

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 11 Ordinance/Resolution# 12-008

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of July 5, 2011
(Adoption Date)

TITLE: A RESOLUTION APPROVING THE TRANSFER OF LOCATION OF STATE LIQUOR LICENSE #4012 TO WAL-MART STORES EAST, LP D/B/A WAL-MART #5155, LOCATED AT 1550 SOUTH VALLEY DRIVE, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To approve, disapprove, or not approve the transfer of location of a liquor license.

COUNCIL DISTRICT: 4		
<u>Drafter/Staff Contact:</u> Monica Campbell	<u>Department/Section:</u> Legal	<u>Phone:</u> 541-2128
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Pursuant to New Mexico Statutes, an application for the transfer of location of a liquor license must be accompanied by a resolution of the City Council approving of and consenting to the transfer after a public hearing.

Wal-Mart Stores East, LP d/b/a Wal-Mart #5155 applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for the transfer of location of State Liquor License #4012 to 1550 South Valley Drive, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on June 1, 2011.

The City Council is required to hold a public hearing within 45 days after the date of receipt of the preliminary approval from Alcohol and Gaming. A public hearing to review this issue is scheduled during the regular City Council meeting to be held on Tuesday, July 5, 2011, beginning at 1:00 p.m., in the City Council Chambers, City Hall, 700 North Main Street, Las Cruces, New Mexico. Notice of this public hearing was published in the *Las Cruces Bulletin* on June 17 and 24, 2011, and in the *Las Cruces Sun-News* on June 19 and 26, 2011.

Council may approve or disapprove the transfer. However, Council's disapproval must be based on substantial evidence that the transfer of the location of the license would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces.

Council may also fail to either approve or disapprove the license. If Council fails to approve or disapprove the license within 30 days after the public hearing, the Director of Alcohol and Gaming may give final approval of the license.

SUPPORT INFORMATION:

1. Resolution.
2. Alcohol and Gaming’s letter of preliminary approval with the application, Exhibit “A”.
3. Notice of Intent to Adopt – *Las Cruces Bulletin*, Attachment “1”.
4. Notice of Intent to Adopt – *Las Cruces Sun-News*, Attachment “2”.
5. Traffic Impact Report from the Traffic Engineering Section, Attachment “3”.
6. Liquor License Impact Report (zoning) from the Community Development Department, Attachment “4”.
7. Economic Development Report (registration and permits), Attachment “5”.
8. Criminal Activity Report from the Las Cruces Police Department, Attachment “6”.
9. Fire and Safety Compliance Report from the Las Cruces Fire Department, Attachment “7”.

SOURCE OF FUNDING:

Is this action already budgeted? N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the Fund.
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: <u>1015-10180020-520002, Permits-Liquor Licenses</u> in the amount of <u>\$600.00</u> for FY12.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve of and consent to the transfer of location of State Liquor License #4012 and Alcohol and Gaming will continue with the application process.
2. Vote "No"; this must be based on substantial evidence that the transfer of the location of the license would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces.
3. Vote to "Amend"; this is not permitted by the Liquor Control Act, NMSA 1978, Section 60-6B-4.
4. Vote to "Table"; this is not permitted by the Liquor Control Act, NMSA 1978, Section 60-6B-4.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 12- 008

A RESOLUTION APPROVING THE TRANSFER OF LOCATION OF STATE LIQUOR LICENSE #4012 TO WAL-MART STORES EAST, LP D/B/A WAL-MART #5155, LOCATED AT 1550 SOUTH VALLEY DRIVE, LAS CRUCES, NEW MEXICO.

The City Council of the City of Las Cruces is informed that:

WHEREAS, Wal-Mart #5155, located at 1550 South Valley Drive, Las Cruces, New Mexico, applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for the transfer of location of State Liquor License #4012; and

WHEREAS, on June 1, 2011, Alcohol and Gaming granted preliminary approval for the transfer of the license, as evidenced by their letter and the application; and

WHEREAS, pursuant to law, the application for transfer of a liquor license must be accompanied by a resolution of the City Council approving of and consenting to the transfer after a public hearing upon reasonable public notice of such hearing; and

WHEREAS, the City Council did on this date hold a public hearing after reasonable public notice setting forth the appropriate information concerning the public hearing. The City Council has considered the transfer of the liquor license and it has determined that the approval of said license is not detrimental to the public health, safety or welfare of the City of Las Cruces.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS CRUCES:

(I)

THAT the transfer of State Liquor License #4012 to Wal-Mart #5155, located at 1550 South Valley Drive, Las Cruces, New Mexico, is hereby approved.

