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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 13-053

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of October 15, 2012
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING THE DONA ANA ARTS COUNCIL, INC. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE RENAISSANCE ARTSFAIRE TO BE HELD NOVEMBER 3 AND 4, 2012 AT YOUNG PARK, 850 WALNUT, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

Authorize continuation of the permitting process.

COUNCIL DISTRICT: 3		
Drafter/Staff Contact: Monica Campbell	Department/Section: Legal/City Attorney	Phone: 541-2128
City Manager Signature: 		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

One of the largest annual cultural events in Southern New Mexico is the Renaissance ArtsFaire ("ArtsFaire"), a juried arts show that showcases local and regional artists and crafts people, with entertainment and a wine tasting event promoting New Mexico wines.

The Dona Ana Arts Council, Inc. ("DAAC") is a nonprofit corporation that plans and organizes the ArtsFaire. DAAC is requesting approval to sell wine for consumption in a restricted and secured area to be known as the Imperial Wine Garden during the ArtsFaire. The Imperial Wine Garden will be located at the pavilion in Young Park.

Approval by the City Council is required prior to the submission of the Public Celebration Permit Applications 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 wine to be sold within the restricted and secured area during the following specific dates and times:

Saturday	November 3, 2012	10:00 a.m. to 5:00 p.m.
Sunday	November 4, 2012	12:00 p.m. to 5:00 p.m.

(Continue on additional sheets as required)

The authorization of the Public Celebration Permit Applications will 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.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A". Public Celebration Permit Application, St. Clair Winery & Tasting Room, LLC, Wine Grower License Number 6130.
3. Exhibit "B". Public Celebration Permit Application, St. Clair Winery & Bistro V, LLC, Wine Grower License Number 6161.

SOURCE OF FUNDING:

N/A	Is this action already budgeted?	
	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
		See fund summary below
		If No, then check one below:
		Expense reallocated from: _____
		Proposed funding is from a new revenue source (i.e. grant; see details below)
		Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>
	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 wine for consumption within a restricted and secured area at Young Park during the Renaissance ArtsFaire on November 3 and 4, 2012. Approval will allow Alcohol and Gaming to continue with the permitting process.

(Continue on additional sheets as required)

2. Vote "No"; this will mean that no wine will be served at the Renaissance ArtsFaire on November 3 and 4, 2012. The Alcohol and Gaming Director may issue the Public Celebration Permits for the ArtsFaire provided that the City Council has given written approval for the permitting process to continue.
3. Vote to "Amend"; this could include such items as changing the dates or times that wine is sold. Any amendments must comply with city ordinance, state statute, and/or the requirements of Alcohol and Gaming.
4. Vote to "Table"; this could result in no wine being sold at the ArtsFaire. Alcohol and Gaming requires receipt of the Public Celebration Permits at least ten days before the scheduled event.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A.

RESOLUTION NO. 13-053

A RESOLUTION AUTHORIZING THE DONA ANA ARTS COUNCIL, INC. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE RENAISSANCE ARTSFAIRE TO BE HELD NOVEMBER 3 AND 4, 2012 AT YOUNG PARK, 850 WALNUT, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, the Renaissance ArtsFaire ("ArtsFaire") is an annual event held the first full weekend in November which is planned and organized by the Dona Ana Arts Council, Inc. ("DAAC"), a New Mexico nonprofit corporation; and

WHEREAS, the DAAC is requesting approval to offer wine for sale and consumption at the ArtsFaire; and

WHEREAS, approval by the City Council is required prior to submission of the Public Celebration Permits 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 wine to be sold for consumption within a restricted and secured area to be known as the Imperial Wine Garden during the ArtsFaire; and

WHEREAS, such approval of the Public Celebration Permits will 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 Dona Ana Arts Council is hereby authorized to continue with the permitting process for the Public Celebration Permits, attached hereto as Exhibits "A"

and "B", to allow wine to be sold for consumption within a restricted and secured area to be known as the Imperial Wine Garden during the Renaissance ArtsFaire as follows:

Saturday	November 3, 2012	10:00 a.m. to 5:00 p.m.
Sunday	November 4, 2012	12:00 p.m. to 5:00 p.m.

