

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

DEPARTMENT: City Development Department

AGENDA DATE: October 15, 2013, Consent Agenda

CONTACT PERSON NAME AND PHONE NUMBER: Shamori Whitt, (915) 541-4477, whittSR@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

That the sale and service of alcoholic beverages by NV Ultra Lounge and Sun City Nightlife, within designated areas of the closed portions of City rights-of-way on San Antonio Avenue between Anthony Street and Durango Street, from 9:00 pm Wednesday, November 27, 2013 through 2:00 am Thursday, November 28, 2013, is a permissible activity in conjunction with The Night Before Thanksgiving (CSEV13-00030) District 8

BACKGROUND / DISCUSSION:

NV Ultra Lounge and Sun City Nightlife are seeking permission to sell and serve alcoholic beverages within the closed portions of City right-of-way during The Night Before Thanksgiving from 9:00 pm Wednesday, November 27, 2013 through 2:00 am Thursday, November 28, 2013.

A special privilege permit for The Night Before Thanksgiving (CSEV13-00030) was approved by the City Development Director 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.

Please note: The Night Before Thanksgiving is not a City Sponsored Event.

PRIOR COUNCIL ACTION:

This will be the second year for The Night Before Thanksgiving.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

The DMD AD Hoc Committee approved this event on November 7, 2013

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

DEPARTMENT HEAD:

**Mathew S. McElroy, Director
City Development Department**

Information copy to appropriate Deputy City Manager

R E S O L U T I O N

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

WHEREAS, NV Ultra Lounge (hereinafter referred to as “Grantee”) is sponsoring “The Night Before Thanksgiving” from 9:00pm Wednesday, November 27, 2013 through 2:00 am Thursday, November 28, 2013 (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 Sun City Nightlife (hereinafter referred 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 portions of City rights-of-way on San Antonio Avenue between Anthony Street and Durango Street, from 5:00 pm Wednesday, November 27, 2013 through 6:00 am Thursday, November 28, 2013, in conjunction with the proposed Event; and

WHEREAS, both the Grantee and Licensee desire to provide for the sale and service of alcoholic beverages within the designated areas of the closed portions of City rights-of-way; 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 on portions of the City rights-of-way during the Event.

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

That the sale and service of alcoholic beverages by NV Ultra Lounge and Sun City Nightlife, within designated areas of the closed portions of City rights-of-way on San Antonio Avenue between Anthony Street and Durango Street, from 9:00 pm Wednesday, November 27, 2013 through 2:00 am Thursday, November 28, 2013, is a permissible activity in conjunction with The Night Before Thanksgiving.

ADOPTED this 19th day of November, 2013.

THE CITY OF EL PASO

Oscar Leeser,
Mayor

(Signatures continue on following page)

ATTEST:

Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

Lauren K. Ferris
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department