

AN ORDINANCE **81 20 7**

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A FACILITY ACCESS FEE AGREEMENT WITH VIA METROPOLITAN TRANSIT WHEREBY VIA AGREES TO PROVIDE TRANSPORTATION SERVICES TO ALAMODOME EVENTS AS DEFINED IN THE AGREEMENT IN RETURN FOR 1/2 OF THE \$.50 FACILITY ACCESS FEE COLLECTED BY THE CITY ON TICKETS SOLD TO ALAMODOME EVENTS AS AUTHORIZED BY ORDINANCE NO. 78728.

\* \* \* \* \*

**WHEREAS**, pursuant to Ordinance No. 78728 passed and approved on September 15, 1993, City Council authorized the assessment of a fifty cent (\$.50) facility access fee on tickets sold to Alamodome events in order to defray City expenses related to police protection and traffic management as well as VIA Metropolitan Transit (VIA) expenses related to the provision of transportation services for Alamodome events; and

**WHEREAS**, City staff and representatives of VIA have since negotiated a Facility Access Fee Agreement whereby VIA agrees to provide transportation services to Alamodome events as defined in the Agreement in return for 1/2 of the \$.50 facility access fee collected by the City on tickets sold to Alamodome events, with the exception of high school sporting events sponsored by high schools located within VIA's service area and for those events where event tickets cost \$5.00 or less and for which the Alamodome Director has waived the facility access fee; and

**WHEREAS**, the Agreement further provides for the disbursement to VIA of its share of previously collected fees and a mechanism for further disbursements; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager is hereby authorized to execute a Facility Access Fee Agreement with VIA Metropolitan Transit Authority whereby VIA agrees to provide transportation services to Alamodome events as defined in the Agreement in return for 1/2 of the \$.50 facility access fee collected by the City on tickets sold to Alamodome events as authorized by Ordinance No. 78728. This facility access fee shall not be accessed on high school sporting events sponsored by high schools located within VIA's service area or for those events where event tickets cost \$5.00 or less and for which the Alamodome Director has waived the facility access fee. A copy of the Agreement, in

substantially final form, is attached hereto and incorporated herein as Exhibit I.

**SECTION 2.** The amount of \$124,210.00, representing VIA's share of facility access fees collected to date, is hereby authorized to be paid from the "Collections Held in Trust" account of the Alamodome Fund, Fund #29-006, Account #218, Sub-account 006050.

**SECTION 3.** Future collections of VIA'S share of the facility access fees are to be deposited into the above account and the amount so deposited each month is to be remitted to VIA such that the payment will be received by the fifteenth of the following month.

PASSED AND APPROVED this 17th day of November, 1994.

*William W. Wolff*  
MAYOR

ATTEST: *Herman S. Rodriguez*  
City Clerk

APPROVED AS TO FORM: \_\_\_\_\_  
*Tom Mulvey*  
City Attorney

94-54,

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUILDING INSPECTIONS
BUILDING INSPECTIONS-HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
REAL ESTATE (HUBBARD)
TRIAL SECTION
CITY MANAGER
TRAVIS BISHOP, ASST. TO CITY MGR.
CODE COMPLIANCE
1 INTERGOVERNMENTAL RELATIONS
INTERNATIONAL RELATIONS
YOUTH INITIATIVES
CITY PUBLIC SERVICE-GENERAL MANAGER
CITY PUBLIC SERVICE-MAPS & RECORDS
COMMERCIAL RECORDER (PUBLISH)
COMMUNITY INITIATIVES
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
DOME DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
1 CONTROLLER
GRANTS
1 RISK MANAGEMENT
TREASURY
FIRE DEPARTMENT
HOUSING & COMMUNITY DEVELOPMENT
INFORMATION SERVICES
INTERNAL REVIEW
LIBRARY
1 MANAGEMENT SERVICES (BUDGET)
MANAGEMENT SERVICES (PERSONNEL)
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL COURTS
PARKS & RECREATION
PLANNING
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
POLICE DEPARTMENT-GROUND TRANSPORTATION
PUBLIC INFORMATION OFFICE
PUBLIC UTILITIES
PUBLIC WORKS
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE (BILL TOUDOUZE)
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING & GENERAL SERVICES
SAN ANTONIO WATER SYSTEM (SAWS)
1 VIA
MUNICIPAL CODE CORPORATION (PUBLISH)

ITEM NO. 76  
 DATE: NOV 17 1994

MEETING OF THE CITY COUNCIL  
 MOTION BY: Bella Burke SECONDED BY: Amli

ORD. NO. 81207 ZONING CASE \_\_\_\_\_

RESOL. \_\_\_\_\_ PETITION \_\_\_\_\_

	ROLLCALL	AYE	NAY
ROGER PEREZ DISTRICT 1		✓	
RUTH MC-CLENDON DISTRICT 2		<i>Ruth</i>	
LYNDA BILLA BURKE DISTRICT 3		✓	
HENRY AVILA DISTRICT 4		✓	
JUAN F. SOLIS DISTRICT 5			X
HELEN AYALA DISTRICT 6			X
BOB ROSS DISTRICT 7		✓	
BILL THORNTON DISTRICT 8		✓	
HOWARD PEAK DISTRICT 9		✓	
LYLE LARSON DISTRICT 10		✓	
NELSON WOLFF MAYOR		✓	

"Under #5.00 tickets"  
 Director of Dome has authority  
 to waive 50¢ access fee for  
 tickets \$5.00 & under.

