



Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 14-071

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of October 21, 2013
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING BOSQUE BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING DIA DE LAS CERVEZAS, A CRAFT BEER, FOOD AND MUSIC EVENT SPONSORED BY THE NEW MEXICO BREWERS GUILD, TO BE HELD AT 100 NORTH WATER STREET ON SATURDAY, NOVEMBER 2, 2013 FROM 11:00 A.M. TO 5:00 P.M.

PURPOSE(S) OF ACTION:

To authorize continuation of the permitting process.

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

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The New Mexico Brewers Guild will hold Dia de Las Cervezas, a craft beer, food and music event on November 2, 2013 at 100 North Water Street. Bosque Brewing Co. from Albuquerque, New Mexico is requesting approval to sell beer for consumption within a restricted and secured area during Dia de Las Cervezas.

Approval by the City Council is required prior to the submission of the Public Celebration Permit 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 Bosque Brewing Co. to sell beer within the restricted and secured area between 11:00 a.m. and 5:00 p.m. on November 2, 2013.

The authorization of the Public Celebration Permit Application 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.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Public Celebration Permit Application, Bosque Brewing Co., License No. 67014.
3. Attachment "1", Map of 100 North Water Street.
4. 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"/> | <input type="checkbox"/> | Proposed funding is from a new revenue source (i.e. grant; see details below) |
| | <input type="checkbox"/> | <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>\$25.00</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 |

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the sale of beer for consumption by Bosque Brewing Co., within a restricted and secured area, at 100 North Water Street during the Dia de Las Cervezas event on November 2, 2013. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that Bosque Brewing Co. may not serve beer during Dia de Las Cervezas on November 2, 2013. The Alcohol and Gaming Director may issue the Public

(Continue on additional sheets as required)

Celebration Permit provided that the City Council has given written approval for the permitting process to continue.

3. Vote to "Amend"; this could include changing the time that beer 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 beer being sold by Bosque Brewing Co. during Dia de Las Cervezas.

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. 14-071

A RESOLUTION AUTHORIZING BOSQUE BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING DIA DE LAS CERVEZAS, A CRAFT BEER, FOOD AND MUSIC EVENT SPONSORED BY THE NEW MEXICO BREWERS GUILD, TO BE HELD AT 100 NORTH WATER STREET ON SATURDAY, NOVEMBER 2, 2013 FROM 11:00 A.M. TO 5:00 P.M.

The City Council is informed that:

WHEREAS, the New Mexico Brewers Guild is sponsoring Dia de Las Cervezas, a craft beer, food and music event on Saturday, November 2, 2013; and

WHEREAS, Bosque Brewing Co. from Albuquerque, New Mexico requests approval to sell beer for consumption within a restricted and secured area during Dia de Las Cervezas; and

WHEREAS, approval by the City Council is required prior to submission of the Public Celebration Permit Application 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 Bosque Brewing Co. to sell beer for consumption within a restricted and secured area during Dia de Las Cervezas; and

WHEREAS, approval of the Public Celebration Permit Application 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 Bosque Brewing Co. is hereby authorized to continue with the permitting process for the Public Celebration Permit Application, attached hereto as Exhibit "A", to allow beer to be sold for consumption within a restricted and secured area between 11:00 a.m. and 5:00 p.m. on Saturday, November 2, 2013.

(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:

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 & CRAFT DISTILLER LICENSE HOLDERS**

6A-11 / 60-6A-26.1 NMSA

FEES ARE \$10 PER DAY -- Fees are Non-Refundable

APPLICANT INFORMATION:

Business Name (DBA) Bosque Brewing Co Owner Name Bosque Brewing Co LLC License Number C 7014
Street Address: 8400 San Mateo Blvd NE Ste F City, State & Zip Albuquerque, NM 87110 County Bernalillo
Phone Number: 505 401 7115 Fax number 866 550 4850

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

Date(s) of Celebration Nov 2nd Begin Time 11:00 AM End Time 5:00 PM
Description of Celebration: Diadelas Cervezas - Craft Beer, Food & Music event
Number of Security to be Provided 15 Company Name Security Concepts Number of Guests Expected 1500
Contact Name & Number Mike Gonzales (505) 526-4157

Physical Address of Event Parking Lot @ 100 Church St. City Las Alamos County Dona Ana

SPONSOR INFORMATION: Name of Organization/Person Sponsoring Celebration

New Mexico Brewers Guild
Contact Name Christopher Goblet Title Exec Dir Date Sept 17, 2013 Signature Christopher P. Goblet Phone (505) 662-2957

APPLICANT CERTIFICATION:

I, (Licensee) hereby certify that this event is not within 300ft. of a church or school unless alcoholic beverages were sold there prior to July 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: [Signature] Date 9/24/13



NOTARY INFORMATION:

Notary Public
Notary Information: [Signature] Date September 20, 2013
Facility Name 100 N. Water Date [Signature] Signature [Signature] Phone 505-541-2016

OWNER APPROVAL:

Facility Name (print) Robert Garza Title City Manager Date [Signature] Signature [Signature] Phone 505-541-2016

