

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

DEPARTMENT: Department of Transportation

AGENDA DATE: October 11, 2011

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

A Resolution that the City be authorized to close and use portions of City rights-of-way on Oregon Street between Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, and Sheldon Court between El Paso Street and Santa Fe Street, and that the City and El Paso Community Foundation and SoHo Cocktail Lounge be authorized to provide for the sale and serving of alcoholic beverages in the aforementioned closed portions of City rights-of-way, all in conjunction with Chalk the Block, from 6:00 pm to 10:00 pm Friday, October 14, 2011, 10:00 am to 10:00 pm Saturday, October 15, 2011 and 11:00 am to 3:00 pm Sunday, October 16, 2011. NESV11-00038 (District 8).

BACKGROUND / DISCUSSION:

The City of El Paso through its Museums and Cultural Affairs Department, El Paso Community Foundation and SoHo Cocktail Lounge are seeking permission to sell and serve alcoholic beverages in the closed portions of City rights-of-way during Chalk the Block from 6:00 pm to 10:00 pm Friday, October 14, 2011, 10:00 am to 10:00 pm Saturday, October 15, 2011 and 11:00 am to 3:00 pm Sunday, October 16, 2011. A special privilege permit (NESV11-00038) has been approved by the Development Coordinating Committee for the temporary street closure.

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 (NESV11-00038) for the temporary right-of-way closure on October 5, 2011 provided the applicants comply with the requirements in the attached letter.

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

DEPARTMENT HEAD:

Daryl W. Cole, Director, Department of Transportation

Information copy to appropriate Deputy City Manager

RESOLUTION

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

WHEREAS, The City of El Paso (“City”), through its Museums and Cultural Affairs Department is sponsoring Chalk the Block (hereinafter referred to as “Event”), from Friday, October 14, 2011 through October 16, 2011; and

WHEREAS, Osaple, Inc. (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, pursuant to Ordinance No. 017181, the City desires to close and use portions of City rights-of-way on Oregon Street between Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, and Sheldon Court between El Paso Street and Santa Fe Street from 6:00 am Thursday, October 13, 2011 to 7:00 am Monday, October 17, 2011, in conjunction with the proposed Event; and

WHEREAS, both the City 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;

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

That the City be authorized to close and use portions of City rights-of-way on Oregon Street between Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, and Sheldon Court between El Paso Street and Santa Fe Street from 6:00 am Thursday, October 13, 2011 to 7:00 am Monday, October 17, 2011, and that the City and Licensee be authorized to provide for the sale and service of alcoholic beverages in the aforementioned closed portions of City rights-of-way, all in conjunction with Chalk the Block, from 6:00 pm to 10:00 pm Friday, October 14, 2011, 10:00 am to 10:00 pm Saturday, October 15, 2011 and 11:00 am to 3:00 pm Sunday, October 16, 2011.

ADOPTED this _____ day of October, 2011.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

Elizabeth Ruhmann
Assistant City Attorney

APPROVED AS TO CONTENT:

Daryl W. Cole, Director
Department of Transportation

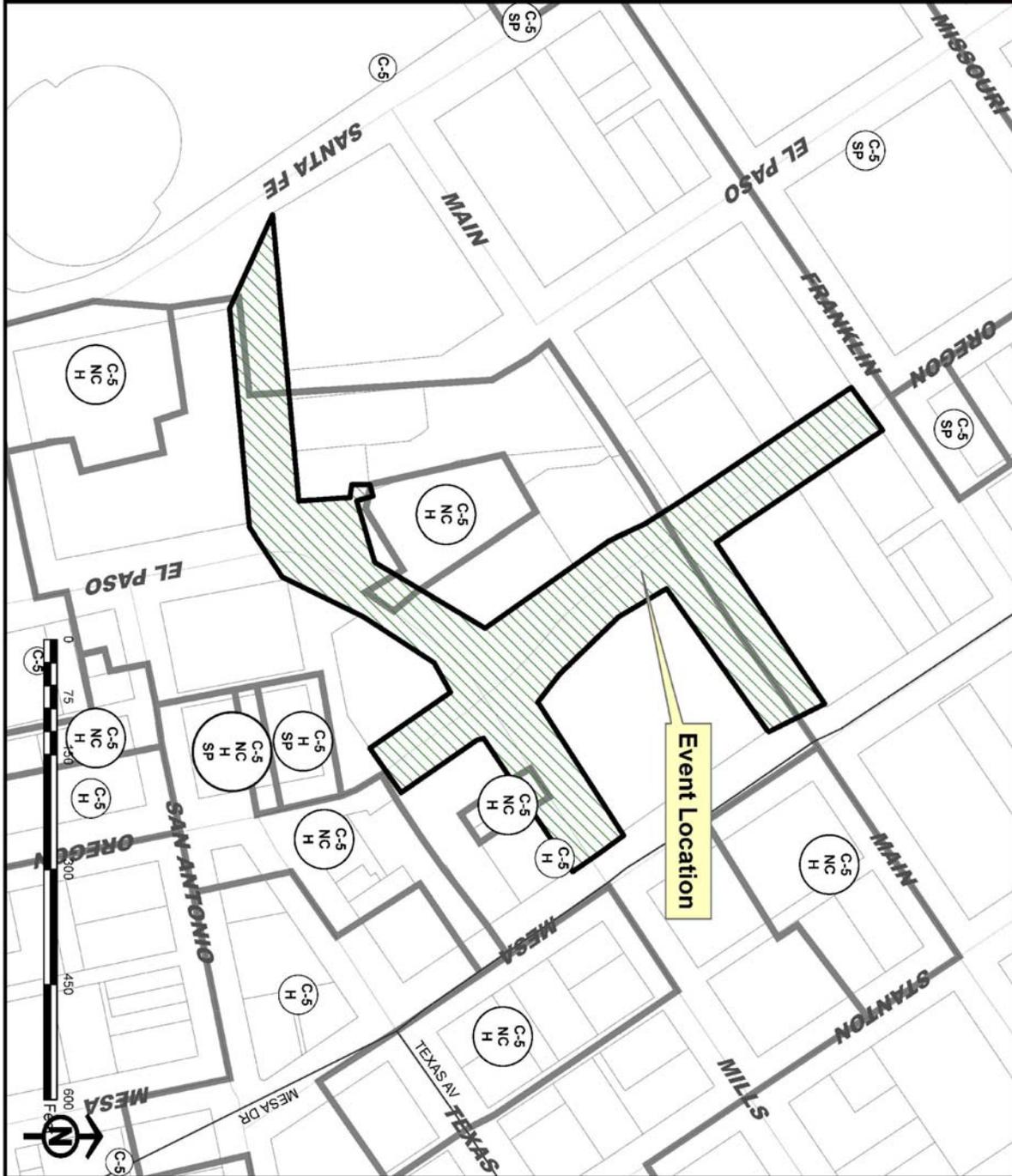
APPROVED AS TO CONTENT:

Sean McGlynn, Director
Museums and Cultural Affairs Department



LOCATION MAP

NESV11-00038



Department of Transportation

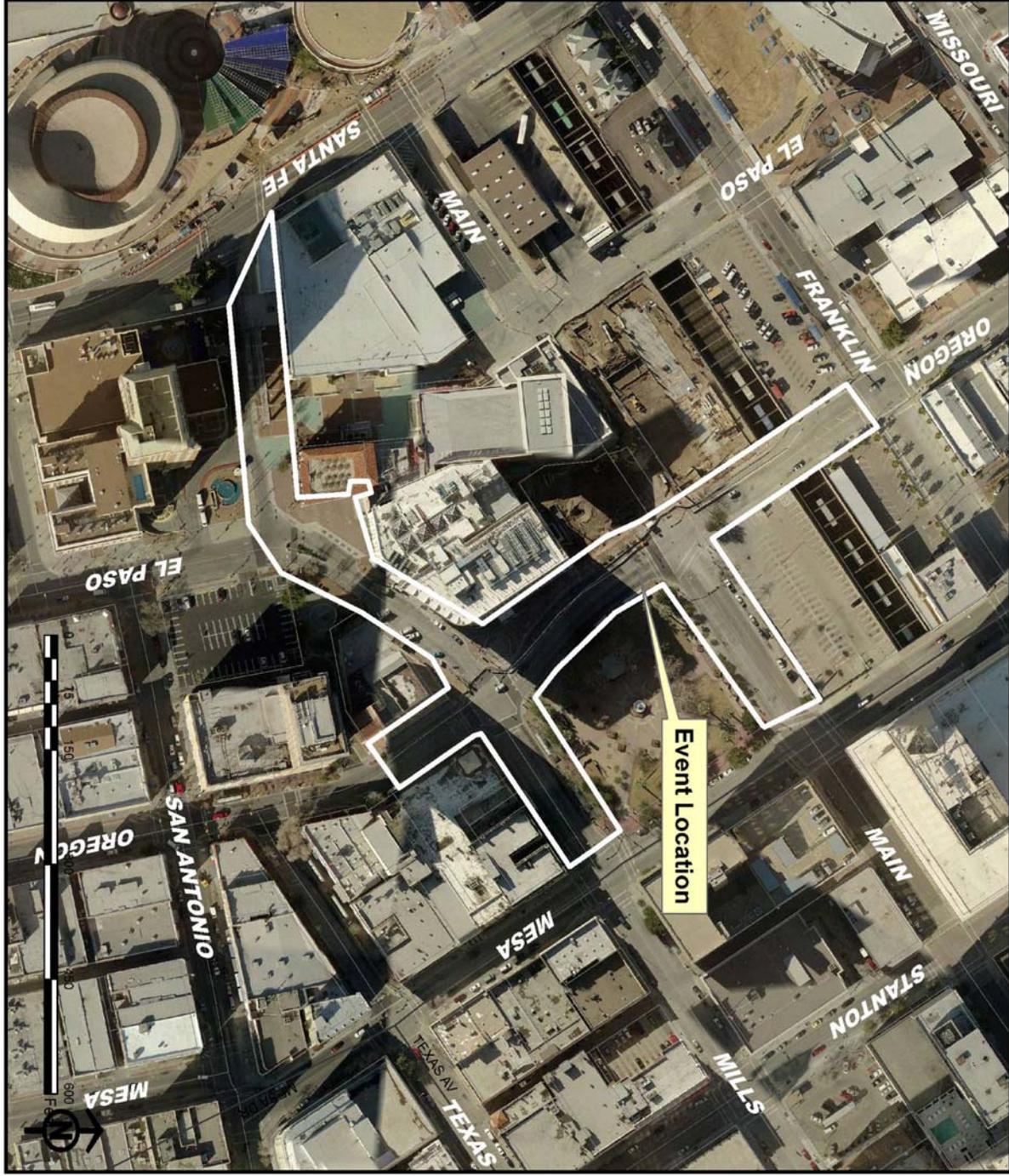
Daryl Cole, Director

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AERIAL MAP

NESV11-00038



Department of Transportation

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October 5, 2011

Museums and Cultural Affairs Department
2 Civic Center Plaza
El Paso, Texas 79901
Attn: Erika Villegas

Re: NESV11-00038, an outdoor street festival from 6:00 am Friday, October 14, 2011 to 7:00 am Monday, October 17, 2011.

The Development Coordinating Committee (DCC) on October 5, 2011 considered a request for a temporary right-of-way closure for more than 24 hours on portions of City rights-of-way on Oregon Street between Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, and Sheldon Court between El Paso Street and Santa Fe Street from 6:00 am Friday, October 14, 2011 to 7:00 am October 17, 2011 for Chalk the Block.

All Temporary special privilege requests shall comply with the following as conditions of the permit:

- Permittee shall comply with all provisions of Section 15.08.120 L (Special Privileges – Temporary Street Closures) of the El Paso City Code.
- Permittees shall ensure all traffic control mechanisms, signs, and devices are installed as shown in the approved Traffic Control Plan, incorporated herein and attached hereto as Exhibit “B” for the duration of the street closure. Failure to install or maintain traffic control mechanisms, signs and devices may result in a fine as per Section 12.30.160 (Traffic Control Devices – Violation) of the El Paso City Code.
- Permittee shall maintain an insurance policy of at least the following minimum amounts during the event:
 - \$1,000,000 per occurrence for injury, death or property damage per occurrence
 - \$1,000,000 general aggregate limit
 - Said insurance policy shall be issued by an insurance company authorized to do business in the state of Texas and shall provide in substance that the insurer will defend against all claims and lawsuits which arise and will pay any final judgment of a court of competent jurisdiction against the City, its officers, agents, servants or employees, and the Permittee, its agents, servants or employees.
 - Said insurance policy shall name the Permittee and the City as insured to the full amount of the policy limits.
- 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. 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.
- Coordinate with the El Paso Police Department-Central Regional Command Center Lt. Frank Hernandez (915) 577-5032 prior to the event. The Permittee shall coordinate with the Police

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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.

- 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. Drainage systems in the area must remain unimpeded. No perforations may be done to the sidewalks and pavement within public rights-of-way.
- Permittee shall coordinate with 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.
- 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
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