

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

**DEPARTMENT:** Planning & Inspections

**AGENDA DATE:** March 31, 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, and the walkway connecting West San Antonio Avenue and Western Street from 11:00 a.m. to 11:00 p.m. Sunday, April 12, 2015 is a permissible activity in conjunction with FGGSV, LLC d/b/a The Garden's The Morning After Brunch (April), upon issuance of the required permits from the Texas Alcoholic Beverage Commission and the City of El Paso (CSEV15-00049) District 8.

**BACKGROUND / DISCUSSION:**

**EVENT NAME:** The Morning After Brunch (April)

**PERMIT CASE NUMBER:** CSEV15-00049

**EVENT DATE/HOURS:** April 12, 2015, 11:00 a.m. to 11:00 p.m.

**LOCATION:** Western Street between Anthony Street and Durango Street Service Road, and the walkway connecting West San Antonio Avenue and Western Street.

**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 (CSEV15-00049) 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

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**BOARD / COMMISSION ACTION:**

The Downtown Management District Ad Hoc Committee APPROVED the Special Privilege Permit (CSEV15-00049).

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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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 (April) to be open to the public from 11:00 a.m. to 11:00 p.m. Sunday, April 12, 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, and the walkway connecting West San Antonio Avenue and Western Street from 11:00 a.m. to 11:00 p.m. Sunday, April 12, 2015 is a permissible activity in conjunction with FGGSV, LLC d/b/a The Garden’s The Morning After Brunch (April), 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

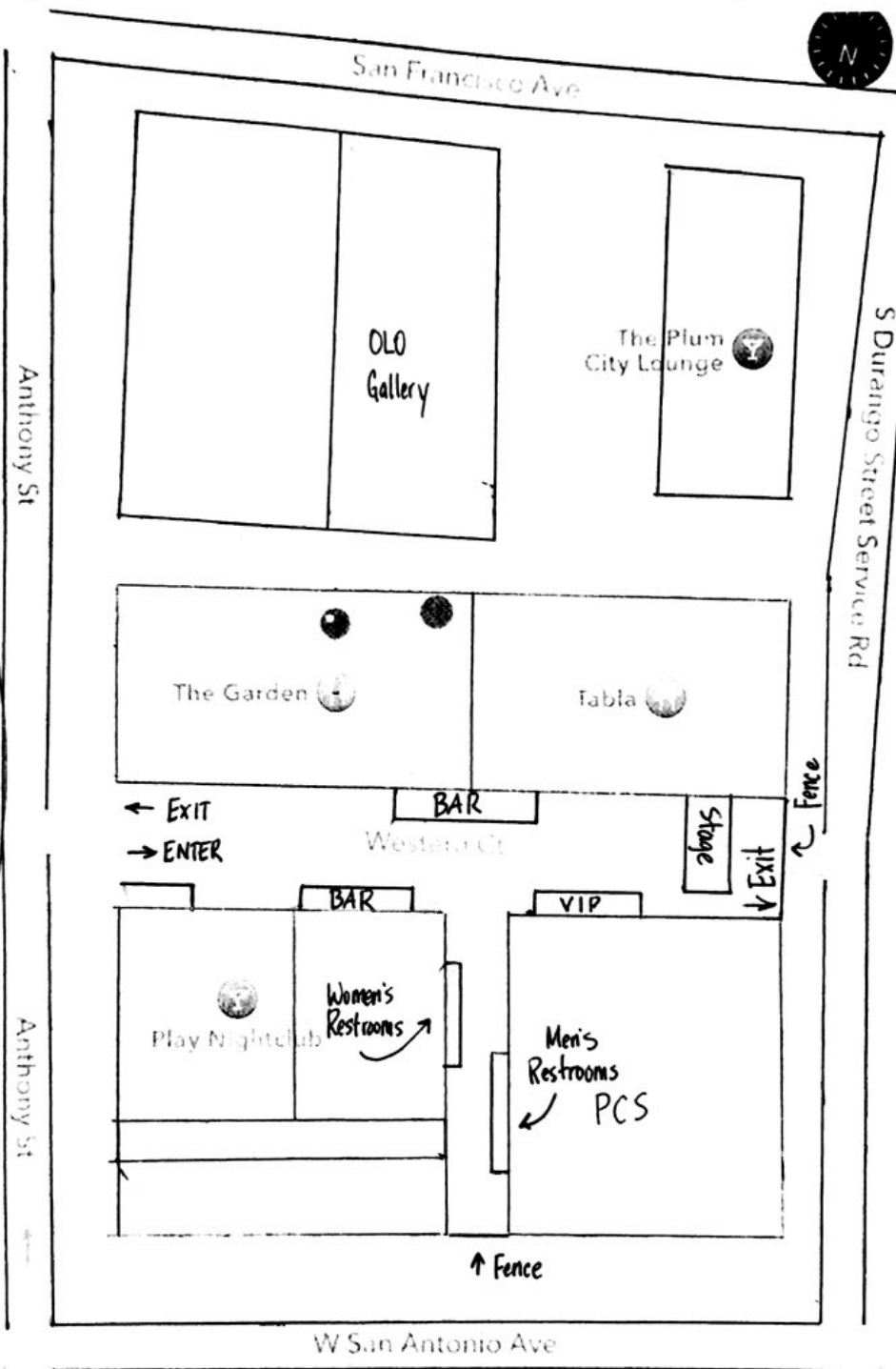
**APPROVED AS TO FORM:**

  
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Kristen L. Hamilton-Karam  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

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Mathew S. McElroy, Director  
Planning & Inspections Department

The Morning After Brunch



Cafe Italia  
Downtown