

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Department of Transportation & Parks and Recreation Department

**AGENDA DATE:** January 25, 2011

**CONTACT PERSON/PHONE:** Mirian Spencer (915) 541-4482, spencermd2@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

A Resolution that Splendid Sun Productions, LLC and Coconuts be authorized to utilize Cleveland Square Park and San Jacinto Plaza from 10:00 pm Saturday, April 30, 2011 to 2:00 am Sunday, May 1, 2011 and to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of City rights-of-way on Oregon Street, Franklin Avenue, Main Street, Mills Avenue, El Paso Street, and in Cleveland Square Park and San Jacinto Plaza from 12:00 pm Saturday, April 30, 2011 to 2:00 am Sunday, May 1, 2011. SPL11-00001 (District 8).

**BACKGROUND / DISCUSSION:**

Splendid Sun Productions, LLC and Coconuts are seeking permission to sell and serve alcoholic beverages in the closed portions of City rights-of-way during an outdoor street festival from 12:00 pm Saturday, April 30, 2011 to 2:00 am Sunday, May 1, 2011. A special privilege permit (SPL11-00001) will be reviewed by the Development Coordinating Committee for the temporary street closure.

Splendid Sun Productions, LLC and Coconuts are also seeking permission to utilize Cleveland Square Park and San Jacinto Plaza after hours from 10:00 pm Saturday, April 30, 2011 to 2:00 am Sunday, May 1, 2011. The applicants are also requesting permission to sell and serve alcoholic beverages within Cleveland Square Park and San Jacinto Plaza during the event. They have received administrative approval from the Parks and Recreation Department for the use of the park.

As part of the approval process, the applicant has provided insurance, with the City named as co-insured. The applicants are also required to obtain all necessary permits to sell and serve food and beverages. The TABC (Texas Alcoholic Beverage Commission) requires City Council authorization in order to issue a temporary permit for the event.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

The Development Coordinating Committee will review the special privilege application (SPL11-00001) for the temporary right-of-way closure on January 26, 2011 provided the applicants comply with the requirements in the attached letter.

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

\_\_\_\_\_  
Department of Transportation

**DEPARTMENT HEAD:**

\_\_\_\_\_  
Parks and Recreation Department

*Information copy to appropriate Deputy City Manager*

## RESOLUTION

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, Splendid Sun Productions, LLC (hereinafter referred to as “Grantee”) is sponsoring an outdoor music festival (hereinafter referred to as “Event”), from Friday, April 29, 2011 through Sunday, May 1, 2011; and

**WHEREAS**, Coconuts (hereinafter referred to as “Licensee”) has been approved by the Grantee to provide for the sale and service of alcoholic beverages during the Event; and

**WHEREAS**, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours on portions of City rights-of-way on Oregon Street, Franklin Avenue, Main Street, Mills Avenue, and El Paso Street, for more than 24 hours from 6:00 pm Friday, April 29, 2011 to 10:00 pm Sunday, May 1, 2011, in conjunction with the proposed Event; and

**WHEREAS**, the Grantee has received administrative approval for a Parks and Recreation Department use permit for the use Cleveland Square Park and San Jacinto Plaza in conjunction with the Event; and

**WHEREAS**, the City is not a sponsor of the Event and the Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

**WHEREAS**, Grantee desires to utilize Cleveland Square and San Jacinto Plaza between the hours of 10:00 pm and 6:00 am in conjunction with the event; and

**WHEREAS**, both the Grantee and Licensee desire to provide for the sale and serving of alcoholic beverages on the closed portions of City rights-of-way and within Cleveland Square and San Jacinto Plaza during the Event;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Grantee and Licensee be authorized to utilize Cleveland Square Park and San Jacinto Plaza from 10:00 pm Saturday, April 30, 2011 to 2:00 am Sunday, May 1, 2011 and to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of City rights-of-way on Oregon Street, Franklin Avenue, Main Street, Mills Avenue, El Paso Street, and in Cleveland Square Park and San Jacinto Plaza from 12:00 pm Saturday, April 30, 2011 to 2:00 am Sunday, May 1, 2011.

