

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 2 Ordinance/Resolution# 14-059

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of October 7, 2013
(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 2 AND 3, 2013 AT YOUNG PARK, 860 SOUTH WALNUT STREET, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To authorize continuation of the permitting process.

COUNCIL DISTRICT: 3		
<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:

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. 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 2, 2013	10:00 a.m. to 6:00 p.m.
Sunday	November 3, 2013	11:00 a.m. to 6:00 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.
4. Attachment "1". Map of ArtsFaire area showing the Imperial Wine Garden at the pavilion in Young Park.
5. Attachment "2". List of servers.

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>1000-10180010-520002</u> in the amount of <u>\$50.00</u> for <u>FY14</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

(Continue on additional sheets as required)

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 2 and 3, 2013. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that no wine will be served at the Renaissance ArtsFaire on November 2 and 3, 2013. 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.

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.

(Continue on additional sheets as required)

RESOLUTION NO. 14-059

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 2 AND 3, 2013 AT YOUNG PARK, 860 SOUTH WALNUT STREET, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, the Renaissance ArtsFaire (“ArtsFaire”) is an annual cultural event held the first full weekend in November; and

WHEREAS, the ArtsFaire 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 Permit Applications 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 during the ArtsFaire; and

WHEREAS, approval 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 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 Permit Applications, attached hereto as Exhibits "A" and "B", to allow wine to be sold for consumption within a restricted and secured area during the Renaissance ArtsFaire as follows:

Saturday	November 2, 2013	10:00 a.m. to 6:00 p.m.
Sunday	November 3, 2013	11:00 a.m. to 6:00 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 _____, 2013.

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

New Mexico Regulation and Licensing Department Alcohol & Gaming Division
P.O. Box 25101 Santa Fe, NM 87504-5101 (505) 476-4875 Fax (505) 476-4595 www.rld.state.nm.us/agg

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

LICENSE HOLDER INFORMATION:

Business Name (DBA) St. Clair Winery Owner Name St. Clair Winery & Tasting Room, LLC License Number 6130
Street Address: 1325 De Baca RD SE City Deming, NM 88030 County Luna
Phone Number: 575-546-1179 Jennifer Fax number: 575-546-7905

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

Date(s) of Celebration: Nov 2nd & 3rd Begin Time Sat 10am Sun 11am End Time: 6pm
Description of Celebration: _____

Number of Security to be Provided: 2 Company: DMAC Volunteers Number of Guests Expected: ~100

Contact Name & Number: Melissa Baulera County: Dona Ana
Physical Address of Event: Young Park 1905 E Nevada Ave City: Las Cruces

SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration: New Mexico Wine Growers Association
Contact Name (print) Kathleen Albert Title: Exec. Director Date: 9/3/13 Signature: Kathleen Albert

LICENSE HOLDER CERTIFICATION:
This form must be signed and dated in the presence of a notary public.
I Florent Lesscombes (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: _____ Date: 07/24/2012

Notary Information
Subscribed and Sworn To Before Me This 24th day of July 2013 Notary Public: Vinice Elenillo Exp. 05/01/2017

BUILDING OWNER CONSENT
Contact Name _____ Facility Name: _____ Date _____ Signature _____ Phone _____

LOCAL GOVERNING BODY APPROVAL/ ACKNOWLEDGMENT
Print Name _____ Title _____ Date _____ Signature _____ Phone _____ Fax _____

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

New Mexico Regulation and Licensing Department Alcohol & Gaming Division
P.O. Box 25101 Santa Fe, NM 87504-5101 (505) 476-4875 Fax (505) 476-4595 www.rld.state.nm.us/agd

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

LICENSE HOLDER INFORMATION:

Business Name (DBA) St Clair Winery & Bisto Owner Name St Clair Winery & Bisto LLC License Number Callal
Street Address: 1720 Avenida de Mesilla City Cas Arcees NM Zip 88007 County Dona Ana
Phone Number: 575-546-1179 Jennifer Fax number: 575-546-7905

EVENT INFORMATION: Celebration type: State Fair County Fair Community Fiesta Cultural/Artistic Performance
Date(s) of Celebration: Nov. 29-30, 2013 Begin Time Sat 11am End Time: Sat 6pm Sun 6pm

Description of Celebration: Renaissance Arts Faire
Number of Security to be Provided: 2 Company: NAC Volunteers Number of Guests Expected: ~100

Contact Name & Number: Melissa Aguilera
Physical Address of Event: Young Park 1905 E Nevada Ave Las Arcees County Dona Ana
860 S. Walnut St.

