

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 14 Ordinance/Resolution# 14-155

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of April 7, 2014
(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 THE 2ND ANNUAL BLAZIN' BREW FEST, TO BE HELD ON MAIN STREET ON SATURDAY, MAY 3, 2014 FROM 4:00 P.M. TO 9:00 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 host the 2nd Annual Blazin' Brew Fest, a craft beer, food and music event on Main Street, Saturday, May 3, 2014. La Cumbre Brewing Co. from Albuquerque, New Mexico is requesting approval to sell beer for consumption within a restricted and secured area during the event.

Approval by the Las Cruces 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 4:00 p.m. and 9:00 p.m. on May 3, 2014.

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.

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 the 2nd Annual Blazin' Brew Fest.

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. 14-155

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 THE 2ND ANNUAL BLAZIN' BREW FEST, TO BE HELD ON MAIN STREET ON SATURDAY, MAY 3, 2014 FROM 4:00 P.M. TO 9:00 P.M.

The City Council is informed that:

WHEREAS, the New Mexico Brewers Guild is sponsoring the 2nd Annual Blazin' Brew Fest, a craft beer, food and music event on Saturday, May 3, 2014; and

WHEREAS, La Cumbre Brewing Co. from Albuquerque, New Mexico requests approval to sell beer for consumption within a restricted and secured area during the event; and

WHEREAS, approval by the Las Cruces 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 the 2nd Annual Blazin' Brew Fest; 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 4:00 p.m. and 9:00 p.m. on Saturday, May 3, 2014.

(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 _____, 20__.

APPROVED:

ATTEST:

Mayor

City Clerk

(SEAL)

VOTE:

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney



PUBLIC CELEBRATION PERMIT APPLICATION FOR WINEGROWER AND SMALL BREWER LICENSE HOLDERS

FEE - \$10 PER DAY - Fees are non-refundable (60-6A-11 / 60-6A-26.1 NMSA)

LICENSE HOLDER INFORMATION

APPROVED AS TO FORM
[Signature]
City Attorney

Business Name (DBA) La Cumbre Brewery Co Owner Name Telley S. Fleming License Number 6811
Street Address: 3313 Grand Blvd. NE City, State, Zip Albuquerque, NM 87107 County Bernalillo
Phone Number: 505-877-0226 Fax number N/A

EVENT INFORMATION

Celebration type: State Fair County Fair X Community Fiesta X Cultural/Artistic Performance
Date(s) of Celebration May 3rd, 2014 Begin Time 4:00 PM End Time 9:00 PM

Description of Celebration: 2nd Annual Brazy Brew Fest

Number of Security Personnel to be provided 10 Security company name Security Concepts Number of guests expected 1,000

Contact name and number Mike Gonzalez - (575) 526-4151

Physical address of event Main St. @ Las Lunas Ave. to Giggas Ave City Las Lunas County Dona Ana

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

Contact Name Christopher Gablett Title Ex. Dir Date Mar 6, 2014 Signature [Signature] Phone (505) 660-2951

LICENSE HOLDER CERTIFICATION

This form must be signed and dated in the presence of a notary public.

I Telley S. Fleming (Licensee) hereby certify that this event is not within 300 feet 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 3/12/14

NOTARY Subscribed and sworn to before me this 12 day of March, 2014. Notary Public Angela K. Mabry EXP 5/3/2017

BUILDING OWNER APPROVAL

Contact Name (print) Robert Galza Facility Name Main St Date _____ Signature _____ Phone 575-541-2076