**ADOPTED** this \_\_\_\_\_ day of January, 2011.

THE CITY OF EL PASO

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John F. Cook, Mayor

ATTEST:

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Richarda Duffy Momsen,  
City Clerk

APPROVED AS TO FORM:

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Mark Shoesmith  
Assistant City Attorney

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Kristin L. Choi  
Assistant City Attorney

APPROVED AS TO CONTENT:

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Terry Quezada  
Deputy Director of Transportation

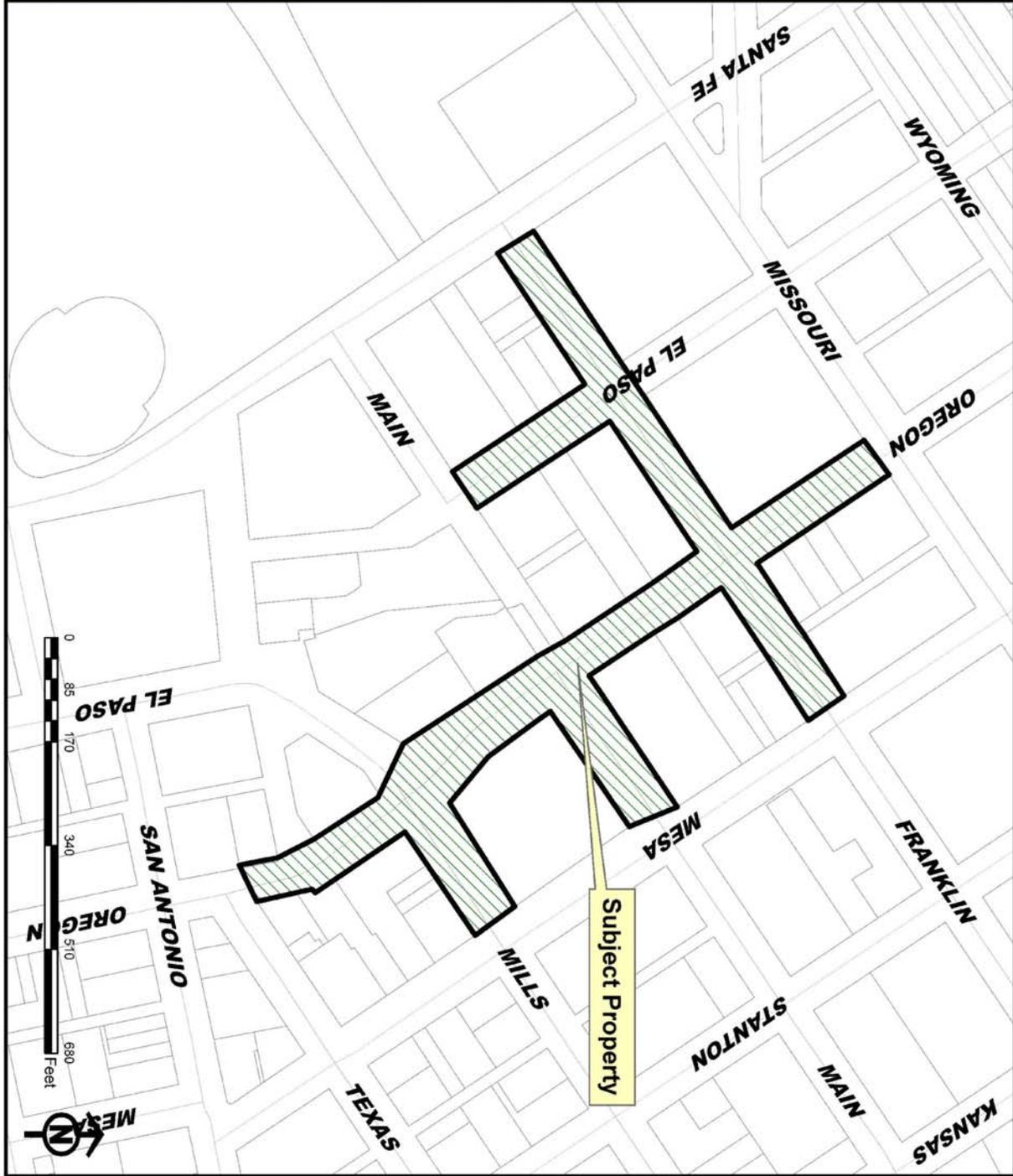
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Nanette J. Smejkal  
Director of Parks and Recreation



