

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

DEPARTMENT: City Development

AGENDA DATE: 12-11-2012, consent

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

A Resolution that the sale and service of alcoholic beverages by Kirby Productions, LLC in the closed portions of City rights-of-way on Stanton Street between Texas Avenue and Mills Avenue from 7:00 pm Monday, December 31, 2012 to 2:00 am Tuesday, January 1, 2013, is a permissible activity in conjunction with The Old Downtown Ball Drop New Year's Eve Bash (NESV12-00043) District 8.

BACKGROUND / DISCUSSION:

Kirby Productions, LLC is seeking permission to sell and serve alcoholic beverages within the closed portions of City right-of-way during The Old Downtown Ball Drop New Year's Eve Bash from 7:00 pm Monday, December 31, 2012, to 2:00 am Tuesday, January 1, 2013.

A special privilege permit (NESV12-00043) was approved by the Downtown Management District AdHoc 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 Downtown Management District (DMD) AdHoc Committee approved the special privilege (NESV12-00043) on December 6, 2012.

*****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, Kirby Productions, LLC (hereinafter referred to as “Grantee”) is sponsoring The Old Downtown Ball Drop New Year’s Eve Bash from Monday, December 31, 2012 through Tuesday, January 1, 2013 (hereinafter referred to as “Event”); and

WHEREAS, the Grantee assumes full responsibility for the planning, coordination, management and production of 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 twenty-four (24) hours on portions of City rights-of-way on Stanton Street between Texas Avenue and Mills Avenue from 8:00 am Monday, December 31, 2012 to 8:00 am Tuesday, January 1, 2013, in conjunction with the proposed Event; and

WHEREAS, the Grantee desires to provide for the sale and service 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 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 Kirby Productions, LLC in the closed portions of City rights-of-way on Stanton Street between Texas Avenue and Mills Avenue from 7:00 pm Monday, December 31, 2012 to 2:00 am Tuesday, January 1, 2013, is a permissible activity in conjunction with The Old Downtown Ball Drop New Year’s Eve Bash.

ADOPTED this 11th day of December, 2012.

THE CITY OF EL PASO

ATTEST:

John F. Cook,
Mayor

Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lauren Ferris
Assistant City Attorney

Mathew S. McElroy, Director
City Development Department