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S E R V I C E S O L U T I O N S S U C C E S S



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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: April 28, 2009

CONTACT PERSON/PHONE: Victor Q. Torres, Development Services (915) 541-4557

DISTRICT(S) AFFECTED: 8

SUBJECT:

Discussion and action on an appeal by Centro Cultural Mexicano Paso del Norte regarding the denial of a Special Privilege License application for a Temporary Closure of public right-of-way at Virginia Street between Overland Avenue and San Antonio Avenue; and San Antonio Avenue between St. Vrain Street and Virginia Street for less than 24 hours from 3:00 pm to 9:00 pm, Tuesday, May 5, 2009. SPL09-00010 (District 8).

BACKGROUND / DISCUSSION:

The Development Services Department denied the request for the closure of public right-of-way for less than 24 hours because the application was not submitted to the City of El Paso 30 days prior to the commencement of the event as per Section 15.08.120 Subsection C (12)a of the El Paso City Code, which states that an application for the temporary use of City right-of-way for less than 30 days shall be made in writing on a form prescribed by the Director or their designee at least 30 days prior to the commencement of the event, but not more than one year in advance of the event.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres _____
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

**Development Services Department
Victor Q. Torres - Director**

2 Civic Center Plaza - 5th Floor · El Paso, Texas 79901 · (915) 541-4622 · Fax
(915) 541-4799

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Centro Cultural Mexicano Paso del Norte
701 Magoffin Ave.
El Paso, Texas 79901
(915) 533-8555

El Paso, Texas, Thursday April 9, 2009

Philip F. Etiwe,
Development Review Manager,
Development Services Department, Planning Division
Ph. 915-541-4635
City of El Paso.

Dear Mr. Etiwe,

On Wednesday April 8, 2009 the Centro Cultural Mexicano Paso del Norte submitted an application to the Planning Division of the City of El Paso Development Services Department for a street closure permit to celebrate Cinco de Mayo (May 5, 2009) with a street festival outside the premises of the Consulate General of Mexico located in San Antonio Avenue and Virginia Street, downtown El Paso.

In that regard, the permit was denied because we submitted the application two days after the dead line. For that reason we are appealing the denial because we know that with the celebration of Cinco de Mayo we are contributing to the El Paso Downtown Redevelopment Plan, as well as to the enjoyment and comprehension of Mexican culture with a series of free events starting with the Cinco de Mayo Street Festival.

The fee for the permit has been paid, and the traffic control plan has been submitted by Apache Barricade and Signs to the El Paso Engineering-Traffic Division. We want to follow the procedures, and appeal the denial before City Council; we would appreciate if you can add this item in the next agenda.

Please contact Alejandro Macias,
Community Affairs Coordinator,
for the appealing at (915) 449-3992.

Sincerely,



Brenda Munoz
Cultural Affairs Coordinator



**DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION
APPLICATION FOR TEMPORARY USE OF CITY RIGHT-OF-WAY**

1. APPLICANT(S): Centro Cultural Mexicano Paso del Norte
ADDRESS: 701 Magoffin Ave. ZIP CODE: 79901 PHONE: 915-533-9977

2. REPRESENTATIVE(S): Brenda Munoz
ADDRESS: 901 E. San Antonio Ave. ZIP CODE: 79901 PHONE: 915-533-8555

3. Type of Use or Event:
 Temporary Street Closure Exceeding 24 hours Temporary Street Closure Less than 24 hours
 Temporary Street Display Other Temporary Encroachment

4. LOCATION (Please attach a Clear and Specific Map: _____
Corner of Virginia St. and San Antonio Ave., between Overland and St. Vrain St.