LOCATION MAP

SPL11-00001



Department of Transportation

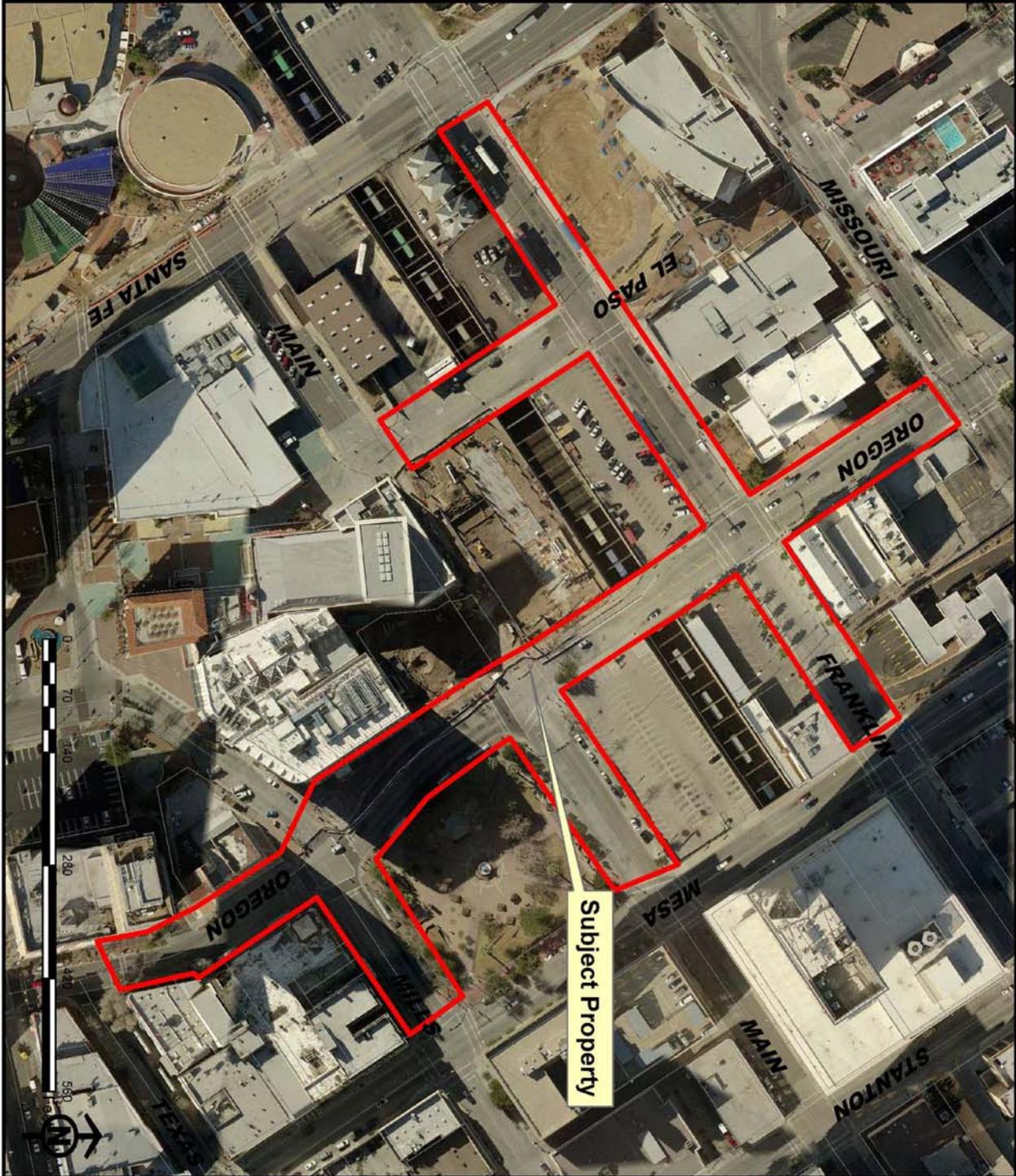
Daryl Cole, Director

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AERIAL MAP

SPL11-00001



Department of Transportation

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January 18, 2011

Splendid Sun Productions, LLC  
1501 Robert Weaver  
Austin, Texas 78702  
Attn: Gina Martinez

Re: SPL11-00001, an outdoor street festival from 6:00 pm Friday, April 29, 2011 to 10:00 pm Sunday, May 1, 2011.

The Development Coordinating Committee (DCC) on January 26, 2011 will consider a request for a temporary right-of-way closure for more than 24 hours on portions of City rights-of-way on Oregon Street between Missouri Avenue and Texas Street, Mills Avenue between Mesa Street and Oregon Street, Main Street between Mesa Street and Oregon Street, Franklin Avenue between Santa Fe Street and Mesa Street, and El Paso Street between Franklin Avenue and Main Street, for more than 24 hours from 6:00 pm Friday, April 29, 2011 to 10:00 pm Sunday, May 1, 2011 for the Neon Desert Music Festival.

The applicants shall comply with the following requirements during the event:

- First Aid stations and portable toilets will be required for the event.
- All traffic control mechanisms must be installed as proposed in the approved Traffic Control Plan.
- Permittees are responsible for installation and removal of all traffic control devices.
- Drainage systems in the area must remain unimpeded. No perforations may be done to the sidewalks and pavement within public rights-of-way.
- Coordinate with El Paso Fire Department Fire Marshall's Office, Permits Section. Jorge Sanchez at (915) 771-1090.
- A for-use increased fire occupancy permit will be required for the event. Fire Marshall Guards may be required for the event. Permittees will be responsible for any applicable fees related to Fire Occupancy and Fire Marshal Fire Guard requirements.
- Fire apparatus access roads shall have an unobstructed (including off-street parking) width of no less than 20 feet.
- Fire hydrants, fire department inlet connections, and fire department control valves shall not be obstructed in any manner to prevent such equipment from being immediately discernible.
