to Sunday, June 27, 2019 from 7:00 a.m. to 10:00 p.m., each day
Monday, June 28, 2021 from 7:00 a.m. to 5:00 p.m.

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

Fiesta De Los Reyes at Market Square Approved Event Hours of Operation (Reference City Ordinance 2010-12-09-1035 and subsequent Amendments):

June 18-25, 2021: 10:00 a.m. to 12:00 midnight

June 19, 2021: 10:00 a.m. to 1:00 a.m.

June 26, 2021: 10:00 a.m. to 1:00 a.m.

June 27, 2021: 10:00 a.m. to 12:00 midnight

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 Traffic Engineering Division, for Market Square vehicles relating to the Fiesta De Los Reyes at Market Square event. 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 CENTER CITY DEVELOPMENT & OPERATIONS PARKING ENFORCEMENT PERSONNEL.**

Santa Rosa St. Center Median: A fence which is a minimum of 6’ will be erected to prevent pedestrians from crossing Santa Rosa mid-block between Commerce and Dolorosa.

Approved Vendor Service Vehicle Parking: Commercial vendor’s service vehicles with a paid valid affixed commercial placard and displayed valid parking permit (parking meter bag) issued by the City of San Antonio (Public Works Department 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 vehicles or trucks)

On the west bound, south curb lane of W. Commerce between Pecos and Leona Streets (2 trucks). Any item put on the street that is not considered a motor vehicle must be approved by SAPD, Center City Development, and PWD Traffic Engineering. Proper barricading must be afforded any item placed on the street using the TMUTC as a guide.

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 and 2 vehicles)

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

On north side of Dolorosa from San Saba to Santa Rosa between the hours of 7:00 a.m. to 3:00 p.m. on weekdays and 7:00 a.m. to 9:00 a.m. 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. PILGRIMAGE TO THE ALAMO: PROCESSION PERMIT REQUIRED.

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 Houston Street. The streets will be closed on Monday, April 22, 2019 from 3:00 p.m. until 5:30 p.m.

5. 10TH STREET RIVER FEST – SAM HOUSTON VFW POST 76: BLOCK PARTY PERMIT REQUIRED:

10th street from Gate entrance of VFW Post 76 to Avenue B, Thursday, June 24, 2021 thru Sunday, June 27, 2021 from 12:00 p.m. (noon) to 12:00 a.m. (midnight) each day. No carnival rides or games shall be located on Ave B or other public right of way.

6. EARTH DAY AT WOODLAWN LAKE:

Event will be held at Woodlawn Lake Park on Saturday, April 13, 2019 from 10:00 a.m. to 3:00 p.m. (No street closures required)

7. SAN JOSE MISSION FEST: BLOCK PARTY PERMIT REQUIRED:

San Jose Drive between Napier Ave. and Roosevelt Drive, and 701 E. Pyron Ave. to Zerm Rd., Saturday April 27, 2019 6:00 PM until midnight Sunday April 28, 2019.

8. THE DECO DISTRICT ARTS AND MUSIC FESTIVAL: BLOCK PARTY PERMIT REQUIRED:

The following roads will be closed from 7:00 a.m. on Saturday, April 20, 2019 to midnight.

- Beal St. from 200 block to 400 block
- W. Lynwood from Fredericksburg to Beal
- W. Lynwood from Buckeye to Brad
- Fulton from Fredericksburg to Beal
- Parkmoore Ct. between Beal and Brad
- Brad from W. Rosewood to Beal

9. UNITED WAY KIDS FESTIVAL

Burnet Street from Hackberry to N. Olive on Friday, June 25, 2021 from 8:00 a.m. to 4:00 p.m. will be closed to all traffic – may open some lanes to thru traffic for drive thru event

SECTION 3. The 2021 Carnival shall conform to the following schedule and requirements. The Fiesta Commission must enforce these schedules and requirements through its contract for the carnival concession. A copy of the approved Carnival layout is attached hereto and incorporated herein as **Attachment 2**.

1. The approved hours of operation are as follows. These hours are subject to modification through approval of the City Manager or designee.

Day	Date	Hours of Operation	Description
Thursday	June 17, 2021	5:00 p.m. until 11:00 p.m.	"Pay One Price" \$22.00 Wrist Band Night.
Friday	June 18, 2021	5:00 p.m. until 12:00 midnight	"Pay One Price" \$25.00 Wrist Band Night
Saturday	June 19, 2021	5:00 p.m. until 12:00 midnight	"Pay One Price" \$25.00 Wrist Band Night
Sunday	June 20, 2021	5:00 p.m. until 11:00 p.m.	"Pay One Price" \$25.00 Wrist Band Night
Monday	June 21, 2021	5:00 p.m. until 11:00 p.m.	"Pay One Price" \$22.00 Wrist Band Night.
Tuesday	June 22, 2021	5:00 p.m. until 11:00 p.m.	"Pay One Price" \$22.00 Wrist Band Night.
Wednesday	June 23, 2021	5:00 p.m. until 12:00 midnight	"Dollar Day"
Thursday	June 24, 2021	5:00 p.m. until 12:00 midnight	"Pay One Price" \$22.00 Wrist Band Night.
Friday	June 25, 2021	5:00 p.m. until 12:00 midnight	"Pay One Price" \$25.00 Wrist Band Night
Saturday	June 26, 2021	5:00 p.m. until 12:00 midnight	"Pay One Price" \$25.00 Wrist Band Night
Sunday	June 27, 2021	5:00 p.m. until 11:00 p.m.	"Pay One Price" \$25.00 Wrist Band Night

