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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 7 Ordinance/Resolution# 14-073

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of October 21, 2013
 (Adoption Date)

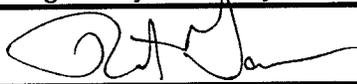
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING LA CUMBRE 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		
<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. La Cumbre 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 La Cumbre 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, La Cumbre Brewing Co., License No. 6811.
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 FY <u>14</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 La Cumbre 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 La Cumbre Brewing Co. may not serve beer during Dia de Las Cervezas on November 2, 2013. The Alcohol and Gaming Director may issue the

(Continue on additional sheets as required)

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 La Cumbre 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. 14-073

A RESOLUTION AUTHORIZING LA CUMBRE 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, La Cumbre 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 La Cumbre 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 La Cumbre 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

COBOL & 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

PERMIT HOLDER INFORMATION:

Business Name (DBA) La Cumbre Brewing Co. Owner Name Jeltray Erving License Number 6811
 Street Address: 3313 Grand Blvd. NE City, State & Zip Albuquerque, NM 87107 County Bernalillo
 Phone Number: 505-872-0225 Fax number N/A

EVENT INFORMATION: Celebration type: State Fair County Fair Community Fiesta Cultural/Artistic Performance X
 Date(s) of Celebration Nov 2nd Begin Time 11:00 AM End Time 5:00 PM
 Description of Celebration: Pickled Las 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 Packing Lot @ 100 Church St. City Las Lunas County Dona Ana

SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration New Mexico Brewers Guild
 Contact Name Christopher Goblet Title E.P.O. Date Sept 11, 2013 Signature Christopher P. Goblet Phone (505) 666-2957

PERMIT HOLDER CERTIFICATION:

Jeltray S. Erving (Licensee) hereby certify that this event is not within 300ft. of a church or school unless alcoholic beverages were sold there prior to July 981 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 9/20/13



LEADING OWNER APPROVAL:
 Name Robert Garza Facility Name 100 N. Water Date _____ Signature _____
 Title City Manager Date _____ Signature _____
 Phone 505-872-0225 Fax 505-872-0225

LOCAL GOVERNING BODY APPROVAL:
 Name Robert Garza Title City Manager Date _____ Signature _____
 Phone 505-872-0225 Fax 505-872-0225