- Emergency access will be required for El Paso Water Utilities (EPWU) personnel and vehicle access for emergency repair.
- EPWU meters and manholes, water and sanitary sewer facilities must remain clear and unobstructed for EPWU personnel.
- Must contact Richard Adams of Environmental Services to address garbage removal after the event at (915) 621-6706.

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- The permittee shall be responsible for cleaning and removing of all litter and debris left on the roadways, sidewalks, and other public rights-of-way immediately upon the conclusion of the event.
- If the permittee fails to clean and remove all litter and debris within **four** hours of the end of the event, the city may perform such cleaning and the permittee shall be responsible for the costs of the city cleaning. Payment of any city cleaning costs shall be due and payable within **10** days of receipt of the bill from the city comptroller.
- Coordinate with the El Paso Police Department-Central Regional Command Center Lt. Rosalia Cubillos (915) 577-5032 and the Police Area Response (PAR) office Leslie Canada (915) 838-8013 prior to the event.
- The permittee shall coordinate with the Police Department to ensure that there is adequate emergency accessibility to and within the area as well as adequate safety provisions for the event.
- The permittee is responsible for coordinating any requests for on-duty and/or off-duty Police Department personnel with the Auxiliary Support Division of the El Paso Police Department (915) 564-7000.
- Department of Public Health permits are required for food and beverages sold during the event. Applications must be received by the Department of Public Health at least **72** hours prior to the event. Coordinate with the Department of Public Health at (915) 541-4434.
- Coordinate with the Texas Alcoholic Beverage Commission for the sale and service of alcoholic beverages during the event at (915) 834-5860.

Mirian Spencer  
Department of Transportation

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Daryl Cole, Director

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