(II)

THAT a copy of this Resolution shall be conveyed to the Director of the Alcohol and Gaming Division of the Regulation and Licensing Department, Post Office Box 25101, Santa Fe, New Mexico 87504-5101.

(III)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the hereinabove.

DONE AND APPROVED on this 5 day of July 2011.

ATTEST:

APPROVED:

City Clerk

Mayor

(SEAL)

Moved by: _____

Seconded by: _____

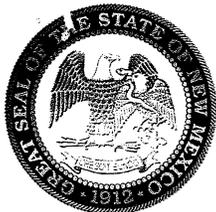
Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

APPROVED AS TO FORM:



City Attorney

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New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505
 (505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agg

June 1, 2011

Susana Martinez
GOVERNOR

Certified Mail No. 7003 2260 0006 7453 4351

J. Dee Dennis, Jr.
SUPERINTENDENT

City of Las Cruces
Attn: Ester Martinez, Clerk
PO Box 20000
Las Cruces, NM 88004

Gary J. Tomada
DIRECTOR

Re: License / App. No. Liquor License # 4012 / Application # 772026
 Applicant Name: Wal-Mart Stores East, LP
 Doing Business As: Wal-Mart #5155
 Proposed Location: 1550 S. Valley Drive, Las Cruces, NM

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses. *(Please review the revised instructions for approval or disapproval below.)

Greetings:

The referenced application and is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Within forty-five days after receipt of a notice from the Alcohol and Gaming Division, the governing body shall hold a public hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the public hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, which requires that two full weeks of publication must be satisfied before a hearing can be conducted. For example, the hearing cannot be conducted until a full week has elapsed after the second publication. The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the applicant of the date, time and place of the public hearing. The governing body may designate a hearing officer to conduct the hearing. A record shall be made of the hearing.

The applicant is requesting a Transfer of Location. The Division is in receipt of (2) Protest letters which are attached.

The governing body may disapprove the issuance or transfer of the license if:

- 1) The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the applicant/licensee has obtained a waiver from the local option district governing body for the proposed licensed premises.
- 2) The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a zoning statement from the governing body, this is not a basis for disapproval. Attached is a copy of a zoning statement from the local governing body.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

JUN - 3 2011

CITY ATTORNEY

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3) The issuance would be detrimental to the public health, safety or morals of the residents of the local option district. Disapproval by the governing body on public health, safety or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

*Within thirty (30) days after the public hearing, the governing body **shall** notify the Alcohol and Gaming Division ***in writing*** as to whether the local governing body has approved or disapproved the issuance of transfer of the license ***and*** by signing the enclosed original Page 1 of the application. **The letter of approval/disapproval and the Page 1 must be returned together with the notice of publication(s).** If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the public hearing, the director may give final approval to the issuance or transfer of the license.

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the minutes of the public hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (page 1 of the application page noting disapproval).

Sincerely,


Jackie Gallegos
Hearing Officer

Record Owner of License Wal-Mart Stores East, LP
Current D/B/A Name Wal-Mart Supercenter #4601
Current Premise Address 3661 Riconada Road, Las Cruces, NM

STATE OF NEW MEXICO
REGULATION AND LICENSING
DEPARTMENT
ALCOHOL AND GAMING DIVISION
P.O. BOX 25101
Santa Fe, New Mexico 87504-5101
505-476-4570

State Liquor License # 4012
Application Number 772026
Local Option (AGD use) Las Cruces
Liquor License Application
Non Refundable Application Fee- \$200.00

APR 18 2011
REGISTRO DE EMPRESAS
ALCOHOL AND GAMING DIVISION
Las Cruces, NM

4-25-11
Julie



R# 125077

Application is for: (check one) Change of Structure Transfer of Ownership and Location Transfer of Ownership of Existing License Issue New License Other

Applicant is: Individual Corporation Partnership (General or Limited) X Limited Liability Company

NAME OF APPLICANT (company or individual): Wal-Mart Stores East, LP TELEPHONE NUMBER 479-277-2768
702 SW 8th Street, Bentonville, AR 72716-0500

Notice also to: Linda L. Aikin, Esq., 530B Harkle Road, Santa Fe, NM 87505 PH: 505-982-6224 FAX: 505-982-0352

DBA Name to be used: Wal-Mart #5155 Phone Number for licensed premises 575-523-4924
Physical Address Where License is to be used: 1550 S. Valley Drive, Las Cruces, New Mexico 88005
(Street No./Highway No./State Road/City/County)

Mailing Address: 702 SW 8th Street, Bentonville, AR 72716-0500
(Street No./P.O. Box/City/State/Zip)

Are alcoholic beverages currently being dispensed at the proposed location? Yes If yes, give license number 4001

I, Joni Cottrell, as (title) Assistant Secretary being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by applicant to make this application; that he/she has read the same; knows the contents thereof and that all statements therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue said license or may cause such license to be revoked at any time.