(II)

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

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

APPROVED:

ATTEST:

Mayor

City Clerk

(SEAL)

VOTE:

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

ALCOHOL & GAMING DIVISION
PUBLIC CELEBRATION PERMIT APPLICATION WINEGROWER & SMALL BREWER LICENSE HOLDERS
(60-6A-11 / 60-6A-26.1 NMSA)
FEES ARE \$10 PER DAY -
Fees are non-Refundable

Instructions - Please Read Carefully

APPLICATION WILL BE RETURNED IF INCOMPLETE

APPROVED AS TO FORM:
[Signature]
CITY ATTORNEY

LICENSE HOLDER INFORMATION:

Business Name (DBA) St. Clair Winery Owner Name St. Clair Winery & Tasting Room, LLC License # 6130
Street Address: 1325 De Baca Rd SE City State Zip Deming, NM 88031 County Luna
Phone Number: 575-546-1179 Fax number: 575-546-2027

EVENT INFORMATION: Celebration type: State Fair _____ County Fair _____ Community Fiesta _____ Cultural/Artistic Performance XX

Date: Sat. Sun. Nov. 3rd & 4th, 2012 Begin/end Time 10:00am - 5:00pm Sat. & 12:00 - 5:00 Sun.

Description of Celebration: This juried art show showcases local and regional artists, crafts-people and entertainer, with a wine tasting event promoting NM Wines.

Number of Security to be Provided 2 per day Company: DAAC Number of Guests Expected: approx. 200 Sat. 100 Sun.

Contact Name & Number: Summer Irvin 575-523-6403

Physical Address of Event: Young Park, 850 Walnut 1905 Nevada Ave City: Las Cruces County: Dona Ana

SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration: Dona Ana Arts Council Signature: *[Signature]*
Contact Name(print) Summer Irvin Title: Events Coordinator Date: 9/10/12

LICENSE HOLDER CERTIFICATION: I Florent Lescombes (Licensee) hereby certify that this 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 ALL information in this application is true and correct. Licensee Signature: _____

Subscribed and Sworn To Before Me This 1st day of September 20 12 Notary Public: Vanessa J. Daniels Exp. 12/01/2012

BUILDING OWNER CONSENT
Contact Name Dei Vasconcellos Facility Name Young Park Date 9-18-12 Signature *[Signature] Phone 575-573-6403*

LOCAL GOVERNING BODY APPROVAL/ACKNOWLEDGMENT
Print Name Robert Garza Title City Manager Date: 9/24/12 Signature *[Signature]* Phone 541-2076 Fax 541-2119

Alcohol and Gaming Division Use Only
Approved By: _____ Date: _____ Permit # _____

