

**CITY OF SAN ANTONIO
PARKS AND RECREATION DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

SUBJECT: Ordinance Authorizing the Temporary Closure of Certain Downtown Streets in Connection with the City's New Year's Eve Celebration

DATE: November 18, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the temporary closure of certain downtown streets in connection with the City's New Year's Eve Celebration to be held in HemisFair Park on December 31, 2004. The ordinance also prohibits silly string, pop-sounding noisemakers and glass beverage containers. It also requires pets to be on a leash in La Villita, HemisFair Park, and on certain downtown streets near the HemisFair Park area in connection with the New Year's Eve event and provides penalties for the violation of these provisions.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The New Year's Eve Celebration at HemisFair Park is an annual event. It is sponsored by the City of San Antonio and the San Antonio Parks Foundation. In connection with the event, food and drink concessions will open and entertainment will begin at 6:00 p.m. on December 31, 2004 and the event will conclude at 1:00 a.m. on January 1, 2005. Entertainment will occur on a series of stages set up in HemisFair Park and La Villita. A stage will be built in front of the HemisFair Park entrance arch and the two (2) City mobile stages will be located at Durango and Alamo Streets. The event will use the Arneson River Theater in La Villita and additional portable stages will be set up in Juarez Plaza in La Villita, in Maverick Plaza in La Villita and at Market and Alamo. Food and beverage booths will line the sidewalks along Alamo Street and in La Villita. The event will culminate with a 17-minute fireworks display at midnight with a focal point of the Tower of the Americas.

As in years past, silly string and pop-sounding noisemakers will be prohibited at the event. Also, glass containers will not be permitted. It is required that all pets be on a leash in all of the event areas. La Villita currently has this restriction, but it will also apply to HemisFair Park and to the

streets utilized for the event. These measures are required in order to add to the public's security and safety during the function. Penalties are established for violators of the ordinance.

POLICY ANALYSIS

The City has co-sponsored New Year's Eve celebrations in HemisFair Park since 1997. This action is consistent with prior policy.

FISCAL IMPACT

As this is a City-sponsored event, no fees will be assessed for the street closures or use of City equipment in connection with this event. City support will include the provision of police officers to control traffic and provide security during the event and for the necessary barricades. The Fire Department, Public Works Department and Parks and Recreation Department divisions will provide additional support. Total out-of-pocket City costs for this event will be approximately \$40,000.00 that has been budgeted in the City's FY04/05 operating budget. The Departments supporting the festivities will also incur in-kind costs.

COORDINATION

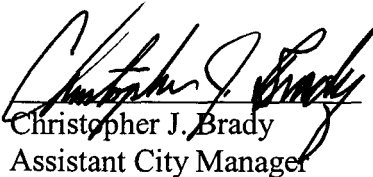
The San Antonio Parks Foundation is coordinating this event along with the City's Public Works, Fire, and Police Departments.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form is not required.



Malcolm Matthews
Director of Parks and Recreation


Christopher J. Brady
Assistant City Manager

J. Rolando Bono
Interim City Manager

AN ORDINANCE

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN DOWNTOWN STREETS IN CONNECTION WITH THE CITY'S NEW YEAR'S EVE CELEBRATION TO BE HELD IN HEMISFAIR PARK ON DECEMBER 31, 2004 PROHIBITING "LIQUID STRING", SILLY STRING, SUPER STRING, SNAPPERS, THROWDOWNS, POPPING MATCH STICKS, POP POPS, AND GLASS BEVERAGE CONTAINERS AND REQUIRING ALL PETS TO BE ON A LEASH IN LA VILLITA, HEMISFAIR PARK AND ON THE DOWNTOWN STREETS NEAR THE HEMISFAIR PARK AREA IN CONNECTION WITH SAID EVENT TO BE CONDUCTED BY THE CITY OF SAN ANTONIO AND THE SAN ANTONIO PARKS FOUNDATION; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS PROVISION

* * * * *

WHEREAS, the City of San Antonio and the San Antonio Park Foundation, will conduct a New Year's Eve Celebration in HemisFair Park on December 31, 2004 for the residents of our community; and

WHEREAS, in connection with said event it is necessary to temporarily close selected downtown streets to vehicular traffic to provide for the safety of those attending this event; and

WHEREAS, the City has determined that these temporary closures will cause no undue traffic problems; and

