

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 12

Ordinance/Resolution# 14-078

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

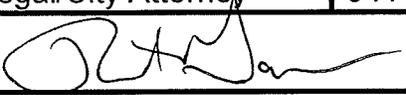
LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING SIERRA BLANCA 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. Sierra Blanca Brewing Company from Moriarty, 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 Sierra Blanca 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, Sierra Blanca Brewing Company, License No. 6792.
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 Sierra Blanca 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 Sierra Blanca Brewing Company may not serve beer during Dia de Las Cervezas on November 2, 2013. The Alcohol and Gaming Director may issue

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 Sierra Blanca 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. 14-078

A RESOLUTION AUTHORIZING SIERRA BLANCA 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, Sierra Blanca Brewing Company from Moriarty, 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 Sierra Blanca 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 Sierra Blanca 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 LICENSE HOLDERS
(60-6A-11 / 60-6A-26.1 NMSA)
FEES ARE \$10 PER DAY - Fees are Non-Refundable

LICENSE HOLDER INFORMATION:

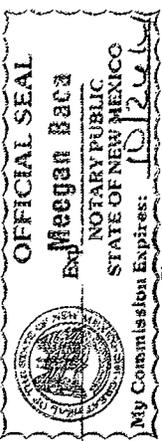
Business Name (DBA) Sierra Blanca Brewing Company Owner Name Suzanne Weber License Number 0792
Street Address: 1016 Industrial Road City, State & Zip Morristown NM 87035 County Torrance
Phone Number: 505-832-2337 Fax number 505-832-9778

EVENT INFORMATION: Celebration type: State Fair County Fair Community Fiesta Cultural/Artistic Performance
Date(s) of Celebration New 2nd 2013 Begin Time 11:00 AM End Time 5:00 PM
Description of Celebration: Dia de las Cervezas - Craft Beer, Music, Food Festival
Number of Security to be Provided 15 Company Name Security Concepts Number of Guests Expected 1500
Contact Name & Number Mike Gonzalez (575) 526-4157
Physical Address of Event 100 N. Water St. Corner of Griggwater City Las Cruces County Dona Ana

SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration New Mexico Brewers Guild
Contact Name Chris Gubelot Title Ex Dir Date Sept 21/13 Signature Chris Gubelot Phone (505) 660-2951

LICENSE HOLDER CERTIFICATION:

ISUZUMI WILKEL (Licensee) hereby certify that this event is not within 200ft. 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: [Signature] Date 8.8.13

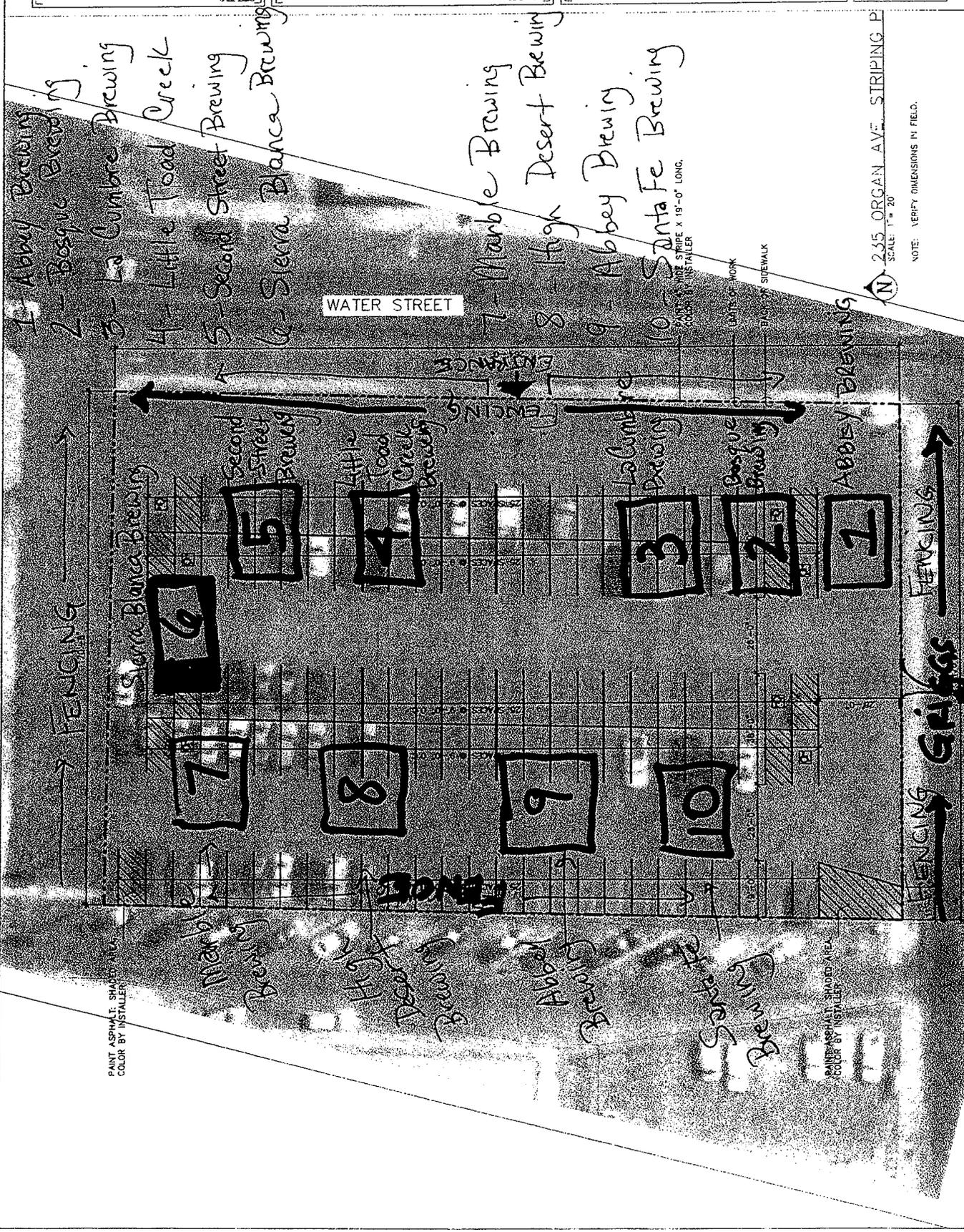


Subscribed and Sworn To Before Me This 8th day of Aug, 2013, Notary Public [Signature] Baca
BUILDING OWNER APPROVAL:
Contact Name (print) Robert Garza Facility Name 100 N. Water Date _____ Signature _____
LOCAL GOVERNING BODY APPROVAL:
Print Name Robert Garza Title City Manager Date _____ Signature _____

Approved By: _____ Date: _____ Permit Number _____
Phone 575-541-2076 Fax 541-2119

VIA DE LAS CERVESAS

PROJECT TITLE RE-STRIPING PLAN FOR THE CITY OF LAS CRUCES	PROJECT ADDRESS 236 E. ORGAN AVE. LAS CRUCES, NEW MEXICO 75202	CITY OF LAS CRUCES FACILITIES DEPARTMENT - New Mexico - Project Management Section 1501 E. Hodely Avenue Las Cruces, NM 88004 PH: 505.541.2502 FX: 505.541.2904	DRAWING NO. A-11
DATE 11/12/12	DESIGNED BY 1:20		SHEET SHEET 1



EXIT

Server List – Sierra Blanca Brewing Company

Couger, Ben C.	#263016
Hansen, Michael A.	#278776
Padley, Tasha	#269144
Vermilion, James R.	#154375
Weber, Richard H.	#46943
Weber, Suzanne	#53159