Signature of Applicant(s) Joni Cottrell Date 4-7-11
Notary Public Use Only

SUBSCRIBED AND SWORN TO before me this 7 day of April, 2011 by Lori Cottrell (Name of Person(s) Signing Above)
NOTARY PUBLIC: Julie My Commission Expires: 9/7/2020

Local Governing Body of: _____ (CITY OR COUNTY) Hearing Held on: _____
PLEASE CHECK ONE: APPROVED DISAPPROVED CITY/COUNTY OFFICIAL (Signature and Title): _____

APPROVED _____ DISAPPROVED _____ DIRECTOR APPROVAL _____ AGD Use Only
DATE _____

PREMISES, LOCATION, OWNERSHIP & DESCRIPTION OF PREMISES

RECEIVED
APR 18 2011
ALCOHOL AND
GAMING DIVISION

1. The land and building which is proposed to be the licensed premise is (check one):

Owned by Applicant Leased by Applicant (attach copy of deed or lease) _____ Other (please provide details) _____

2. If the land and building are not owned by Applicant, please indicate the following:

A. Owner(s) _____

B. Date and Term of Lease _____

Attach a hand drawn map, zoning map, or other map, showing the location of the proposed premises, and the main adjacent streets, roads or highways, in relation to the church and school properties. This map should be drawn on a sheet of paper no larger than 8 1/2 x 11 inches.

3. Premise location is zoned (example C-1) _____ C-2 and M-1 _____

If the premise is zoned, attach zoning statement from local government giving location address, type of zone and stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church *(Property line of church to licensed premises-shortest distance).

Miles, Feet 3000 feet Name of Church First Assembly of God Church Address-Location of Church 1605 South Valley Drive, Las Cruces, NM

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5. Distance from nearest school *(Property line of school to licensed premises-shortest distance).

Miles, Feet 4200 feet Name of School MacArthur Elementary School Address-Location of School 655 Fourth Street, Las Cruces, NM

6. Distance from military installation (Property line of military installation to licensed premises-shortest distance).

M: 20 Miles Name of Military Installation White irtland Air Force Base

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premise. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total square footage of premises.

*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge _____ Restaurant _____ Package _____ X _____ Racetrack _____ Hotel _____ Other (Please specify) _____



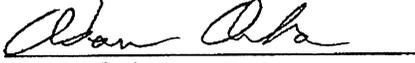
STATEMENT OF ZONING

The property located at 1550 S. Valley Drive, and having a Map Code Number or Parcel ID Number of 02-29439, in Las Cruces, New Mexico, is zoned as follows:

C-3C (Commercial High Intensity-Conditional)

The above described property located in the City of Las Cruces, New Mexico, has been reviewed and found to be zoned as indicated above in accordance with the Las Cruces Zoning Atlas. Accordingly, I do hereby approve and issue this Statement of Zoning.

April 20, 2011
Date


Adam Ochoa
Planner

Comments: The C-3 district facilitates and encourages development of those uses which provide retail, service, and wholesale activities within the City and a regional market and whose use generally serves a population of over 15,000. Conditions for this zoning designation are listed on Ordinance 2047, passed October 6, 2003. Retail packaged liquor sales is a permitted use in C-3 districts, provided all requirements as prescribed for liquor establishments by the State of New Mexico are met.

Please be advised that the information presented on this document is taken from the City of Las Cruces Zoning Atlas. Nothing shall prevent the City of Las Cruces from amending this information if review of the Zoning Ordinance shows the Atlas to be in error.

