



City of Las Cruces®

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Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 12-176

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of May 7, 2012
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING THE GAME SPORTS BAR & GRILL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA DURING THE ALBERT FOUNTAIN MURDER MYSTERY DINNER TO BE HELD ON MAY 11, 2012 AT THE AMADOR HOTEL, 180 WEST AMADOR, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To approve, modify, or not approve the sale of alcoholic beverages at the Amador Hotel on May 11, 2012.

COUNCIL DISTRICT: 1		
<u>Drafter/Staff Contact:</u> Monica Campbell	<u>Department/Section:</u> Legal/City Attorney	<u>Phone:</u> 541-2128
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Game Sports Bar & Grill is requesting approval to sell alcoholic beverages for consumption during the Albert Fountain Murder Mystery Dinner, which is being held in support of the Amador Hotel Foundation.

Authorization by the City Council is required 1) because the Amador Hotel is City property; and 2) prior to submission of the Special Dispenser Permit Application ("Application") to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming"). Final approval by Alcohol and Gaming would allow alcoholic beverages to be sold from 5:00 p.m. to 11:00 p.m. within a restricted and secured area inside the Amador Hotel on May 11, 2012.

Approval of the Application will also comply with the requirements of the Las Cruces Municipal Code, Section 5-1, which restricts alcohol consumption in public places to areas approved by Alcohol and Gaming only.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A". Special Dispenser Permit Application.
3. Attachment "1". List of servers.
4. Attachment "2". Drawing of the Amador Hotel showing the licensed area.

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>\$25.00</u> for <u>FY12</u> .	
	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 the sale of alcoholic beverages for consumption within a restricted and secured area inside the Amador Hotel on May 11, 2012 from 5:00 p.m. to 11:00 p.m.
2. Vote "No"; this will result in no alcoholic beverages being sold at the Amador Hotel on May 11, 2012. The Director of Alcohol and Gaming may issue the Special Dispenser Permit provided that the City Council has given written approval for the permitting process to continue.

(Continue on additional sheets as required)

3. Vote to "Amend"; this may include such items as limiting the hours of service. Any amendments must comply with city ordinance, state statute and/or the requirements of Alcohol and Gaming.
4. Vote to "Table"; this may result in no alcoholic beverages being sold at the May 11, 2012 event.

REFERENCE INFORMATION:

N/A.

RESOLUTION NO. 12-176

A RESOLUTION AUTHORIZING THE GAME SPORTS BAR & GRILL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA DURING THE ALBERT FOUNTAIN MURDER MYSTERY DINNER TO BE HELD ON MAY 11, 2012 AT THE AMADOR HOTEL, 180 WEST AMADOR, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, The Game Sports Bar & Grill is requesting approval to sell alcoholic beverages at the Amador Hotel during the Albert Fountain Murder Mystery Dinner, which is being held in support of the Amador Foundation; and

WHEREAS, approval by the City Council is required prior to submission of the Special Dispenser Permit Application, attached as Exhibit "A", to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming"); and

WHEREAS, final approval by Alcohol and Gaming would allow alcoholic beverages to be sold for consumption from 5:00 p.m. to 11:00 p.m. within a restricted and secured area inside the Amador Hotel on May 11, 2012; and

WHEREAS, approval of the Special Dispenser Permit Application will also comply with the requirements of the Las Cruces Municipal Code, Section 5-1, which restricts alcohol consumption in public to areas approved by Alcohol and Gaming only.

NOW, THEREFORE, Be it resolved by the governing body of the city of Las Cruces:

(I)

THAT The Game Sports Bar & Grill is hereby authorized to continue with the permitting process to allow alcoholic beverages to be sold for consumption within a

restricted and secured area inside the Amador Hotel on May 11, 2012, from 5:00 p.m. to 11:00 p.m.

(II)

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

DONE AND APPROVED on this _____ day of _____, 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

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

APPROVED AS TO FORM:



City Attorney

ALCOHOL & GAMING DIVISION
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12)

Fee Per day: 390.00 Public Celebrations
325.00 Private Event (Catered) (all fees are non refundable)
A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

LICENSE HOLDER INFORMATION

Liquor License # 2732

Business Name (DBA) THE GAME STOP'S BAR & GRILL Owner Name MARCI DICKERSON Local Option District LAS BRUCES
Street Address 2605 S. ESPINA Mailing Address PO Box 161
City, State & Zip FRENCHES, NY 88033 Telephone # (575) 644-0778 Fax # (575) 526-0880

EVENT INFORMATION

Description of Event RECEPTION Date(s) of Event 5/11 Begin Time 5PM End Time 11PM
Physical Address of Event 180 W. ANADOR ANADOR HOTEL Number of Persons expected 50
Description of Security SECURITY CONCEPTS Number of Security personnel to be at this function 1
Security Contact Name DAVE MADSEN Telephone # (575) 636-7204

SPONSOR INFORMATION

Sponsor of Event Helping Hands Contact Name Dawn Sparrow Signature Dawn Sparrow Telephone # (575) 644-5884
BUILDING OWNER APPROVAL

Name (print) Robert Garza Signature Robert Garza Telephone # 575-541-2076 Date _____

LICENSE HOLDER & SERVER CERTIFICATION: I, MARCI DICKERSON (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that event is not within 300 Ft. of a church or school unless alcoholic beverages were sold there prior to July 1, 1981 or a waiver is obtained from the local governing body. I further certify that all persons providing the service of alcoholic beverages are server certified and that they are my employees and that ALL the information in this application is true and correct.

NOTE: List of servers including name, server permit # and server expiration date must be attached to permit application.
Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) MARCI DICKERSON Signature (Licensee Only) [Signature] Date 4/10/12
All profits derived from the sale of liquor will go only to the licensee. Only the owner or authorized person under this license may sign the permit. (seal)

Subscribed and Sworn before me this 10th day of April, 2012 Notary Public [Signature] Exp. 07.21.2015
LOCAL GOVERNING BODY APPROVAL [Signature]

Print Name Robert Garza Title City Manager Signature _____ Date _____

ALCOHOL & GAMING DIVISION USE ONLY
Approved by: _____ Date _____ Permit Number _____
Attachments: 1) Floor plan 2) Fees (listed on top of page) 3) Server information list

Brian Mares	#146977	Exp 04/21/14
Katrina Dixon	#130021	Exp 06/03/13
Kathryn Thomas	#130021	Exp 08/18/13
Chase Roberts	#216135	Exp 10/27/13
Delaine Charlie	#231542	Exp 09/05/14
Rebecca Rosnick	#210513	Exp 06/17/13
Lucas Taylor	#52243	Exp 07/16/13

180 W AMADOR

AMADOR HOTEL