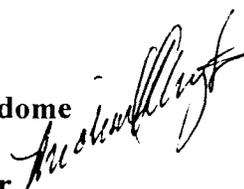
**FILE** VIA METRO TRANSIT  
 OR "METRO TRANSIT AUTH."  
**94-54**



**CITY OF SAN ANTONIO**  
**ALAMODOME**  
**Interoffice Memorandum**

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**TO:** Mayor and City Council

**FROM:** Michael Abington, Director, Alamodome 

**COPIES:** Alexander E. Briseño, City Manager  
Roland A. Lozano, Director, Asset Management

**SUBJECT:** Alamodome - City - VIA - Facility Access Fee Agreement

**DATE:** November 15, 1994

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**SUMMARY AND RECOMMENDATION**

An ordinance approving the terms and conditions and authorizing the execution of a Facility Access Fee Agreement with VIA Metropolitan Transit wherein VIA agrees to provide transportation services to Alamodome events as determined in the Agreement in return for one-half of the fifty cent (\$.50) facility access fee collected by the City on tickets sold to Alamodome events as authorized by Ordinance No. 78728 on September 15, 1993.

Staff recommends approval of this ordinance.

**POLICY ANALYSIS**

City Council approved Ordinance No. 78728 on September 15, 1993 which requires that a facility access fee of fifty cents (\$.50) be assessed and collected per ticket sold for each Alamodome event, as part of the FY 93-94 Alamodome operating budget. This fee will be utilized to defray operating expenses and transportation services. This agreement provides that the revenues generated by the facility access fee shall be divided equally between VIA and the City. This request for ordinance approves the mechanism by which the City will transfer to VIA its portion of this facility access fee.

Further, this facility access fee shall not be assessed and collected for high school sporting events sponsored by high schools within the VIA service area.

The key elements of this agreement are as follows:

- **UNDISBURSED FACILITY FEE:**

The City has been collecting the facility access fee since March 1994 VIA and the City agrees that VIA's undisbursed share of such assessed and collected fee shall be paid to VIA by the City within thirty (30) calendar days of the execution of this Facility Access Fee Agreement.

- **PAYMENT:**

Payment of the facility access fee will be made to VIA on a monthly basis. Each monthly payment will be due no later than the fifteenth (15th) day of the month for Alamodome events held during the previous month.

- **REPORT:**

The City will submit a quarterly report to VIA which will include all information related to event title, date and number of tickets sold.

VIA provides to the City a quarterly report detailing the park-n-ride and/or shuttle service ridership by event and part-n-ride location.

- **AUDIT:**

The City shall keep accurate books and records upon the basis of which the facility access fee set forth herein is to be calculated. Such books and records shall be open and available for inspection by VIA upon written request of VIA.

- **TRANSPORTATION SERVICES BY VIA:**

VIA agrees to provide transportation services for specified Alamodome events as deemed necessary by VIA, in accordance with Exhibit "A" of this agreement (see attached).

- **TERM OF AGREEMENT:**

This Facility Access Fee Agreement shall commence upon approval by City Council and shall expire following a period of five (5) years from commencement or the cessation of transit service to Alamodome events, whichever is later.

Mayor and City Council

November 15, 1994

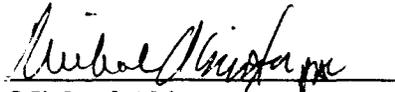
Page 3

• **SUPPLEMENTAL INFORMATION:**

An issue has been raised as to whether the facility access fee revenues are impacted by the state sales tax. City staff and VIA will research this issue with the appropriate state officials, however the City and VIA will share the revenues net of state sales tax until this question is resolved.

**FINANCIAL IMPACT**

The total revenue from the facility access fee in FY 93-94 was \$171,928, of which VIA's share was \$85,964. The FY 94-95 budget contemplates total facility access fee revenue to be \$732,720, of which VIA's share is \$366,360. In FY 94-95 the total collections to date are \$75,032 of which VIA's share is \$37,516.

  
\_\_\_\_\_  
**Michael Abington**  
**Alamodome Director**

**APPROVED:**

  
\_\_\_\_\_  
**Alexander E. Briseño**  
**City Manager**

**EXHIBIT "A"**

**ALAMODOME SERVICE**

**Service levels to Alamodome events shall be determined and adjusted solely by VIA Metropolitan Transit.**

**Service to Alamodome events will be provided to local, state and national sporting and entertainment events including concerts with ticket sales open to the public where the projected attendance exceeds ten thousand (10,000) persons per day as determined a minimum of seven (7) days prior to the event.**

**Service to events other than sporting and entertainment events with projected attendance which exceeds ten thousand (10,000) persons including but not limited to international sporting events, conventions and trade shows are beyond the scope of this agreement and will be coordinated on a case by case basis with the interested parties.**

VMZ/amt  
11/17/94

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**WHEREAS,** City staff and representatives of VIA have since negotiated a Facility Access Fee Agreement whereby VIA agrees to provide transportation services to Alamodome events as defined in the Agreement in return for 1/2 of the \$.50 facility access fee collected by the City on tickets sold to Alamodome events, with the exception of high school sporting events sponsored by high schools located within VIA's service area; and

**WHEREAS,** the Agreement further provides for the disbursement to VIA of its share of previously collected fees and a mechanism for further disbursements; **NOW THEREFORE:**

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*Kobayashi*

SECTION 3. Future collections of VIA'S share of the facility access fees are to be deposited into the above account and the amount so deposited each month is to be remitted to VIA such that the payment will be received by the fifteenth of the following month.

PASSED AND APPROVED this 17<sup>th</sup> day of November, 1994.

*William W. Wolf*  
M A Y O R

ATTEST:

*Norma J. Riquoy*  
City Clerk

APPROVED AS TO FORM:

*G. M. [Signature]*  
City Attorney