

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

DEPARTMENT: City Development

AGENDA DATE: 10-9-2012 Consent

CONTACT PERSON NAME AND PHONE NUMBER: Mirian Spencer, (915) 541-4056, spencermd2@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

A Resolution that Flow Events and Plum City Lounge be authorized to utilize Cleveland Square Park from 1:00 am to 4:00 am Thursday, November 1, 2012; and that the sale and service of alcoholic beverages by Flow Events and Plum City Lounge in the closed portions of City rights-of-way on Franklin Avenue between Oregon Street and Santa Fe Street and in Cleveland Square Park from 6:00 pm Wednesday, October 31, 2012 to 1:00 am Thursday, November 1, 2012, in conjunction with Downtown Glow, is a permissible activity (NESV12-00033) District 8.

BACKGROUND / DISCUSSION:

Flow Events and Plum City Lounge are seeking permission to utilize Cleveland Square Park between the hours of 1:00 am and 4:00 am Thursday, November 1, 2012 and are requesting to sell and serve alcoholic beverages within Cleveland Square Park and in the closed portions of City right-of-way during the Downtown Glow from 6:00 pm Wednesday, October 31, 2012, to 1:00 am Thursday, November 1, 2012.

A special privilege permit (NESV12-00033) was approved by the Downtown Management District AdHoc Committee for the temporary street closure.

City Council approval is required for the use of Cleveland Square Park between the hours of 1:00 am and 4:00 am in accordance with Ordinance 017664 approved October 25, 2011.

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 Downtown Management District (DMD) AdHoc Committee approved the special privilege (NESV12-00033) on October 4, 2012.

*****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, Flow Events (hereinafter referred to as “Grantee”) is sponsoring Downtown Glow from Wednesday, October 31, 2012 through Thursday, November 1, 2012 (hereinafter referred to as “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 authorized Plum City Lounge (hereinafter referred to as “Licensee”) to provide for the sale and service of alcoholic beverages during 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 less than twenty-four (24) hours on portions of City rights-of-way on Franklin Avenue between Oregon Street and Santa Fe Street from 3:00 pm Wednesday, October 31, 2012 to 4:00 am Thursday, November 1, 2012, in conjunction with the proposed Event; and

WHEREAS, Grantee has received administrative approval for a Parks and Recreation Department use permit for the use of Cleveland Square Park during operating hours on Wednesday, October 31, 2012 through Thursday, November 1, 2012, in conjunction with the Event; and

WHEREAS, the Grantee and Licenses desires to provide for the sale and serving of alcoholic beverages on the closed portions of City rights-of-way and in Cleveland Square Park 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 Flow Events and Plum City Lounge be authorized to utilize Cleveland Square Park from 1:00 am to 4:00 am Thursday, November 1, 2012; and that the sale and service of alcoholic beverages by Flow Events and Plum City Lounge in the closed portions of City rights-of-way on Franklin Avenue between Oregon Street and Santa Fe Street and in Cleveland Square Park from 6:00 pm Wednesday, October 31, 2012 to 1:00 am Thursday, November 1, 2012, in conjunction with Downtown Glow, is a permissible activity.

(Signatures begin on following page)

ADOPTED this 9th day of October, 2012.

THE CITY OF EL PASO

ATTEST:

John F. Cook,
Mayor

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

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department