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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6 Ordinance/Resolution# 14-072

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 HIGH DESERT BREWING COMPANY 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		
<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 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. High Desert Brewing Company from Las Cruces, 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 High Desert Brewing Company 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, High Desert Brewing Company, License No. 6801.
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"/>	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>\$25.00</u> for FY14.
	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 High Desert Brewing Company, 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 High Desert Brewing Company may not serve beer during Dia de Las Cervezas on November 2, 2013. The Alcohol and Gaming Director may issue

(Continue on additional sheets as required)

the Public 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 High Desert Brewing Company 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. 14-072

A RESOLUTION AUTHORIZING HIGH DESERT BREWING COMPANY 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, High Desert Brewing Company from Las Cruces, 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 High Desert Brewing Company 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 High Desert Brewing Company 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)

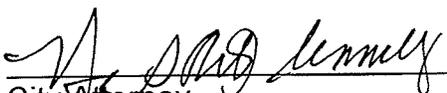
VOTE:

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

**COHOL & 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**

LICENSE HOLDER INFORMATION:

Business Name (DBA) HIGH DESERT BREWING COMPANY Owner Name HIGH DESERT BREWING Co, INC License Number 6801
Mailing Address: 1201 W HADLEY AVE City, State & Zip LAS VEGAS, NM 88005 County DOÑA ANA
Phone Number: 575-575-6752 Fax number 575-647-8033

EVENT INFORMATION: Celebration type: State Fair County Fair 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 Guests Expected 1500
Number of Security to be Provided: 15 Company Name Security Concepts
Contact Name & Number: Mike Gonzales (575) 526-4157
Mailing Address of Event: Paving Lot @ 100 Church St. City Las Cruces County DOÑA ANA

INSOR OF EVENT: Name of Organization/Person Sponsoring Celebration New Mexico Brewers Guild
Contact Name Christopher Goblet Title Exec Dir Date Sept 14, 2013 Signature Chapt P. Goblet Phone (505) 660-2957

LICENSE HOLDER CERTIFICATION:

DONNA L. ALMAREZ (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: Donna L. Almaraz Date 28 Sept 2013

NOTARY INFORMATION

Subscribed and Sworn To Before Me This 25 day of September, 2013, Notary Public

LEADING OWNER APPROVAL:

Contact Name (print) Robert Garza Facility Name 100 N. Water Date _____ Signature _____

CITY GOVERNING BODY APPROVAL

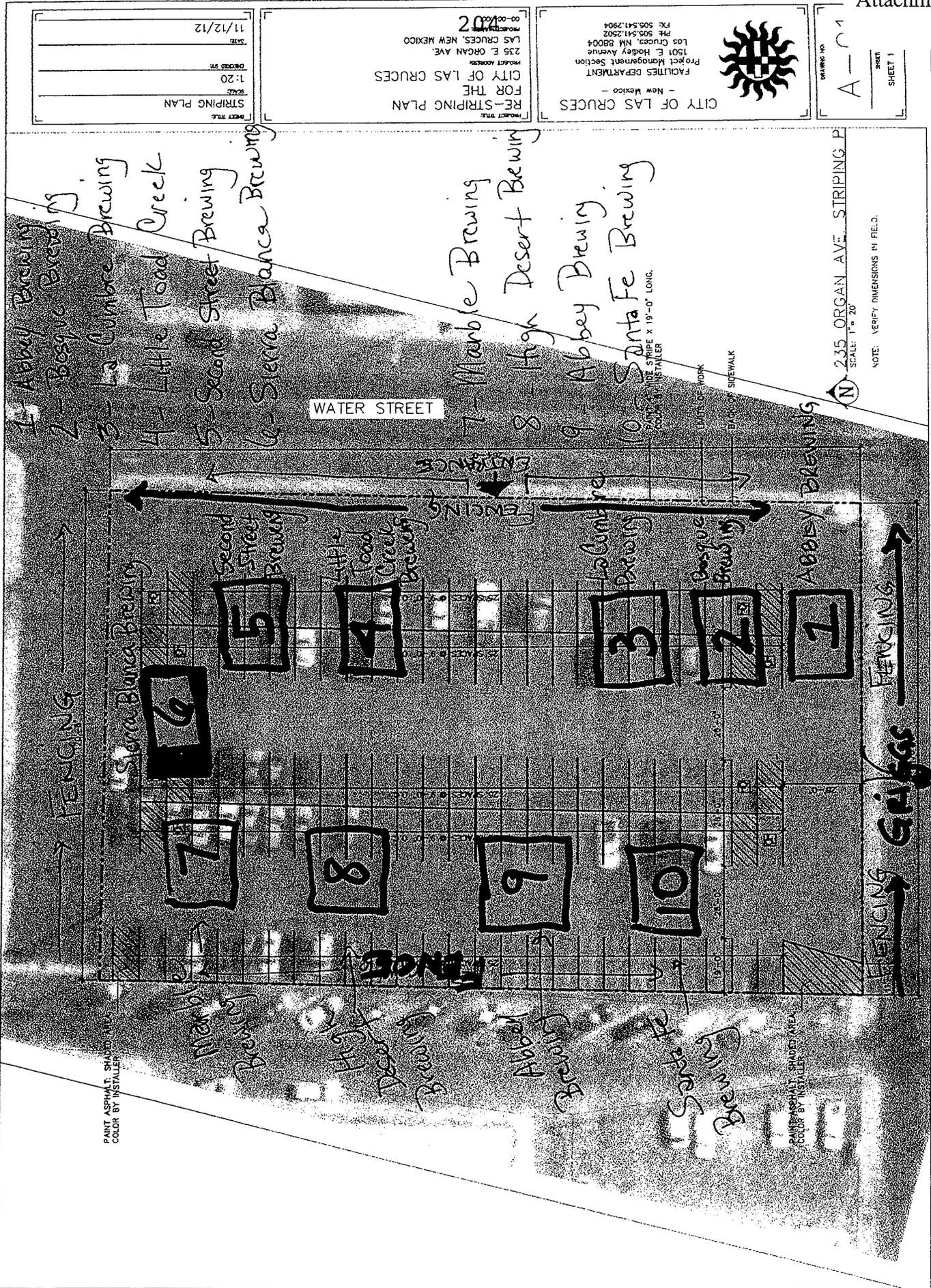
Contact Name Robert Garza Title City Manager Date _____ Signature _____