RECEIVED

MAY 11 2011

ALCOHOL AND
GAMING DIVISION

Protest



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505
PO Box 25101, Santa Fe, New Mexico 87504-5101
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agd

May 17, 2011

Susana Martinez
GOVERNOR

J. Dee Dennis, Jr.
SUPERINTENDENT

Gary J. Tomada
DIRECTOR

Rusty Armstrong
175 Esslinger Road
La Mesa, NM 88044

RE: Liquor License #4012, Wal-Mart

Dear Mr. Armstrong:

The Alcohol and Gaming Division received your letter dated May 8, 2011 protesting the issuance of a license to McDonald's in Wal-Mart in Las Cruces. While Wal-Mart is indeed requesting a license to sell package liquor (unopened containers), the McDonald's franchise located within the store would not be permitted to sell alcoholic beverages for on-premise consumption.

The license type being applied for is a Retailer license which does not allow consumption by the drink on premise. Additionally, McDonald's would be excluded from selling alcohol in the franchised area as only the license holder (Wal-Mart, in this case) can utilize a liquor license. Wal-Mart would be required to post signs that alcohol is not permitted in the area where McDonald's has their franchise. The floor plan that will potentially be approved by this Division will clearly exclude the McDonald's.

Thank you for bringing this matter to our attention. If the license is granted to Wal-Mart, we will ensure that both Wal-Mart and McDonald's adhere to all laws governing the sale of alcohol in New Mexico.

Please feel free to contact me at (505) 476-4550 or via e-mail at gary.tomada@state.nm.us if you have any further questions regarding this mater.

Sincerely,

Gary Tomada, Director
Alcohol and Gaming Division

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800



Juice PLUS[®]+

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May 8, 2011

lic # 4012

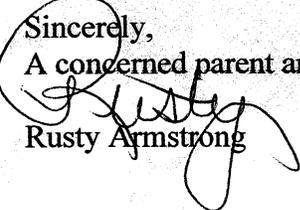
175 Esslinger Road
La Mesa, NM 88044

Alcohol and Gaming Division
P.O. Box 25101
Santa Fe NM 87504

Dear Sirs:

I'm writing in regard to the request for a liquor license at the McDonalds store in Walmarts in Las Cruces. I find it quite unbelievable that they even request such a thing at a store where children come and go at all hours of the day with their parents. I'm sure you have no intention of granting such a thing but felt I should get my letter to you to support you in denying it. Can you imagine the change of atmosphere around there with the dad's sitting in McDonalds (of all things) drinking while their family shops and then driving them home! What people are thinking never ceases to amaze me but I guess that's where we are these days. Thank you for thinking rationally about this and denying this very destructive development.

Sincerely,
A concerned parent and grandparent,


Rusty Armstrong



RUSTY ARMSTRONG

175 Esslinger Rd
La Mesa, NM 88044

505-233-2208
Fax: 505-233-2228

www.RustyArmstrong.com
rusty@armstrongequine.com



AD FORM
LAS CRUCES BULLETIN
LEGAL CLASSIFIED

City contact: Monica Campbell; 541-2014 / 541-2128

Proof of publication/bill to: City Clerk, PO Box 20000, Las Cruces, NM 88004

Dates to Publish: June 17 and 24, 2011

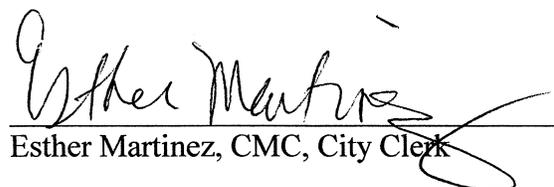
Copy to publish:

NOTICE OF INTENT TO ADOPT

Notice is hereby given that the Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of the Transfer of Location of State Liquor License #4012 to Wal-Mart #5155, located at 1550 South Valley Drive, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council to be held on Tuesday, July 5, 2011, at 1:00 p.m. in the City Council Chambers, 700 North Main Street, City Hall. If passed, the State of New Mexico Regulation & Licensing Department may approve the issuance.

Witness my hand and seal of the City of Las Cruces on this the 10th day of June 2011.



Esther Martinez, CMC, City Clerk



AD FORM
LAS CRUCES SUN NEWS
LEGAL CLASSIFIED

City contact: Monica Campbell; 541-2014 / 541-2128

Account No. 26484 (Bill to City Clerk, PO Box 20000, Las Cruces, NM 88004)

Dates to Publish: June 19 and 26, 2011

Copy to publish:

NOTICE OF INTENT TO ADOPT

Notice is hereby given that the Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of the Transfer of Location of State Liquor License #4012 to Wal-Mart #5155, located at 1550 South Valley Drive, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council to be held on Tuesday, July 5, 2011, at 1:00 p.m. in the City Council Chambers, 700 North Main Street, City Hall. If passed, the State of New Mexico Regulation & Licensing Department may approve the issuance.