2. Alamodome: The Carnival Site is located in the parking lots of the Alamodome owned and operated by the City. To avoid conflicts, City and Alamodome staff shall work cooperatively with the carnival contractor to insure carnival operations.

The Commission, it's sub licensees, and any Fiesta event must honor and utilize all vendors with which the City has an exclusive contract for the Alamodome, including, but not limited to, catering, concessions, telephone, ticket sales and electrical work to the extent such exclusive contracts control venue used by the Commission or its assignees.

The plan for placement of carnival booths, stands, and carnival rides must be received by the Center City Development Office by Friday, May 21, 2021. 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.

3. The Carnival Concessionaire shall provide sight triangles at street intersections that are not closed to traffic according to City standards.
4. 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.
5. 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.
6. The Carnival Concessionaire shall provide and pay for supplementary twenty-four (24) hour security (City of San Antonio Police Officers) as determined necessary by the City.
7. 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 June 17, 2021 to June 27, 2021. 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.
8. 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.
9. 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.
10. 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.

11. Beverage Container Regulations:
- (a) *Prohibited.* It shall be unlawful for any person to knowingly possess a beverage in the area of the Fiesta Carnival, Market Square and La Villita unless such beverage is in a plastic, paper or aluminum container. For purposes of this section, the contents of the container, other than paper or plastic, shall be presumed to be the beverage its' label indicates. No ice chests will be allowed in any of the above-mentioned areas.
 - (b) *Exceptions.* The provisions of this section shall not apply to restaurants or other establishments located in the area of the Fiesta Carnival, Market Square and La Villita where beverages in bottles, cans or glasses are served in the regular course of business; however, possession of beverages in such containers shall be restricted to the immediate area of the establishment's leased premises. This year in 2019, granting an exception to the Municipal Code and the Fiesta Commission contract, all Fiesta events shall be granted an exception and vendors allowed the possession and sale of aluminum bottles.
 - (c) *Penalty.* Any person violating the terms of this section shall, upon conviction, be punished by a fine of not less than five dollars (\$5.00) nor more than two hundred dollars (\$200.00).

SECTION 4. The City Manager, the Chief of Police, or their respective designees, are hereby authorized to execute a contract, in substantially same form as set forth in the Texas Education Code, Sec. 37.081 © and (g), with public school districts to employ peace officers commissioned by those school districts who are licensed by the Texas Commission on Law Enforcement. These officers may work as peace officers under the supervision of the San Antonio Police Department within the boundaries of the City of San Antonio during Fiesta, parades, runs and races, and other public events on an as needed basis at the standard rate paid to peace officers from other outside police agencies, as set forth in the contract.

SECTION 5. Except for changes made in this Ordinance, the 2021 Fiesta San Antonio celebration shall be conducted in accordance with Ordinance No. 2018-12-13-1019 of December 13, 2018. All terms, conditions, requirements and restrictions contained within the Fiesta San Antonio Commission Contract shall continue to govern the Fiesta and all Fiesta events unless specifically amended or rescinded herein.

SECTION 6. A violation of any provision of this Ordinance or Ordinance No. 2018-12-13-1019 shall be punished by a fine not exceeding two hundred dollars (\$200.00). Each day's violation of any of the aforementioned provision shall constitute a separate offense.

SECTION 7. In the 2018 contract with the Fiesta Commission, the alcohol policy for public Fiesta events specifies that all beverages would be served in a plastic or paper container or

aluminum can/bottle. City Council hereby grants an exception to Municipal Code Section 32-30 in order to allow the use of aluminum can/bottle in the Market Square Complex.

SECTION 8. The City Manager or designee, or the Director of the Center City Development and Operations Department or designee, is authorized to execute the Amendment to the License Agreement A Night in Old San Antonio (NIOA) for year 2021 and the Amendment to the License Agreement Fiesta Event at Market Square for year 2021. Copies of the Amendments, in substantially final form, are attached hereto and incorporated herein for all purposes as **Attachment 3 and 4.**

SECTION 9. No fiscal ordinance language required.

SECTION 10. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 20th day of May, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

ACCEPTED AND AGREED TO IN ALL THINGS this ____ day of May, 2021.

FIESTA® SAN ANTONIO COMMISSION, INC.

BY: _____
Walter (Baltazar) R. Serna Jr., President