

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

DEPARTMENT: City Development Department

AGENDA DATE: 9-18-2012 Consent

CONTACT PERSON NAME AND PHONE NUMBER: Mirian Spencer, (915) 541-4482, spencermd2@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

A resolution that the sale and service of alcoholic beverages by Osaple Inc., in the closed portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Oregon Street, Oregon Street from Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and El Paso Street, Sheldon Court between El Paso Street and Santa Fe Street, Main Drive between Santa Fe Street and El Paso Street from 6:00 pm Friday, October 12, 2012 to 12:00 am Saturday, October 13, 2012 in conjunction with Chalk the Block, is a permissible activity District 8.

BACKGROUND / DISCUSSION:

Osaple Inc. is seeking permission to sell and serve alcoholic beverages within closed portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Oregon Street, Oregon Street from Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and El Paso Street, Sheldon Court between El Paso Street and Santa Fe Street, Main Drive between Santa Fe Street and El Paso Street from 6:00 pm Friday, October 12, 2012 to 2:00 am Saturday, October 13, 2012 in conjunction with Chalk the Block.

The street closure has been reviewed administratively in accordance with Section 15.08.120 which provides for an exception for events hosted by Museums and Cultural Affairs Department.

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:

N/A

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

DEPARTMENT HEAD:

**Carlos Gallinar, Deputy 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, The Museums and Cultural Affairs Department for the City of El Paso (hereinafter referred to as “Grantee”) is sponsoring Chalk the Block from Friday, October 12, 2012 through Sunday, October 14, 2012 (hereinafter referred to as “Event”); and

WHEREAS, Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, 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 Franklin Avenue between Santa Fe Street and Oregon Street, Oregon Street from Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and El Paso Street, Sheldon Court between El Paso Street and Santa Fe Street, Main Drive between Santa Fe Street and El Paso Street from 6:00 am Friday, October 12, 2012 to 6:00 am Sunday, October 14, 2012, in conjunction with the proposed Event; and

WHEREAS, Grantee has authorized Osaple, Inc. (hereinafter referred as “Licensee”) to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS Grantee and Licensee desire to provide for the sale and serving of alcoholic beverages on the closed portions of City rights-of-way 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 within City right-of-way.

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

That the sale and service of alcoholic beverages by Osaple, Inc, in the closed portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Oregon Street, Oregon Street from Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and El Paso Street, Sheldon Court between El Paso Street and Santa Fe Street, Main Drive between Santa Fe Street and El Paso Street from 6:00 pm Friday, October 12, 2012 to 12:00 am Saturday, October 13, 2012, in conjunction with Chalk the Block, is a permissible activity.

ADOPTED this 18th day of September, 2012.

THE CITY OF EL PASO

ATTEST:

John F. Cook,
Mayor

Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Cynthia Osborn
Assistant City Attorney

Mathew S. McElroy, Director
City Development Department