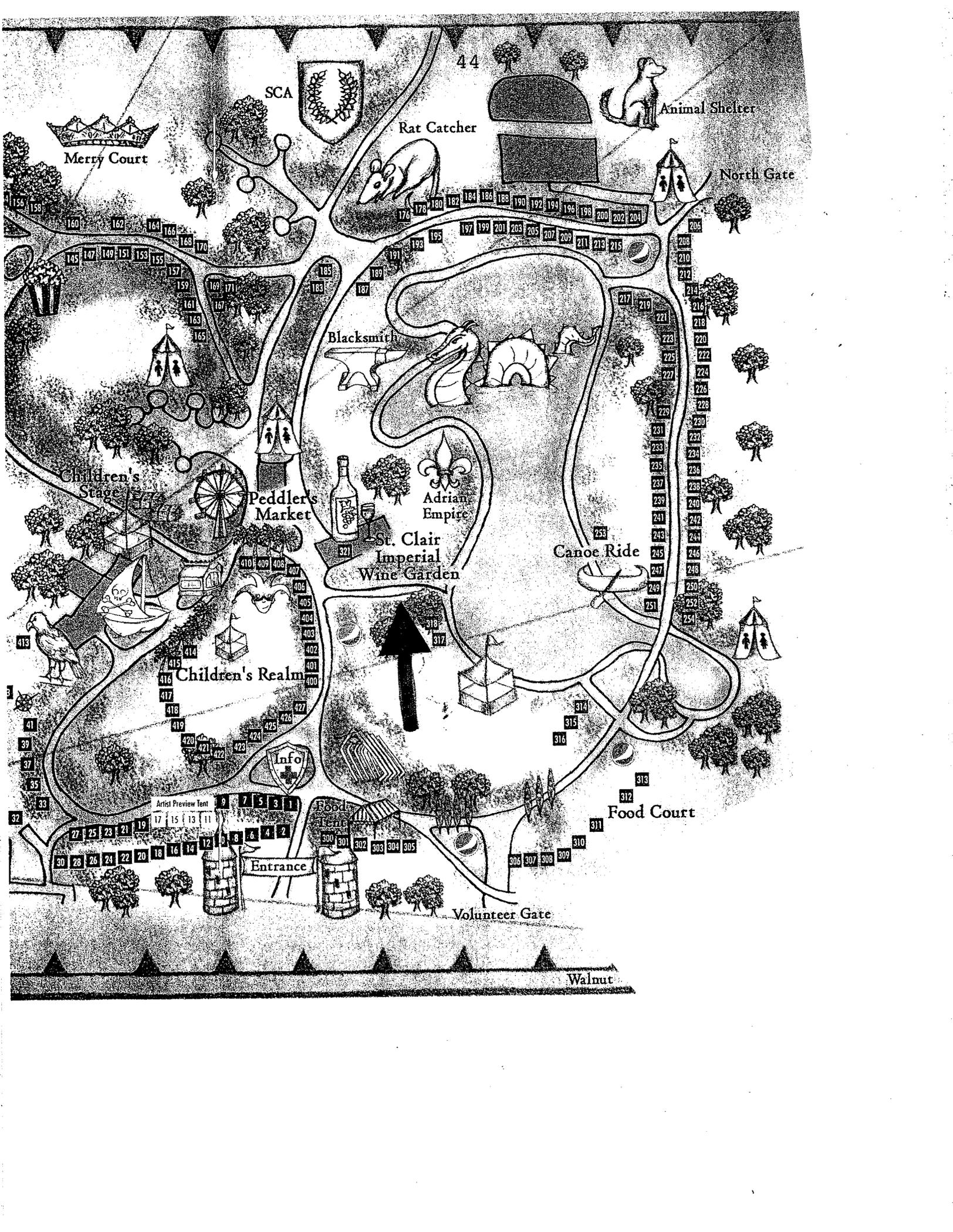
PLEASE INCLUDE LIST OF SERVERS AND THEIR SERVER PERMIT NUMBER WHO WILL BE AT THE EVENT. A DETAILED FLOOR PLAN MUST ALSO BE SUBMITTED DESIGNATING RESTRICTED AND UNRESTRICTED AREAS.

St. Clair Winery & Tasting Room, Deming, NM. Event Servers License Information

All Server Permit Information are kept on file at the Managers Office in Deming NM.

All Servers are required to carry the original certificate when dispensing alcohol.

