

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 10

Ordinance/Resolution# 14-076

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

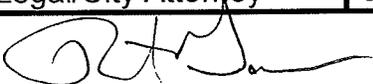
LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING SANTA FE 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. Santa Fe Brewing Company from Santa Fe, 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 Santa Fe 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, Santa Fe Brewing Company, License No. 6785.
3. Attachment "1", Map of 100 North Water Street.
4. Attachment "2", List of servers.

SOURCE OF FUNDING:

N/A	Is this action already budgeted?	
	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 \$25.00 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 Santa Fe 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 Santa Fe Brewing Company 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 Santa Fe 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. 14-076

A RESOLUTION AUTHORIZING SANTA FE 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, Santa Fe Brewing Company from Santa Fe, 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 Santa Fe 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 Santa Fe 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

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

LICENSE HOLDER INFORMATION:

Business Name (DBA) Santa Fe Brewing Owner Name Brian Lock License Number 6785
 Street Address: 35 Elm Pl. City, State & Zip Santa Fe, NM 87505 County Santa Fe
 Phone Number: 505-424-3333 Fax number 505-424-1184

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

Date(s) of Celebration Nov 2, 2013 Begin Time 11:00AM End Time 5:00 PM

Description of Celebration: Dia De 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 Gonzalez (575) 526-4151

Physical Address of Event 100 N Water Court of Griggsdale St on Las Cruces County Dona Ana

SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration New Mexico Brewers Guild

Contact Name Christopher Gubert Title Ex Dir Date Sept 24/13 Signature Christopher Gubert Phone (505) 660-2907

LICENSE HOLDER CERTIFICATION:

Brian Lock (Licensee) hereby certify that this event is not within 300ft. 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 properly certified for ALI & SEAL information in this application is true and correct. Licensee Signature: Brian Lock Date Sept 24/13 Signature Christopher Gubert Phone (505) 660-2907



Notary information Anthony Fenner Notary Public
 Subscribed and Sworn To Before Me This 30 day of July, 2013, Notary Public

BUILDING OWNER APPROVAL:

Contact Name (print) Robert Garza Facility Name 100 N. Water Date 5/15/13 Signature Robert Garza Phone 541-2076

LOCAL GOVERNING BODY APPROVAL

Print Name Robert Garza Title City Manager Date 5/15/13 Signature Robert Garza Phone 541-2076 Fax 541-2119

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

SANTA FE BREWING CO. CERTIFIED SERVER LIST

NAME	SERVER #	EXP. DATE
Brian Lock	38402	8/6/2013
Matthew Fricsek	232709	9/29/2014
Alana Harris	146879	3/4/2014
Jason Soto	144207	3/4/2014
Hector Santana	219329	1/5/2014
Arthur Levis	25284	10/20/2015
Adam Bishop	240383	2/27/2015
Cullen Dwyer	51805	2/25/2014
Tony Cordova	255961	5/20/2016
Evan Galpert	268310	1/26/2017
Jason Burk	258716	8/25/2016
Shelly Wiemann	260130	6/21/2016
Nathan Sutton	256916	4/20/2016
Teri Knox	254296	2/12/2016
Melodie Wade	97564	9/11/2015
Becky Kaiser	154939	10/13/2014
Marcos Lopez	248484	8/21/2015
Andrew Fricsek	234067	10/8/2014
Kristina Verde-Murphy	263913	9/24/2016