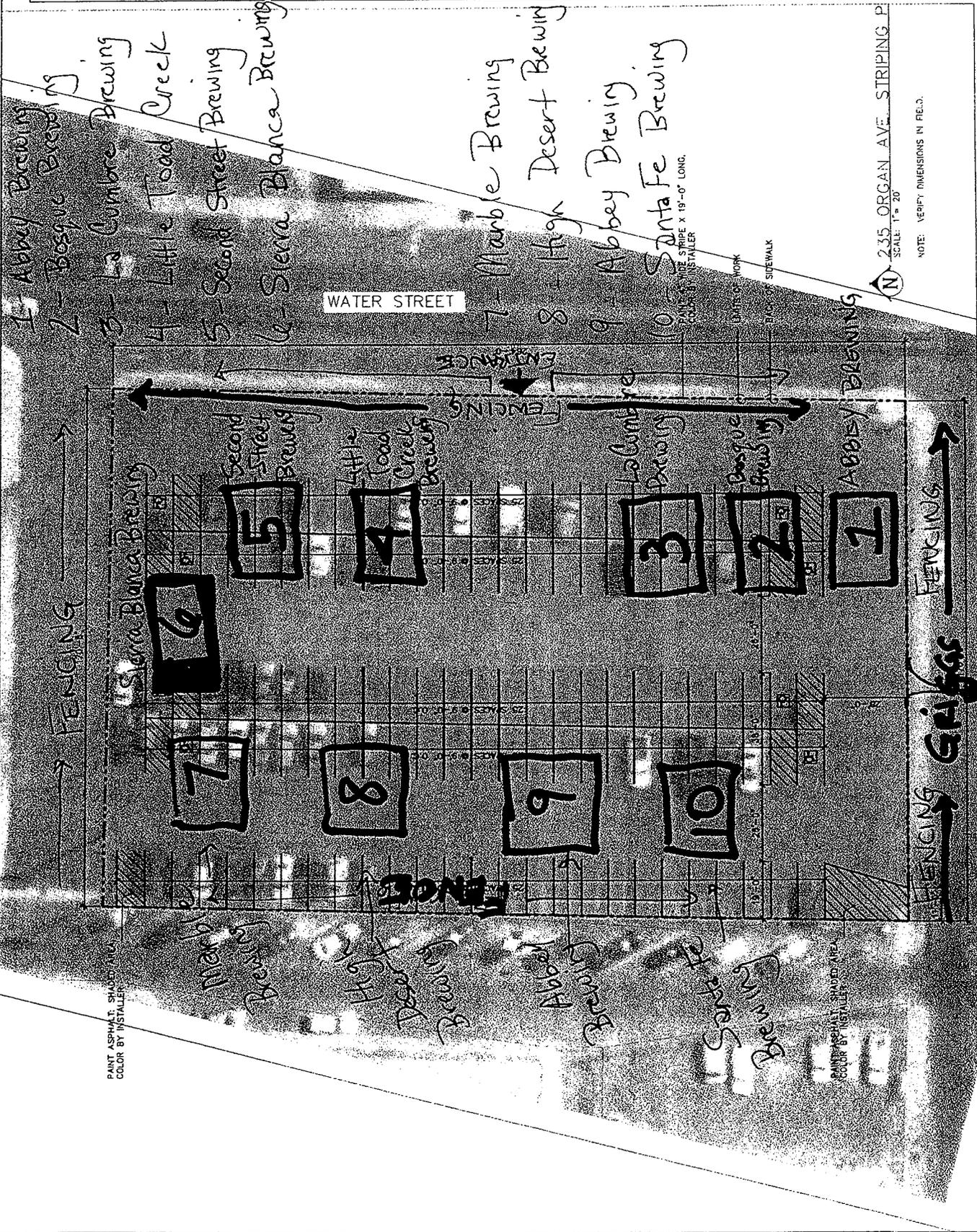
LOCAL GOVERNING BODY APPROVAL:

Facility Name (print) Robert Garza Title City Manager Date [Signature] Signature [Signature] Phone 505-541-2016 Fax 541-2119

APPROVAL:

Approved By: [Signature] Date: [Signature] Permit Number [Signature]

VIA DE LAS CERVESAS



PAINT ASPHALT, SHADE COLOR BY INSTALLER

PAINT ASPHALT, SHADE COLOR BY INSTALLER

PROJECT TITLE: RE-STRIPING PLAN FOR THE CITY OF LAS CRUCES
 SCALE: 1"=20'
 STRIPING PLAN
 DATE: 11/12/12

PROJECT ADDRESS: 235 E. ORGAN AVE. LAS CRUCES, NEW MEXICO 88004
 PHONE: 505.541.2904
 FAX: 505.541.2904

CITY OF LAS CRUCES
 FACILITIES DEPARTMENT
 PROJECT MANAGEMENT SECTION
 1501 E. HADLEY AVENUE
 LAS CRUCES, NM 88004
 PHONE: 505.541.2904
 FAX: 505.541.2904



DRAWING NO: A-11
 SHEET: SHEET 1
 SHEET 1

235 ORGAN AVE. STRIPING P
 SCALE: 1"=20'

NOTE: VERIFY DIMENSIONS IN FIELD.

Sheet1 *Bosque Brewery*

| Name | Permit # | Expiration Date |
|-------------------|-----------|-----------------|
| Jessica Myers | 196002 | 08/22/17 |
| Ryan Jameson | 210028 | 06/19/16 |
| David Eichorn | 242887 | 06/08/15 |
| Ira Strain-Bey | Temporary | |
| Danny Barfield | 196965 | 08/16/17 |
| Laura Leong | 282002 | 01/12/18 |
| Gabe Jensen | 72576 | 06/27/16 |
| Candice Moya | 274185 | 06/07/17 |
| Joanna Michnovicz | 191227 | 10/18/17 |
| Jotham Michnovicz | 90000 | 09/22/17 |
| Kevin Jameson | 279384 | 10/11/17 |
| Jared Michnovicz | 279368 | 10/11/17 |
| Gelaine Jensen | 286840 | 05/12/18 |
| Jenifer Jameson | Temporary | |
| Esther Michnovicz | Temporary | |
| Sarah Dallas | 286835 | 05/11/18 |
| Kara Michnovicz | Temporary | |