Name	server #	expires
Benningfield, Joshua	#210189	6/9/13
Borrego, Amanda	#212734	8/6/13
Cepeda, Nancy	105525	3/19/2013
Contreras, Isaac	#205297	2/18/13
Dallman, Marisela	#216001	10/23/13
Emery, Jennifer	#65565	5/19/16
Ford, Dana	#213975	8/20/13
Garcia, Joshua	#201426	11/14/12
Gutierrez, Crystal	#233164	10/2/14
Hart, Micheal	214238	8/25/2013
Hayes, Connie	#165853	5/5/15
Jameson, Jessica	#219238	1/5/14
Knapp, Ken	#219584	1/6/14
Lawrence, Sarah	#220182	1/9/14
McCraw, Judd	#217934	12/10/13
Paulk, Terri	#202859	1/4/13
Pedraza, Esperanza	227486	7/7/14
Quarrell, Jennifer	#110573	6/9/13
Robinson, Lora	#232072	9/22/14
Scudder, Kristen	#204626	2/6/13



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SCA



Rat Catcher



Animal Shelter

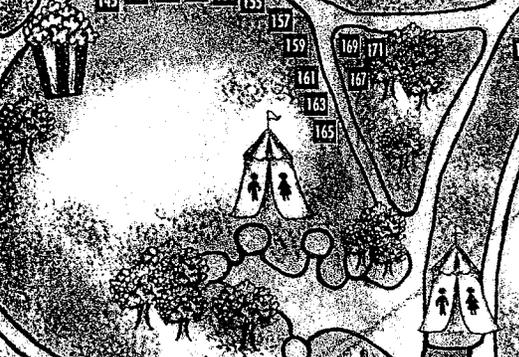


Merry Court



North Gate

154 158 160 162 164 166 168 170 145 147 149 151 153 155 157 159 161 163 165 167 169 171 173 175 176 178 180 182 184 186 188 190 192 194 196 198 200 202 204 191 193 195 197 199 201 203 205 207 209 211 213 215 208 210 212 214 216 218 220 222 224 226 228 230 232 234 236 238 240 242 244 246 248 250 252 254 217 219 221 223 225 227 229 231 233 235 237 239 241 243 245 247 249 251



Children's Stage

Peddler's Market



Blacksmith



St. Clair Imperial Wine Garden

Adrian Empire

Canoe Ride



Children's Realm

318 317 316 315 314 313 312 311 310 408 407 406 405 404 403 402 401 400 418 417 416 415 414 413 412 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500



Info

Artist Preview Tent 9 7 5 3 1 17 15 13 11 27 25 23 21 19 30 28 26 24 22 20 18 16 14 12 10 8 6 4 2 300 301 302 303 304 305 306 307 308 309 310 311

Entrance

Food Tent

Food Court

Volunteer Gate

Walnut

ALCOHOL & GAMING DIVISION
PUBLIC CELEBRATION PERMIT APPLICATION WINEGROWER & SMALL BREWER LICENSE HOLDERS
(60-6A-11 / 60-6A-26.1 NMSA)
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APPROVED AS TO FORM:
[Signature]
CITY ATTORNEY

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LICENSE HOLDER INFORMATION:

Business Name (DBA) St. Clair Winery & Bistro Owner Name St. Clair Winery & Bistro V, LLC License # 6161
Street Address: 1720 Avenida de Mesilla City State Zip Las Cruces, NM 88007 County Dona Ana
Phone Number: 575-546-1179 Fax number: 575-546-2027

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1905 Nevada Ave

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Contact Name(print) Summer Irvin Title: Events Coordinator Date: 9/16/12

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Subscribed and Sworn To Before Me This 10th day of September 2012 Notary Public: *[Signature]* Exp. 12/09/2012

BUILDING OWNER CONSENT
Contact Name Cecilia Vasquez Facility Name Young Park Date 9-18-12 Signature *[Signature]* Phone 575-523-6403

LOCAL GOVERNING BODY APPROVAL/ACKNOWLEDGMENT
Print Name Rohert Garza Title City Manager Date: 9/24/12 Signature *[Signature]* Phone 575-541-2070 Fax 541-2119

Alcohol and Gaming Division Use Only
Approved By: _____ Date: _____ Permit # _____

