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

DEPARTMENT: **Engineering Traffic Division**

AGENDA DATE: **February 2, 2010, Consent**

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

DISTRICT(S) AFFECTED: 8

SUBJECT:
That O.P.E.P. be authorized to provide for the sale and service of alcoholic beverages at the outdoor street festival in the closed portion of Ochoa Street between First Avenue and Paisano Drive from 8:00 pm, Tuesday, February 16, 2010 to 2:00 am, Wednesday, February 17, 2010 (SPL10-00003).

BACKGROUND / DISCUSSION:
O.P.E.P is seeking permission to sell and serve alcoholic beverages on the closed portions of City right-of-way during an outdoor street festival from 8:00 pm, Tuesday, February 16, 2010 to 2:00 am, Wednesday, February 17, 2010. A special privilege permit (SPL10-00003) has been approved by the Development Coordinating Committee for the temporary street closure. There will be various booths, refreshments, and entertainment.

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 approved the special privilege application (SPL10-00003) for the temporary right-of-way closure on January 20, 2010 provided the applicants comply with the requirements in the attached letter.

********************REQUIRED AUTHORIZATION***********************

LEGAL: (if required) _____ FINANCE**:** (if required) _____

DEPARTMENT HEAD: _____

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R E S O L U T I O N

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

WHEREAS, O.P.E.P (hereinafter referred to as "Grantees") are sponsoring an outdoor street festival for a Mardi Gras Block Party (hereinafter referred to as "Event"), on Tuesday, February 16, 2010 to Wednesday, February 17, 2010; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of Ochoa Street between First Avenue and Paisano Drive from 3:00 pm Tuesday, February 16, 2010, to 4:00 am Wednesday, February 17, 2010, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of Ochoa Street between First Avenue and Paisano Drive from 8:00 pm, Tuesday, February 16, 2010 to 2:00 am, Wednesday, February 17, 2010.

ADOPTED this _____ day of February, 2010.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

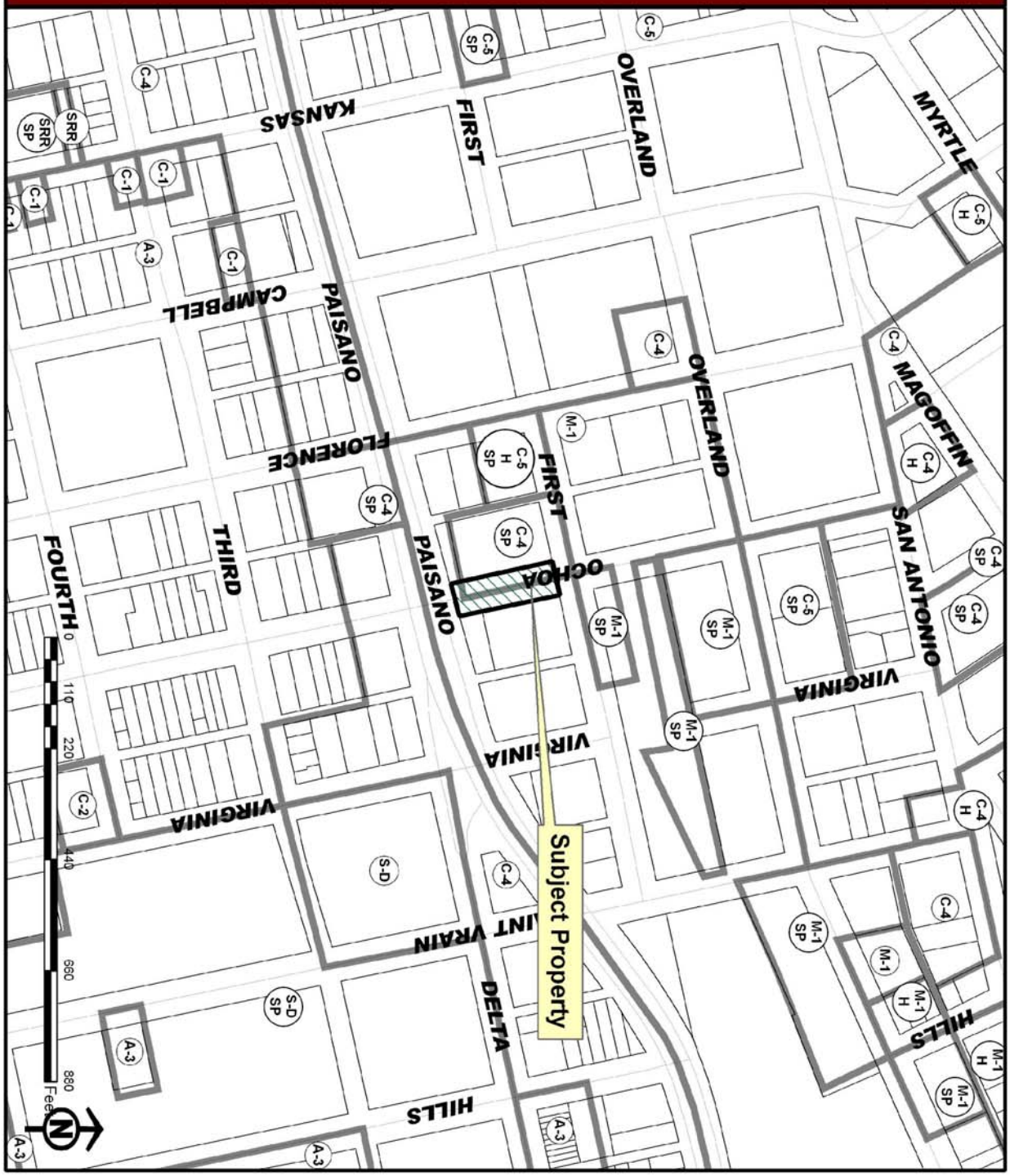
_____
Mark Shoesmith
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Ted Marquez, P.E.
Assistant City Engineer

LOCATION MAP

SPL10-00003



Engineering Traffic Division
Ted Marquez, P.E. – Assistant City Engineer
2 Civic Center Plaza – 6th Floor · El Paso, Texas 79901 · (915) 541-4050 · Fax (915) 541-4168

January 20, 2010

O.P.E.P.
301 S. Ochoa St.
El Paso, TX 79901
Attn: Jesus Pizaña

Re: SPL10-00003, an outdoor festival from 4:00 pm, Tuesday, February 16, 2010 to 4:00 am, Wednesday, February 17, 2010 for a Mardi Gras Block Party.

The Development Coordinating Committee (DCC) on January 20, 2010 considered a request for a temporary right-of-way closure for less than 24 hours on a portion of Ochoa Street between First Avenue and Paisano Drive.

The Development Coordinating Committee (DCC) recommended approval of the proposed right-of-way closure. 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 devises.
- 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.
- 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.

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- 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
Engineering Traffic Division