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

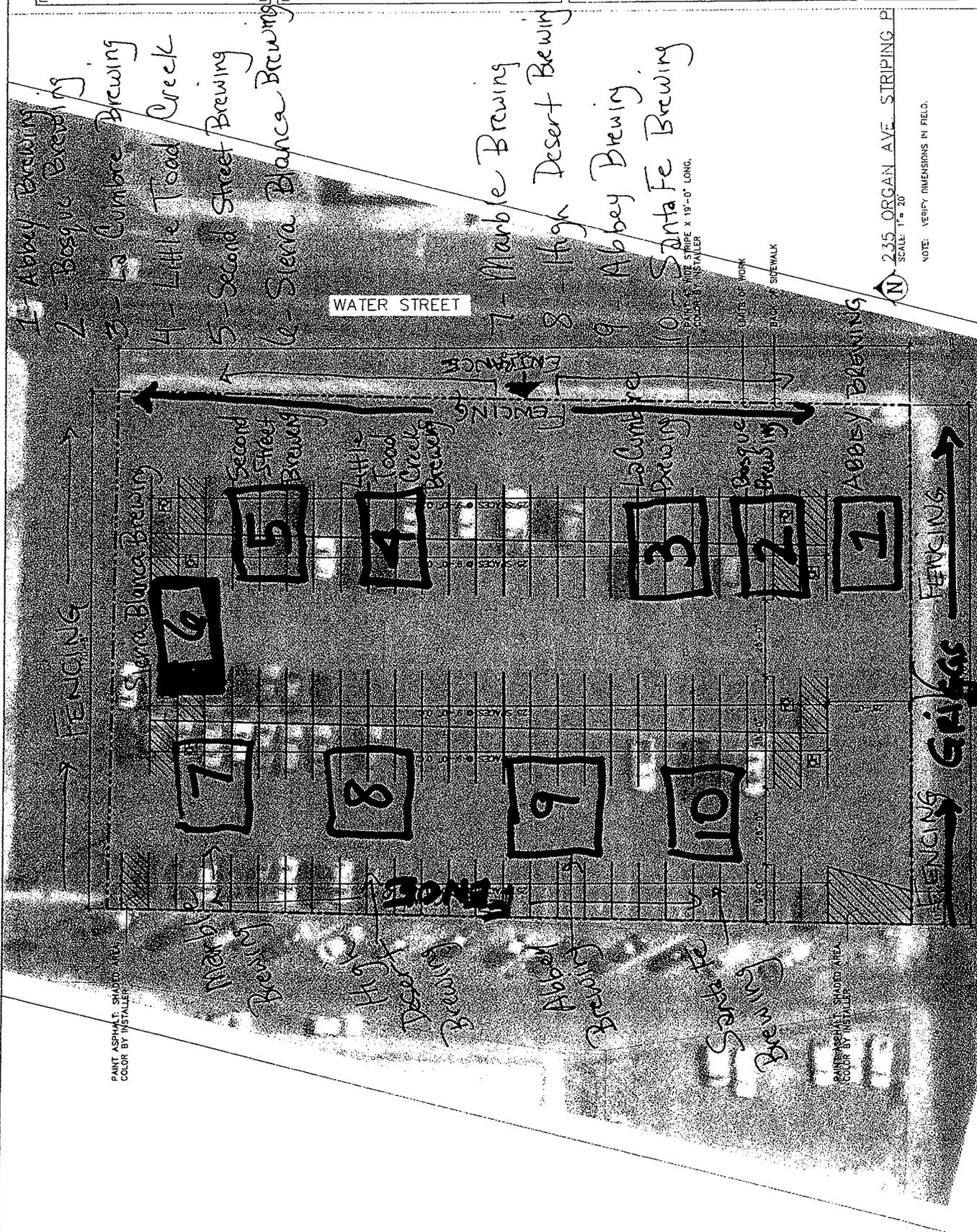
SHEET TITLE: STRIPING PLAN
 SCALE: 1" = 20'
 DATE: 11/12/12
 DRAWN BY: [Blank]
 CHECKED BY: [Blank]

PROJECT TITLE: RE-STRIPING PLAN FOR THE CITY OF LAS CRUCES
 PROJECT ADDRESS: 235 E. ORGAN AVE. LAS CRUCES, NEW MEXICO
 PROJECT NO.: 00-6012

CITY OF LAS CRUCES
 FACILITIES DEPARTMENT
 PROJECT MANAGEMENT SECTION
 1501 E. HADLEY AVENUE
 LAS CRUCES, NM 88004
 P.O. BOX 541, 2904
 LAS CRUCES, NEW MEXICO



SHEET NO.: A-1
 SHEET TITLE: SHEET 1



235 ORGAN AVE STRIPING P
 SCALE: 1" = 20'
 NOTE: VERIFY DIMENSIONS IN FIELD.

PAINT ASPHALT STRIPING
 COLOR BY INSTALLER

PAINT ASPHALT STRIPING
 COLOR BY INSTALLER

FENCING
 GRIPES
 EXIT

List of Alcohol Servers

Liquor License Number: 6811

Owner Name: Jeffrey S. Erway

Server Permit #	Last Name	First Name	Permit Expiration Date
126057	Colston	Devan	2/23/13
157282	Cole	Travis	9/28/14
179730	Lucero	Geraldine	4/19/16
212303	Masi	Lacie	7/29/13
85923	Cornett	Paul	8/31/16
252099	Urrea	Daniel	12/2/15
260914	Zerbe	Nathan	7/14/16
214657	McKnight	Kaylynn	8/28/13
249402	Nauman	Leah	11/9/15
148769	Lovato	Tamara	1/4/17
207420	Erway	Laura	3/11/13
201639	Erway	Jeffrey	11/19/12