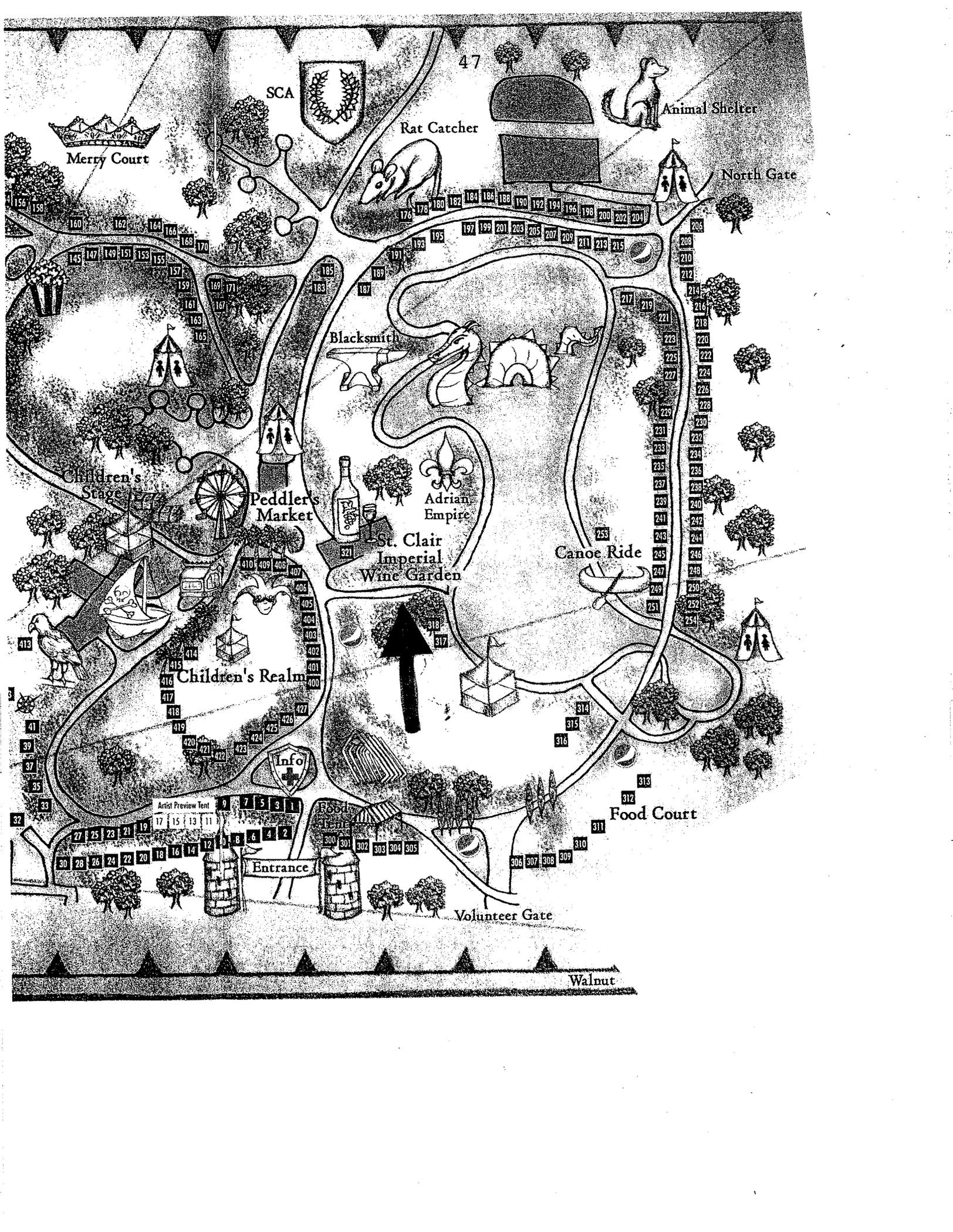
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SCA