Witness my hand and seal of the City of Las Cruces on this the 10th day of June 2011.



Esther Martinez, CMC, City Clerk



City of Las Cruces
PEOPLE HELPING PEOPLE

**INTER-DEPARTMENTAL
MEMORANDUM**

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TO: Harry "Pete" Connelly, City Attorney
FROM: Dan Soriano, Traffic Engineer, Public Works 
SUBJECT: Traffic Investigation Report
DATE: June 10, 2011

=====

As requested, Traffic Engineering has completed a traffic investigation for Wal-Mart Stores #5155 located at 1550 S. Valley Drive, Las Cruces, New Mexico. The following information is submitted for review:

- Valley Drive at this location carries approximately 16,241 vehicles per day.
- Valley Drive is operated as a four lane roadway and primarily serves commercial properties.
- Access to the property in question is off of Valley Drive and Avenida De Mesilla. No potential sight distance or operational problems exist.
- The speed limit on Valley Drive and Avenida De Mesilla is set at 35 mph.

The approval of a Liquor License Transfer at this location does not appear it will adversely impact traffic operations along this segment of roadway.

Should any additional information be needed, please contact me.



City of Las Cruces

To: Harry Connelly, Interim City Attorney

From: Adam Ochoa, Planner *OK for AO*

Re: Liquor License Impact Report, Wal-Mart Stores East, LP d/b/a/ Wal-Mart #5155

Date: June 10, 2011

M-11-125

Development Services staff has reviewed the request for a transfer of location of Liquor License No. 4012 for Wal-Mart Stores East, LP d/b/a/ Wal-Mart #5155 located at 1550 S. Valley Drive. Because this license is a transfer of location request and no actual change in the operation/activities at this location will occur, staff recommends approval of the request.

Cc: Cheryl Rodriguez

ECONOMIC DEVELOPMENT REPORT-WAL-MART #5155

From: Vicki Montez
Subject: RE: Report request - 2 liquor license applications

Both businesses do have business licenses and they are current.

From: Monica Campbell
Sent: Wednesday, June 08, 2011 1:31 PM
To: Vicki Montez
Cc: Cheryl Rodriguez; Christine Logan
Subject: Report request - 2 liquor license applications

The City has received two liquor license preliminary approval letters from Alcohol & Gaming:

1. El Tiburon Mariscos, 504 E. Amador Avenue, has applied for a Restaurant Liquor License.
2. Wal-Mart #5155, 1550 S. Valley, has applied for a Transfer of Location of a liquor license.

Please review the attached applications and report on the status of each applicant's applicable licenses and permits.

In order to meet the time limits and deadlines imposed by law, please submit the reports no later than **June 17, 2011**.

Monica Campbell
Legal Dept. Operations Analyst
City of Las Cruces
575-541-2014 / 575-541-2128
Fax 575-541-2017



LAS CRUCES POLICE DEPARTMENT
PO BOX 20000
217 E. Picacho
Las Cruces, New Mexico 88004

DATE: *June 20, 2011*
TO: *Pete Connelly, City Attorney*
From: *Richard Williams, Chief of Police*
Subject: *WAL-MART #5155*

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for Wal-Mart #5155 located at 1550 S. Valley Dr, Las Cruces, NM 88005.

No anomalies were found that would warrant denial of this license; therefore, I recommend the liquor license application for Wal-Mart be approved.

Richard Williams
Chief of Police

FIRE SAFETY AND COMPLIANCE REPORT – WAL-MART #5155

From: Billy Chaires
Subject: FW: Report request - 2 liquor license applications

These two locations are approved.

From: Monica Campbell
Sent: Wednesday, June 08, 2011 1:32 PM
To: Travis Brown; Steve Mims
Cc: Mary Helen Sarabia
Subject: Report request - 2 liquor license applications

The City has received two liquor license preliminary approval letters from Alcohol & Gaming:

1. El Tiburon Mariscos, 504 E. Amador Avenue, has applied for a Restaurant Liquor License.
2. Wal-Mart #5155, 1550 S. Valley, has applied for a Transfer of Location of a liquor license.

Please review the attached applications and prepare fire and safety compliance reports.

In order to meet the time limits and deadlines imposed by law, please submit the reports no later than **June 17, 2011**.

Monica Campbell
Legal Dept. Operations Analyst
City of Las Cruces
575-541-2014 / 575-541-2128
Fax 575-541-2017