

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

DEPARTMENT: Department of Transportation

AGENDA DATE: September 14, Consent

CONTACT PERSON/PHONE: Mirian Spencer (915) 541-4482, spencerm2@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

That Centro Cultural Mexicano Paso del Norte and Plum City Lounge be authorized to provide for the sale and service of alcoholic beverages in the closed portion of Mills Street between Mesa Street and Oregon Street from 5:00 pm to 9:00 pm, Wednesday, September 15, 2010 (SPL10-00007).

BACKGROUND / DISCUSSION:

Centro Cultural Mexicano Paso del Norte is seeking permission to sell and serve alcoholic beverages on the closed portion of City right-of-way on Mills Street between Mesa Street and Oregon during an outdoor parade and festival from 5:00 pm to 9:00 pm, Wednesday, September 15, 2010. The alcohol is being restricted to an enclosed area within Mills Street, and will not be permitted within any other areas closed in conjunction with the event, including San Jacinto Plaza A special privilege permit (SPL10-00007) has been approved by the Development Coordinating Committee with the following conditions:

- Access to the El Paso Museum of Art, Arts Festival Plaza , and The Plaza Theater shall not be obstructed by vehicles staged within El Paso Street and Main St.
- No parking is permitted within the loading dock areas of the El Paso Museum of Art and the Plaza Theater.
- Security personnel required to secure Los Lagartos public art within San Jacinto Plaza. Additional property damage liability insurance in the amount of \$1,000,000.00 is required.
- Alcohol sales and services are permitted only within the City right-of-way on Mills St. between Oregon St. and Mesa St.
- No alcohol is permitted within San Jacinto Plaza.

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 (SPL10-00007) for the temporary right-of-way closure on September 8, 2010 provided the applicants comply with the requirements in the attached letter.

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

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

RESOLUTION

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

WHEREAS, Centro Cultural Mexicano Paso del Norte (hereinafter referred to as “Grantees”) are sponsoring an outdoor street festival for Fiestas Patrias, the Bicentennial Anniversary of Mexico’s Independence (hereinafter referred to as “Event”), on Wednesday, September 15, 2010; and

WHEREAS, Plum City Lounge (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 Grantees have received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for twenty-four (24) hours on portions of Oregon Street between Franklin Street and Texas Street, Mills Street and Main Street between Oregon and Stanton Street, El Paso Street between Franklin Street and Santa Fe Street and Main Street between Santa Fe Street and El Paso Street from 6:00 a.m. Wednesday, September 15, 2010, to 6:00 a.m. Thursday, September 16, 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, both the Grantee and Licensee desire to provide for the sale and serving of alcoholic beverages on a portion of the City right-of-way 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 provide for the sale and serving of alcoholic beverages at the outdoor block party in the closed portion of Mills Street between Mesa Street and Oregon Street from 5:00 p.m. to 9:00 pm, Wednesday, September 15, 2010.

ADOPTED this _____ day of September, 2010.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