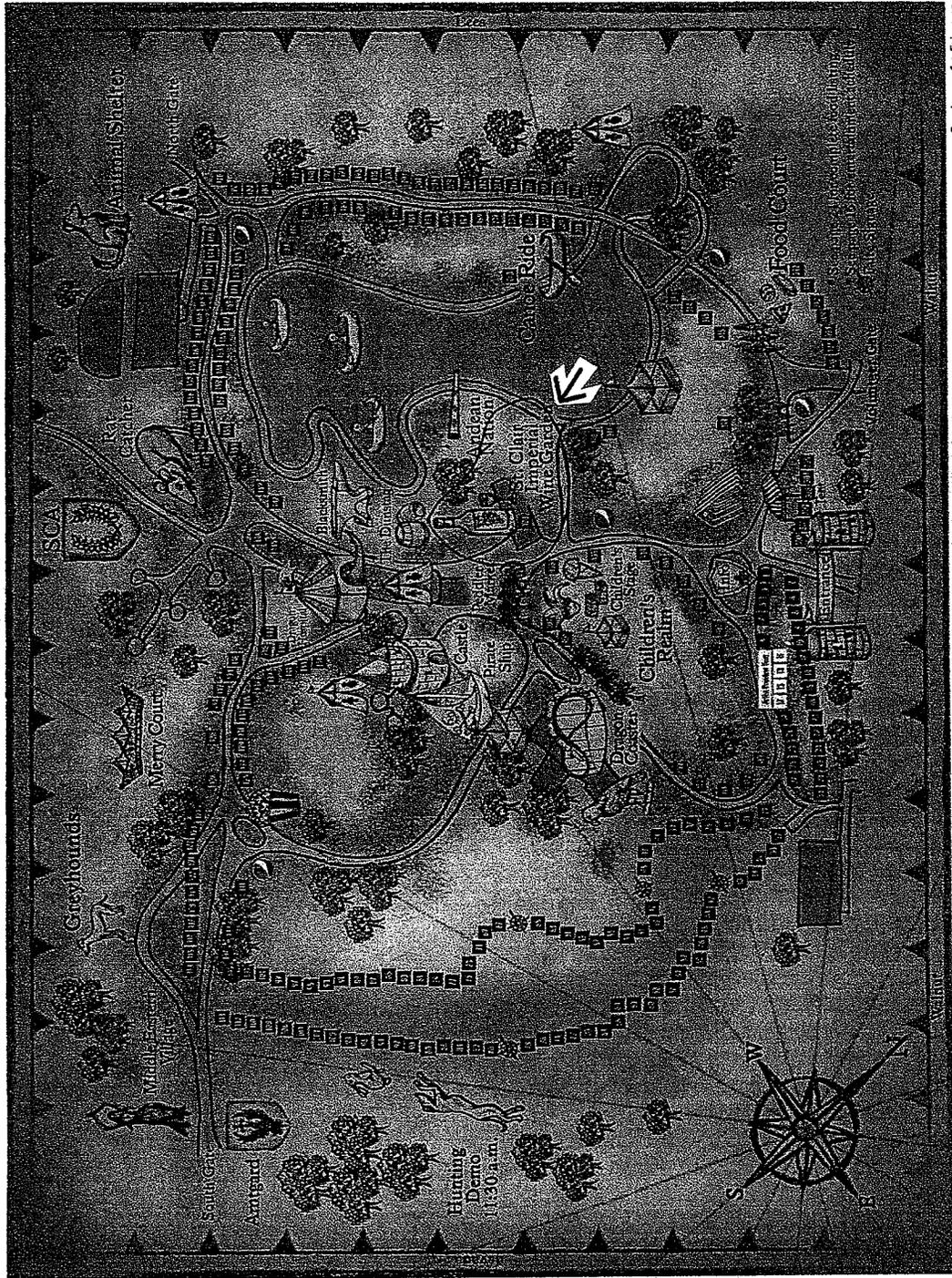
SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration: Dona Ana Arts Council
Contact Name (print) Kathleen Albers Title: Exec. Director Date: 9/3/13 Signature: Kathleen J. Albers

