

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

DEPARTMENT: Planning & Inspections

AGENDA DATE: February 3, 2015, Consent

CONTACT PERSON/PHONE: Martin Camarillo, (915) 212-1506, camarillomx@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

A resolution that the temporary sale and service of alcoholic beverages by FGGSV, LLC d/b/a The Garden, in the closed portions of City rights-of-way on Western Street between Anthony Street and Durango Street Service Road from 11:00 a.m. to 10:00 p.m. Sunday, February 15, 2015 is a permissible activity in conjunction with FGGSV, LLC d/b/a The Garden's The Morning After Brunch, upon issuance of the required permits from the Texas Alcoholic Beverage Commission and the City of El Paso (CSEV15-00010) District 8.

BACKGROUND / DISCUSSION:

EVENT NAME: The Morning After Brunch

PERMIT CASE NUMBER: CSEV15-00010

EVENT DATE/HOURS: February 15, 2015, 11:00 a.m. to 10:00 p.m.

LOCATION: Western Street between Anthony Street and Durango Street Service Road

APPLICANT: FGGSV, LLC d/b/a The Garden

TABC PERMITTEE: FGGSV, LLC d/b/a The Garden

As per Section 15.08.120 (D) of the El Paso Municipal Code, the Special Privilege Permit (CSEV15-00010) event application was submitted to the Downtown Management District (DMD). Council must approve the sale and service of alcohol in the right-of-way in order for the applicant to proceed with the event as described in their application and obtain proper licensing from the Texas Alcoholic Beverage Commission (TABC). The Applicant assumes full responsibility for TABC Permittee and has provided event insurance in accordance with Section 15.08.120 (G).

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

The Downtown Management District Ad Hoc Committee APPROVED the Special Privilege Permit (CSEV15-00010) on January 26, 2015.

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

DEPARTMENT HEAD:

**Mathew S. McElroy, Director
Planning & Inspections Department**

RESOLUTION

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

WHEREAS, FGGSV, LLC d/b/a The Garden (hereinafter referred to as “Grantee”) is producing The Morning After Brunch to be open to the public from 11:00 a.m. to 10:00 p.m. Sunday, February 15, 2015 (hereinafter referred to as “Event”); and

WHEREAS, the Grantee has submitted an application for a Special Privilege Permit pursuant to Title 15.08.120 (D) of the El Paso Municipal Code, for the use and closure of portions of City rights-of-way on Western Street between Anthony Street and Durango Street Service Road and the walkway connecting West San Antonio Avenue and Western Street in conjunction with the Event; and

WHEREAS, the Grantee has indicated their intent to authorize the FGGSV, LLC d/b/a The Garden, (hereinafter referred as “TABC Permittee”) to provide for the temporary sale and service of alcoholic beverages within the identified closed portions of City rights-of-way during the Event; and

WHEREAS, the Texas Alcoholic Beverage Commission (TABC) 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 rights-of-way, prior to issuance of such permit; and

WHEREAS, the Grantee assumes full responsibility for the TABC Permittee, including verification that the Permittee has obtained a permit for the temporary sale and service of alcoholic beverages from the TABC prior to the Event.

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

That the temporary sale and service of alcoholic beverages by FGGSV, LLC d/b/a The Garden, in the closed portions of City rights-of-way on Western Street between Anthony Street and Durango Street Service Road from 11:00 a.m. to 10:00 p.m. Sunday, February 15, 2015 is a permissible activity in conjunction with FGGSV, LLC d/b/a The Garden’s The Morning After Brunch, upon issuance of the required permits from the Texas Alcoholic Beverage Commission and the City of El Paso.

APPROVED this ____ day of _____, 2015.

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Kristen L. Hamilton-Karam
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
Planning and Inspections Department