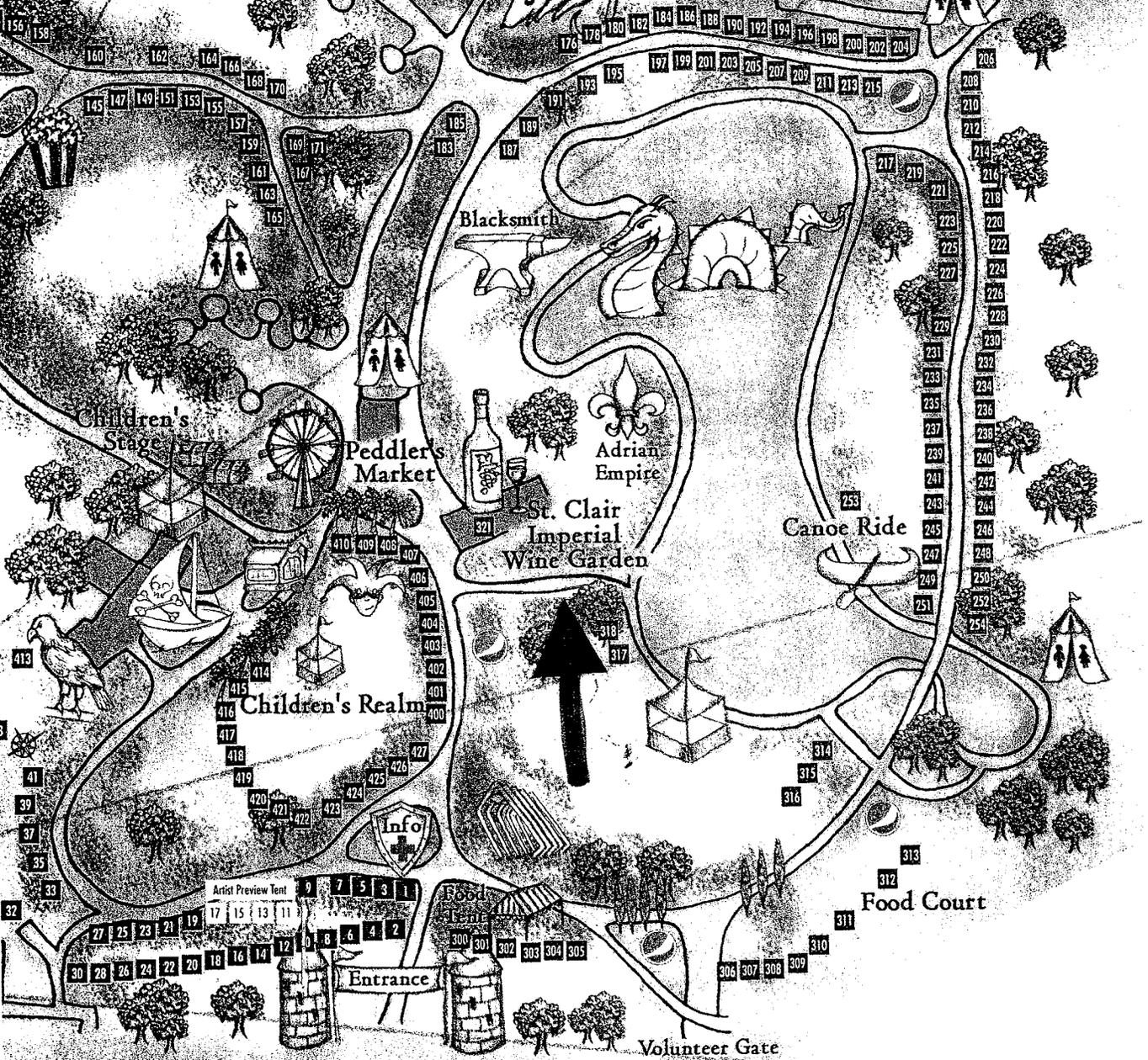
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