LICENSE HOLDER CERTIFICATION:
This form must be signed and dated in the presence of a notary public.
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 ~~the~~ persons providing the service of alcoholic beverages are server certified and that ~~ALL~~ information in this application is true and correct. Licensee Signature: _____ Date: 07/24/13

Notary Information
Subscribed and Sworn To Before Me This 24th day of July 20 13 Notary Public: Florent Lescombes Exp. 05/01/2017

BUILDING OWNER CONSENT
Contact Name _____ Facility Name: _____ Date _____ Signature _____ Phone _____

LOCAL GOVERNING BODY APPROVAL/ ACKNOWLEDGMENT
Print Name _____ Title _____ Date _____ Signature _____ Phone _____ Fax _____
Alcohol and Gaming Division Use Only
Approved By: _____ Date: _____ Permit # _____



16 • Renaissance AtRite

Los Chicos Bulletin • November 2012

November 2012 • Los Chicos Bulletin

Renaissance AtRite • 17

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

42

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.

Acosta	Christophe	188096	5/19/2017
Angel	Veronica	57436	12/10/2015
Aragon	Anthony	243388	6/21/2015
Auinones	Ida	102437	renewal
Babington	Carol	273183	5/19/2017
Babington	William	273184	5/19/2017
Baca	Judith	202961	renewal
Barbara	Aaron	273602	5/30/2017
Bartholomew	Donalee	188083	4/25/2017
Bizzell	James	264922	10/15/2016
Castanede	Anita	143976	5/28/2016
Chacon	Samantha	257915	5/11/2016
Comparin	Elizabeth	276335	7/28/2017
costa	Benjamin	275198	6/30/2017
Cunningham	Joyclyn	268549	1/28/2017
Duran	Erica	276960	8/8/2017
Durr	Darrell	246764	9/7/2015
Emery	Jennifer	#65565	5/19/16
Figueroa	Lili	238182	12/30/2014
Flores	Doreen	229248	8/19/2014
Garay	Teresa	574042	6/6/2017
Goremon	Larry	277216	8/8/2017
Guzman	Marcos	260166	6/20/2016
Hart	Micheal	214238	renewal
Hayes	Connie	#165853	5/5/15
hering	Leanne	174078	8/10/2015
Hinton	Marjorie	273516	4/11/2017
Hobbs	Kristie	247012	9/9/2015
Hopper	Amber	255998	5/20/2016
Hubbard	Sammie	246758	7/13/2015
Johnson	Breanna	250625	12/9/2015
Juarez	Brenda	262525	8/24/2016
Landino	Karen	149770	4/11/2014
Lemcke	Megan	new	
Marinelarena	Mirna	251192	11/3/2015
Martinez	Carla	220814	1/14/2014
McCarson	Samantha	274427	6/16/2017
McClave	Megan	273197	5/19/2017
Munoz	Natashan	235818	10/26/2014
Paulk	Terri	#202859	1/4/18
Pedraza	Esperanza	227486	7/7/14
Pexton	Lawrence	25600	5/20/2016
Reyes	Gabriel	213718	8/25/2017
Rivera	Christophe	187400	9/15/2017
Rivera	Brenda	270238	3/17/2017
Robinson	Lora	#232072	9/22/14