Alcohol and Gaming Division Use Only

Approved By: _____ Date: _____ Permit Number _____
Page 2 of 2 New Mexico Regulation and Licensing Department Alcohol & Gaming Division Rev. date: 03/2013



VIA DE LAS CERVESAS



PROJECT TITLE
RE-STRIPING PLAN
FOR THE
CITY OF LAS CRUCES
PROJECT ADDRESS
235 E. ORGAN AVE
LAS CRUCES, NEW MEXICO
DATE
11/12/12

PROJECT TITLE
RE-STRIPING PLAN
FOR THE
CITY OF LAS CRUCES
PROJECT ADDRESS
235 E. ORGAN AVE
LAS CRUCES, NEW MEXICO
DATE
11/12/12

CITY OF LAS CRUCES
FACILITIES DEPARTMENT
Project Management Section
1501 E. Hadley Avenue
Las Cruces, NM 88004
PH: 505.541.2502
FX: 505.541.2904

DRAWING NO.
A-01
SHEET
SHEET 1

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

NOTE: VERIFY DIMENSIONS IN FIELD.

PAINT ASPHALT, SHADDED AREA, COLOR BY INSTALLER.

PAINT ASPHALT, SHADDED AREA, COLOR BY INSTALLER.

July 1, 2012-June 30, 2013

LIQUOR LICENSE NUMBER		OWNER NAME		DBA NAME			
6801		High Desert Brewing Company		High Desert Brewing Company			
Server Permit #	Last Name	First Name	SS#	DOB	HIRE DATE	TERMINATION DATE	SERVER EXPIRATION
32589	Gosselin	Robert				N/A	06/08/16
43172	Schack	Eric				N/A	10/18/12
49454	Alvarez	Donna				N/A	01/11/13
49696	Whitman	Christopher				N/A	10/08/14
91307	Romero	Rudy				N/A	05/11/16
92623	Costilow	Amber				N/A	12/20/15
153396	Hauptmann	Benjamin				N/A	07/11/14
153411	Valdes	Matthew				N/A	07/11/14
162289	McClellan	Raven				N/A	02/05/15
201850	Tutor	Tabitha				N/A	12/01/12
211210	Lowther	Matthew				N/A	07/03/13
213777	Costilow	Lianne				N/A	08/19/13
215329	Williams	Nathaniel				N/A	09/12/13
219565	Sanchez	Christopher				N/A	05/13/15
223584	Morin	Daniel				N/A	02/18/14
224282	Merle	Monett				N/A	03/11/14
230468	Obregon	Andres				N/A	09/04/14
253231	Radtke	Michael				N/A	01/12/16
258151	Knab	Abigail				N/A	05/14/16
259744	Smith	Christopher				N/A	06/08/16
Pending	Arrieta	Jonathan				N/A	Tested 9/15/12-96'
93042	Klndrick	Lawrence			Special Events	Special Events	05/02/17
158769	Frary	Susan			Special Events	Special Events	10/13/15
214179	Stout	Michael			Special Events	Special Events	08/22/13
236149	Kindrick	Jill			Special Events	Special Events	10/29/14
238398	Kamat	Satish			Special Events	Special Events	01/11/15
241940	Denton	Drew			Special Events	Special Events	05/07/15
Pending	Hassell	Coy			Special Events	Special Events	Tested 7/28/12-96'