5. CITY REPRESENTATIVE DISTRICT #: 8 ZONING: _____ DOWNTOWN: YES NO

6. Traffic Control information (This is the time for which you will be charged for closure of public right-of-way):
Start Date of Traffic Control: 05/05/09 Start Time of Traffic Control: 1:00 pm
End Date of Traffic Control: 05/05/09 End Time of Traffic Control: 9:00 pm

7. Event information (This is the time and dates of the event):
Start Date of Use or Event: 05/05/09 Start Time of Use or Event: 5:00 pm
End Date of Use or Event: 05/05/09 End Time of Use or Event: 8:00 pm

8. Approximate Number of Participants: 50

9. Purpose of Event: Free street festival to celebrate Cinco de Mayo Anniversary, with folkloric dancers, mariachi, folk singers, charros and food vendors.

Expected attendance: 1,000 persons

*Applicant will coordinate with applicable City Departments, state or federal agencies to obtain any necessary permits and approvals required for the proposed event and use of premises, including, but not limited to, sound amplification and the sale of alcoholic beverages.

10. Will Amplification be Used at the event: YES NO

11. If amplification is being requested, the number of sound amplifying capacity of microphones, amplifiers, and speakers proposed to be used. 2 amplifiers, 8 microphones and 4 speakers

12. Purpose of the amplification: Advertising Goods or property Services Entertainment

*If for the use at San Jacinto Plaza, amplification may only be used on the stage. If you wish to use this area, you must also contact the Parks and Recreation Department, City Hall, 6th Floor, (915) 541-4331 and reserve the stage. An additional fee will be charged for the use of this area. Additionally, other ordinances may apply to or restrict the use of city-owned property, including parks.

13. Will Alcoholic Beverages be sold on City Right-of-way? YES ___ NO X

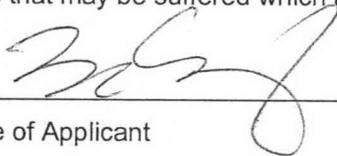
*The Texas Alcoholic Beverage Commission (TABC) requires approval from The El Paso City Council to permit the sales of alcoholic beverages on city right-of-way, prior to and in addition to obtaining any temporary beverage sales permits from TABC.

14. Method of Street and Right-of-Way cleaning: Applicant Request City Cleaning Services

*The El Paso City Code requires applicants to clean the street, sidewalks, and other rights-of way, from all event litter and debris. In the event that the areas are not cleaned by the applicants, the City may perform such cleaning at a cost to the applicant. Arrangements may also be made in advance with the Street Department to perform the cleaning at a cost by submitting the enclosed form no later than fourteen days prior to the event.

15. Insurance shall be required in accordance with provisions of Section 15.08.120 G prior to the approval of the application.

16. RELEASE: In consideration of the permit for use of city streets, sidewalks, and other places held for public use, it is understood that the applicant(s) contained herein do hereby release and discharge the City, and its respective officers, directors, agents, and employees, jointly and severally, from any and all liability for illness, injuries, and damages that may be suffered which arise out of or result from participation in this event.



Signature of Applicant

04/07/2009

Date

Cashier's Validation
Fee: \$ 82.50

****OFFICE USE ONLY****

SPL- D9-00010
DCC RECOMMENDATION:

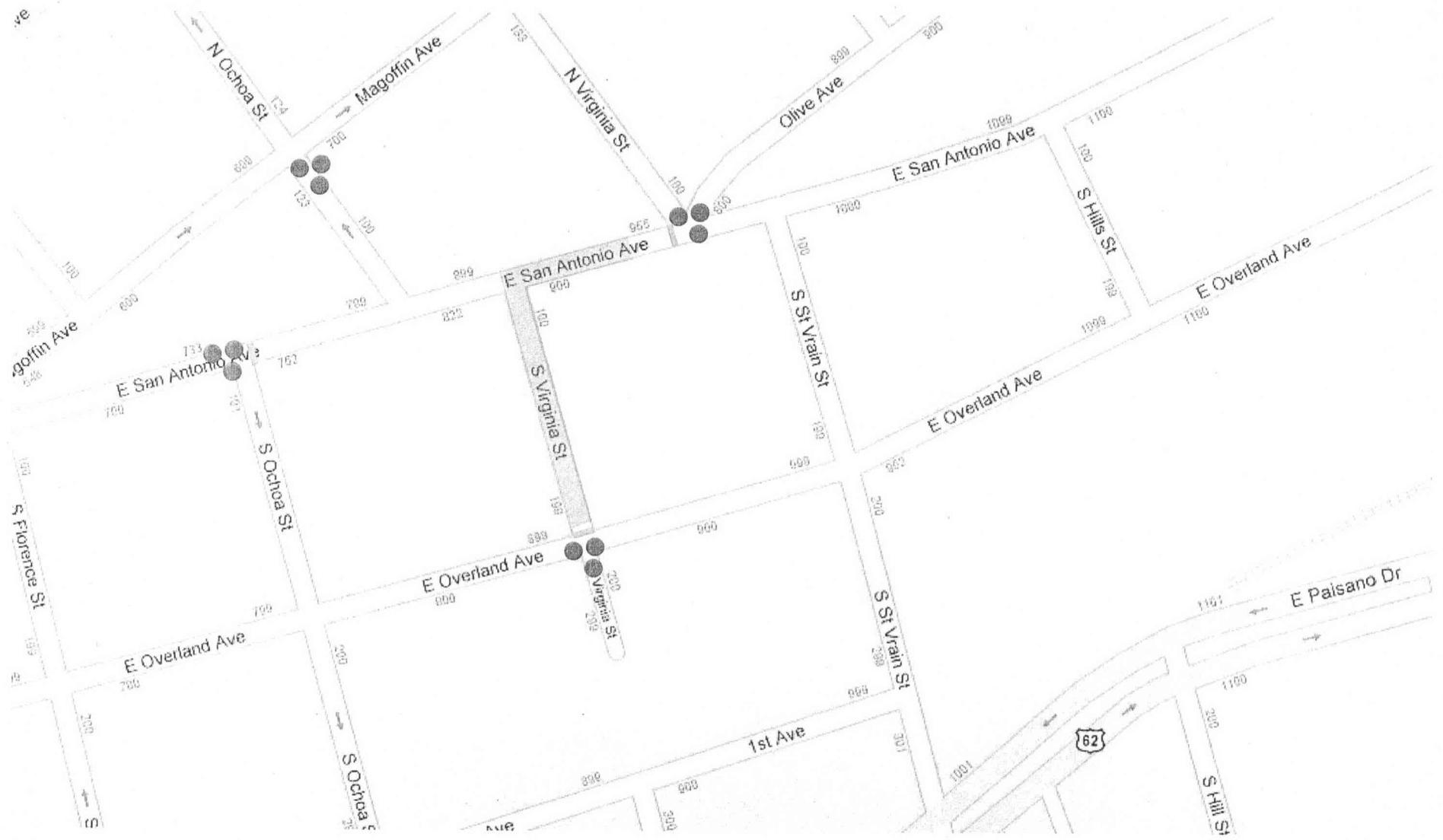
DCC FIELD DATE: ___/___/___ DCC REVIEW DATE: ___/___/___
 APPROVE APPROVE WITH CONDITIONS DISAPPROVE

COUNCIL ACTION:
COMMENTS/INSTRUCTIONS: _____

PUBLIC HEARING: ___/___/___

Accepted by: _____ FUND-01101 DEPT. ID-99010335 ACCT.-404151

Cinco de Mayo
Street closure



-  Area to be closed
-  Barricades
-  Volunteers

TRAFFIC CONTROL PLAN
 COMPLY WITH THE LATEST EDITION OF THE TEXAS
 MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES
ONE DAY PERMIT UNLESS NOTED

CLOSURE DATE: 5/5/2009
 TIME: 1400 - 2160
N. CHAVEZ DATE 4/9/2009
 ENGINEERING TRAFFIC DIVISION