WHEREAS, it is the desire of the City Council to prohibit "liquid string", silly string, super string, snappers, throwdowns, popping match sticks, pop pops and glass containers and to require all pets to be on a leash in La Villita, HemisFair Park and on certain downtown streets near the HemisFair Park area from 6:00 P.M. on December 31, 2004 to 6:00 A.M. on January 1, 2005 in connection with said celebration; and

WHEREAS, these prohibitions are designed to help protect the safety of individuals attending the New Year's Eve celebration in HemisFair Park and surrounding areas; and

WHEREAS, it is now necessary to authorize the temporary closure of selected downtown streets on December 30th and 31st, 2004 and on January 1, 2005 for said event and to prohibit the items described above in connection with said event; **NOW THEREFORE:**

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

Section 1. The temporary closure of the curb lane on the north bound section of Alamo Street, between the HemisFair Park archway sign and Beethoven Hall, from 9:00 A.M. on December 30, 2004 through 2:00 P.M. on January 1, 2005 for public safety and for stage set-up activities is hereby authorized.

Section 2. The temporary closure of Bowie Street between East Commerce and Durango Streets, and Market Street from South Alamo to Bowie Street, from 11:30 P.M. on December 31, 2004 through 12:30 A.M. on January 1, 2005 for public safety and preparation of the New Year's Eve Firework Display is hereby authorized.

Section 3. The temporary closure of the north bound lanes of South Alamo Street between Market Street and Durango Street, from 9:00 A.M. on December 31, 2004 through 5:00 A.M. on January 1, 2005 for public safety during the New Year's Eve Celebration is hereby authorized.

Section 4. The temporary closure of the south bound lanes of South Alamo Street between Market Street and Durango Street, from 9:00 A.M. on December 31, 2004 through 5:00 A.M. on January 1, 2005 for public safety during the New Year's Eve Celebration is hereby authorized.

Section 5. The temporary closure of the west bound lanes of Nueva Street between Presa and Alamo Streets from 9:00 A.M. on December 31, 2004 through 5:00 A.M. on January 1, 2005 for public safety during the New Year's Eve Celebration is hereby authorized, with the east bound lanes of Nueva Street to become two-way traffic.

Section 6. The cost of providing for police officers to provide for the safety of patrons and the rerouting of traffic, and the cost of barricades as may be required to evidence the street closure and to provide for the safety of patrons and the rerouting of traffic, shall be the responsibility of the City. As this is a City sponsored event, no fees will be assessed for street closures for this event.

Section 7. It shall be unlawful for any person to possess, sell or use a pressurized container of the substance commonly known as "liquid string", "silly string", or "super string" or any quantity of the small explosive devices commonly known as "snappers", "throwdowns", "popping match sticks" and "pop pops", which are paper-wrapped wads of sand coated with a minute quantity of explosive powder and adhesive, producing a small report upon impact with hard surfaces in La Villita, HemisFair Park and on the downtown streets near the HemisFair Park area set forth in this ordinance from 6:00 P.M. on December 31, 2004 to 6:00 A.M. on January 1, 2005 in connection with the City's New Year's Eve Celebration to be held in HemisFair Park on December 31, 2004. Violation of this section shall constitute a Class "C" misdemeanor crime punishable by a fine not to exceed five hundred dollars (\$500.00).

Section 8. The possession or sale of any beer, soft drink, or other beverage in a glass container shall be prohibited at La Villita, HemisFair Park and on the downtown streets near the HemisFair Park area set forth in this ordinance from 6:00 P.M. on December 31, 2004 to 6:00 A.M. on January 1, 2005 in connection with the City's New Year's Eve Celebration to be held in HemisFair Park on December 31, 2004. It shall be a misdemeanor to violate any requirement or prohibition of this section and, upon conviction, any violation shall be punishable by a fine not to exceed five hundred dollars (\$500.00).

Section 9. It shall be unlawful for any person to take an animal into La Villita, HemisFair Park and on the downtown streets near the HemisFair Park area set forth in this ordinance unless the animal is restrained on a leash from 6:00 P.M. on December 31, 2004 to 6:00 A.M. on January 1, 2005 in connection with the City's New Year's Eve Celebration to be held in HemisFair Park on December 31, 2004. Violation of this section shall constitute a Class "C" misdemeanor crime punishable by the fine structure set forth in Ordinance 98235.

Section 10. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this ____ day of November, 2004.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM: _____
City Attorney