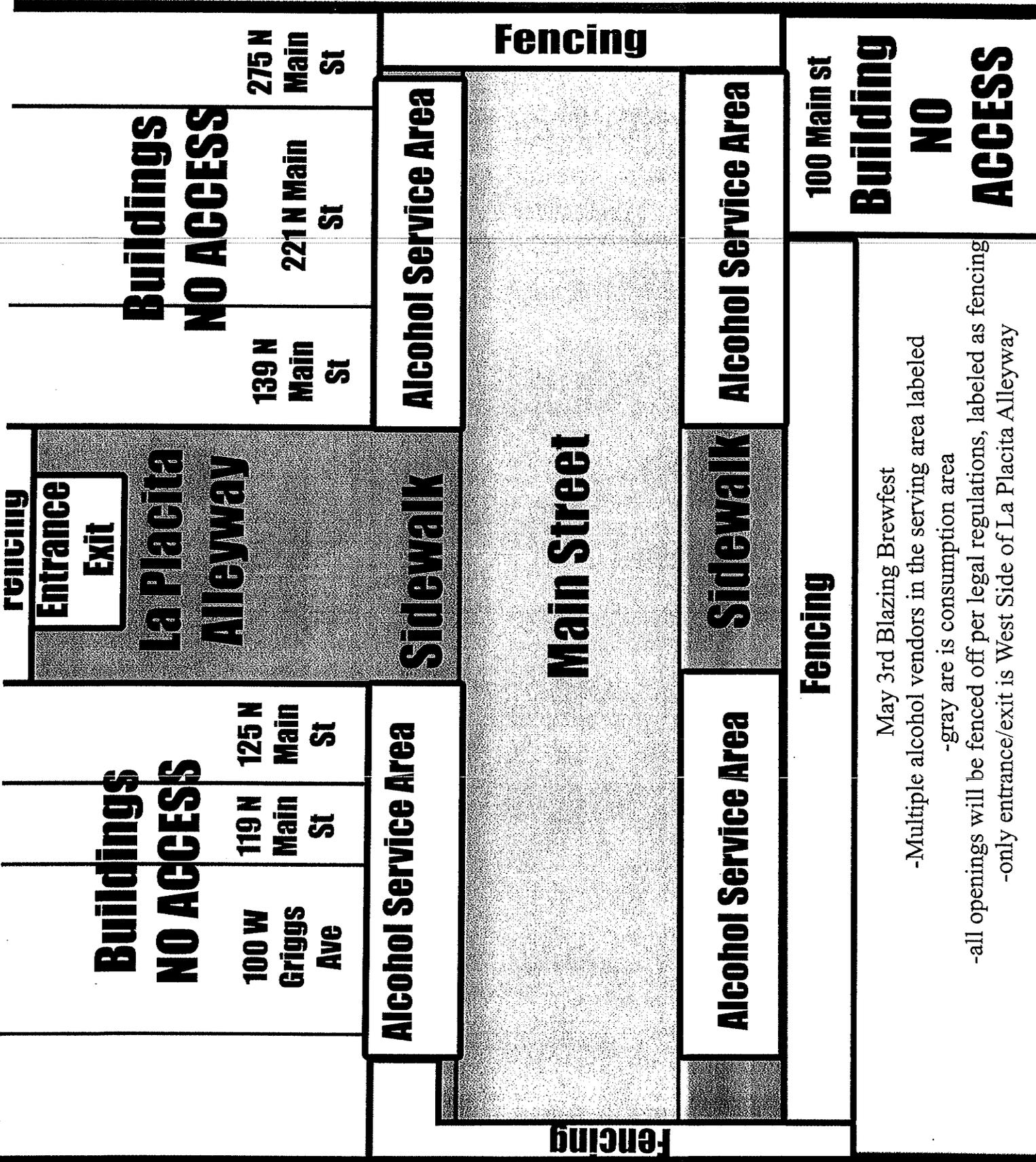
LOCAL GOVERNING BODY APPROVAL

Print Name Robert Galza Title City Manager Date _____ Signature _____ Phone 575-541-2076 Fax 541-2017

Alcohol and Gaming Division Use Only

Approved by: _____ Date: _____ Permit Number: _____

Las Cruces Avenue



**Buildings
NO ACCESS**

275 N
Main
St

221 N Main
St

139 N
Main
St

Alcohol Service Area

Fencing

100 Main st

Building

NO

ACCESS

Fencing

**Entrance
Exit**

**La Placita
Alleyway**

Sidewalk

Main Street

Sidewalk

Alcohol Service Area

Fencing

Alcohol Service Area

Alcohol Service Area

**Buildings
NO ACCESS**

125 N
Main
St

119 N
Main
St

100 W
Griggs
Ave

Griggs St.

Fencing

May 3rd Blazing Brewfest
 -Multiple alcohol vendors in the serving area labeled
 -gray are is consumption area
 -all openings will be fenced off per legal regulations, labeled as fencing
 -only entrance/exit is West Side of La Placita Alleyway

List of Alcohol Servers
Liquor License Number: 6811

La Cumbre Brewing Company
Owner Name: Jeffrey S. Erway

<u>Server Permit #</u>	<u>Last Name</u>	<u>First Name</u>	<u>Permit Expiration Date</u>
157282	Cole	Travis	09/28/14
179730	Lucero	Geraldine	04/19/16
85923	Cornett	Paul	08/31/16
252099	Urrea	Daniel	12/02/15
260914	Zerbe	Nathan	07/14/16
249402	Nauman	Leah	11/09/15
148769	Lovato	Tamara	01/04/17
201639	Erway	Jeffrey	10/26/17