

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

DEPARTMENT: City Development Department

AGENDA DATE: April 30, 2013, Consent

CONTACT PERSON NAME AND PHONE NUMBER: Mirian Spencer, (915) 541-4007, spencermd2@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

A resolution that Splendid Sun Productions, LLC and Crave Kitchen and Bar be authorized to utilize Cleveland Square Park and San Jacinto Plaza from 1:00 am to 5:00 am Saturday, May 25, 2013, Sunday, May 26, 2013 and Monday, May 27, 2013. The sale and service of alcoholic beverages by Splendid Sun Productions, LLC and Crave Kitchen and Bar, in the closed portions of City rights-of-way on Oregon Street between Missouri Avenue and Texas Avenue, Franklin Avenue between Santa Fe Street and Mesa Street, Main Drive between Oregon Street and Mesa Street, Mills Avenue between Oregon Street and Mesa Street, Mesa Street between Franklin Avenue and Mills Avenue, and El Paso Street between Main Drive and Franklin Avenue, in Cleveland Square Park and San Jacinto Plaza from 11:00 am Saturday, May 25, 2013 to 2:00 am Sunday, May 26, 2013 is a permissible activity in conjunction with The Neon Desert Music Festival (NESV13-00012) District 8.

BACKGROUND / DISCUSSION:

Splendid Sun Productions, LLC and Crave Kitchen and Bar are seeking permission to sell and serve alcoholic beverages within the closed portions of City right-of-way during The Neon Desert Music Festival from 11:00 am Saturday, May 25, 2013 to 2:00 am Sunday, May 26, 2013. Splendid Sun Productions, LLC has authorized Crave Kitchen and Bar to provide for the sale and serving of alcoholic beverages within the closed portions of City right-of-way.

City Council approval is required for the use of Cleveland Square Park between the hours of 1:00 am and 5:00 am in accordance with Ordinance 017664 approved October 25, 2011.

A special privilege permit (NESV13-00012) was approved by the Downtown Management District (DMD) AdHoc committee for the temporary street closure.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

The Downtown Management District AdHoc Committee APPROVED the special privilege (NESV13-00012) on April 18, 2013.

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

DEPARTMENT HEAD:

**Mathew S. McElroy, Director
City Development 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 The Neon Desert Music Festival from 6:00 pm Friday, May 24, 2013 through 10:00 pm Monday, May 27, 2013 (hereinafter referred to as “Event”); and

WHEREAS, the Grantee has authorized Crave Kitchen and Bar (hereinafter referred as “Licensee”) to provide for the sale and service of alcoholic beverages during 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, 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 between Missouri Avenue and Texas Avenue, Franklin Avenue between Santa Fe Street and Mesa Street, Main Drive between Oregon Street and Mesa Street, Mills Avenue between Oregon Street and Mesa Street, Mesa Street between Franklin Avenue and Mills Avenue, and El Paso Street between Main Drive and Franklin Avenue from 6:00 pm Friday, May 24, 2013 to 10:00 pm Monday, May 27, 2013, in conjunction with the proposed Event; and

WHEREAS, the Grantee desires to utilize Cleveland Square Park and San Jacinto Plaza between the hours of 1:00 am and 5:00 am Saturday, May 25, 2013, Sunday, May 26, 2013 and Monday, May 27, 2013 in conjunction with the Event; and

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

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

WHEREAS, the Texas Alcoholic Beverage Commission requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages during the City Event.

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

That Splendid Sun Productions, LLC and Crave Kitchen and Bar be authorized to utilize Cleveland Square Park and San Jacinto Plaza from 1:00 am to 5:00 am Saturday, May 25, 2013, Sunday,

May 26, 2013 and Monday, May 27, 2013. The sale and service of alcoholic beverages by Splendid Sun Productions, LLC and Crave Kitchen and Bar, in the closed portions of City rights-of-way on Oregon Street between Missouri Avenue and Texas Avenue, Franklin Avenue between Santa Fe Street and Mesa Street, Main Drive between Oregon Street and Mesa Street, Mills Avenue between Oregon Street and Mesa Street, Mesa Street between Franklin Avenue and Mills Avenue, and El Paso Street between Main Drive and Franklin Avenue, in Cleveland Square Park and San Jacinto Plaza from 11:00 am Saturday, May 25, 2013 to 2:00 am Sunday, May 26, 2013 is a permissible activity in conjunction with The Neon Desert Music Festival.

ADOPTED this ____ day of _____, 2013.

THE CITY OF EL PASO

John F. Cook,
Mayor

ATTEST:

Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

Lauren K. Ferris
Assistant City Attorney

APPROVED AS TO CONTENT:

Nanette J. Smejkal, Director
Parks and Recreation Department

Mathew S. McElroy, Director
City Development Department