Mark Shosmith
Assistant City Attorney

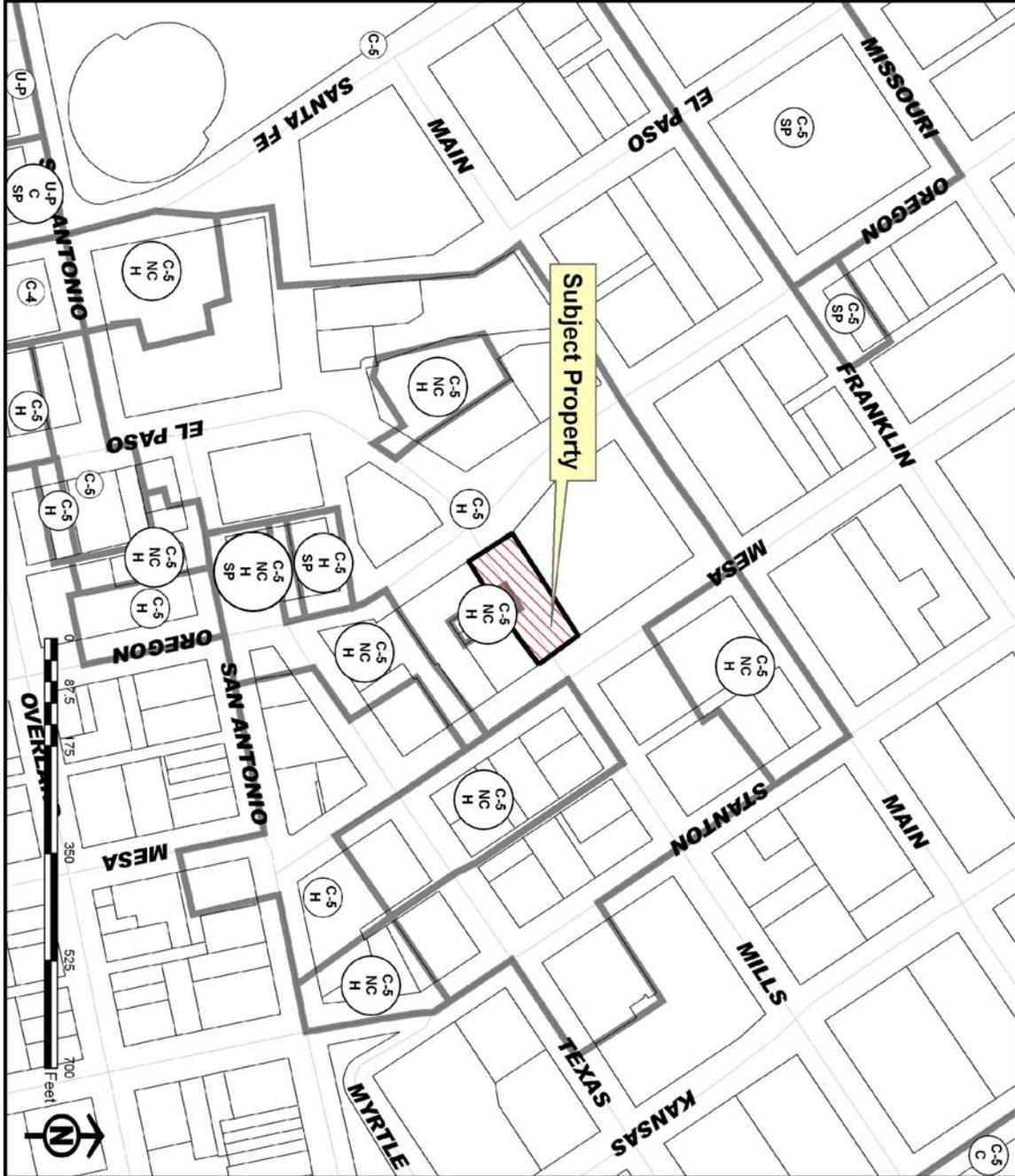
APPROVED AS TO CONTENT:

Ted Marquez, P.E.
Assistant City Engineer



LOCATION MAP

SPL10-00007



Department of Transportation

Darryl W. Cole – Director

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September 8, 2010

Centro Cultural Mexicano Paso del Norte
910 E. San Antonio Ave
El Paso, Texas 79901
Attn: Nadia Karime Garza Gallardo

Re: SPL10-00007, an outdoor festival from 6:00 am, Wednesday, September 15, 2010 to 6:00 am, Thursday, September 16, 2010 for Fiestas Patrias.

The Development Coordinating Committee (DCC) on September 8, 2010 considered a request for a temporary right-of-way closure for 24 hours on portions Oregon Street between Texas Ave. and Franklin St, Main Street between Mesa St. and Oregon St., Mills St. between Mesa St. and Oregon St., El Paso St. between Franklin St. and Main St., Main St. between El Paso St. and Santa Fe St. from 6:00 am Wednesday, September 15, 2010 to 6:00 am Thursday, September 16, 2010; and to close portions of Mesa Street between Franklin Ave. and Texas Ave. for four hours from 6:00 pm to 10:00 pm Wednesday, September 15, 2010 for Fiestas Patrias.

The Development Coordinating Committee (DCC) recommended approval of the proposed right-of-way closure with the following conditions:

- Access to the El Paso Museum of Art, Arts Festival Plaza , and The Plaza Theater shall not be obstructed by vehicles staged within El Paso Street and Main St.
- No parking is permitted within the loading dock areas of the El Paso Museum of Art and the Plaza Theater.
- Security personnel required to secure Los Lagartos public art within San Jacinto Plaza. Additional property damage liability insurance in the amount of \$1,000,000.00 is required.
- Alcohol sales and services are permitted only within the City right-of-way on Mills St. between Oregon St. and Mesa St.
- No alcohol is permitted within San Jacinto Plaza.

All special privilege 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.

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- 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.
- 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 – Planning Division

Department of Transportation

Darryl W. Cole – Director

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