



# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 15 Ordinance/Resolution# 14-156

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 HIGH DESERT 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 2<sup>ND</sup> 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.

<b>COUNCIL DISTRICT: 1</b>		
<b><u>Drafter/Staff Contact:</u></b> Monica Campbell	<b><u>Department/Section:</u></b> Legal/City Attorney	<b><u>Phone:</u></b> 541-2128
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The New Mexico Brewers Guild will host the 2<sup>nd</sup> Annual Blazin' Brew Fest, a craft beer, food and music event on Main Street, Saturday, May 3, 2014. High Desert Brewing Co. from Las Cruces, 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 High Desert 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.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Public Celebration Permit Application, High Desert Brewing Co., License No. 6801.
3. Attachment "1", Map of event area on Main 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"/>	<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
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**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 Co., within a restricted and secured area during the 2<sup>nd</sup> Annual Blazin' Brew Fest on Main Street, May 3, 2014. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that High Desert Brewing Co. may not serve beer during Blazin' Brew Fest on May 3, 2014. The Alcohol and Gaming Director may issue the Public

(Continue on additional sheets as required)

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 Co. during the 2<sup>nd</sup> 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. 14-156**

**A RESOLUTION AUTHORIZING HIGH DESERT 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 2<sup>ND</sup> 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 2<sup>nd</sup> Annual Blazin' Brew Fest, a craft beer, food and music event on Saturday, May 3, 2014; and

**WHEREAS**, High Desert Brewing Co. from Las Cruces, 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 High Desert Brewing Co. to sell beer for consumption within a restricted and secured area during the 2<sup>nd</sup> 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 High Desert 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



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division  
P.O. Box 25101 • Santa Fe, New Mexico 87504-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.gd.state.nm.us/agcd

Rev. 05/09

APPROVED AS TO FORM:

*Handwritten signature*

**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**

Business Name (DBA) HIGH DESERT BREWINGS COMPANY Owner Name HIGH DESERT BREWINGS CO, INC. License Number 6801  
Street Address: 1221 W. HADLEY AVE. City, State, Zip LAS CRUCES, NM 88005 County DOÑA ANA  
Phone Number: 575 525-6752 Fax number 575 647-8033

**EVENT INFORMATION**

Celebration type: State Fair County Fair  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 Blazing 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 Cruces Ave. to Griggs Ave. City Las Cruces County DOÑA ANA

**SPONSOR OF EVENT - Name of Organization/Person Sponsoring Celebration**

New Mexico Brewers Guild  
Contact Name Christopher Goblet Title Ex. Dir. Date Mar 6, 2014 Signature Chris P. Goblet Phone 505 660-2951

**LICENSE HOLDER CERTIFICATION**

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

ROBERT E SOSS ELIN (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: Robert E. Soss Elin Date 14 MAR 14

**NOTARY**

Subscribed and sworn to before me this 14<sup>th</sup> day of March, 20 14, Notary Public [Signature] Exp 11-29-16

**BUILDING OWNER APPROVAL**

Contact Name (print) Robert Garza Facility Name Main St. Date \_\_\_\_\_ Signature \_\_\_\_\_ Phone 515-541-2016

**LOCAL GOVERNING BODY APPROVAL**

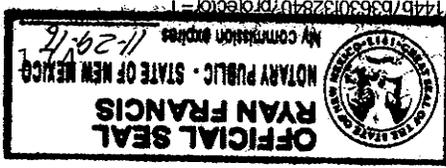
Print Name Robert Garza Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_ Phone 541-2016 Fax 541-2017

Alcohol and Gaming Division Use Only

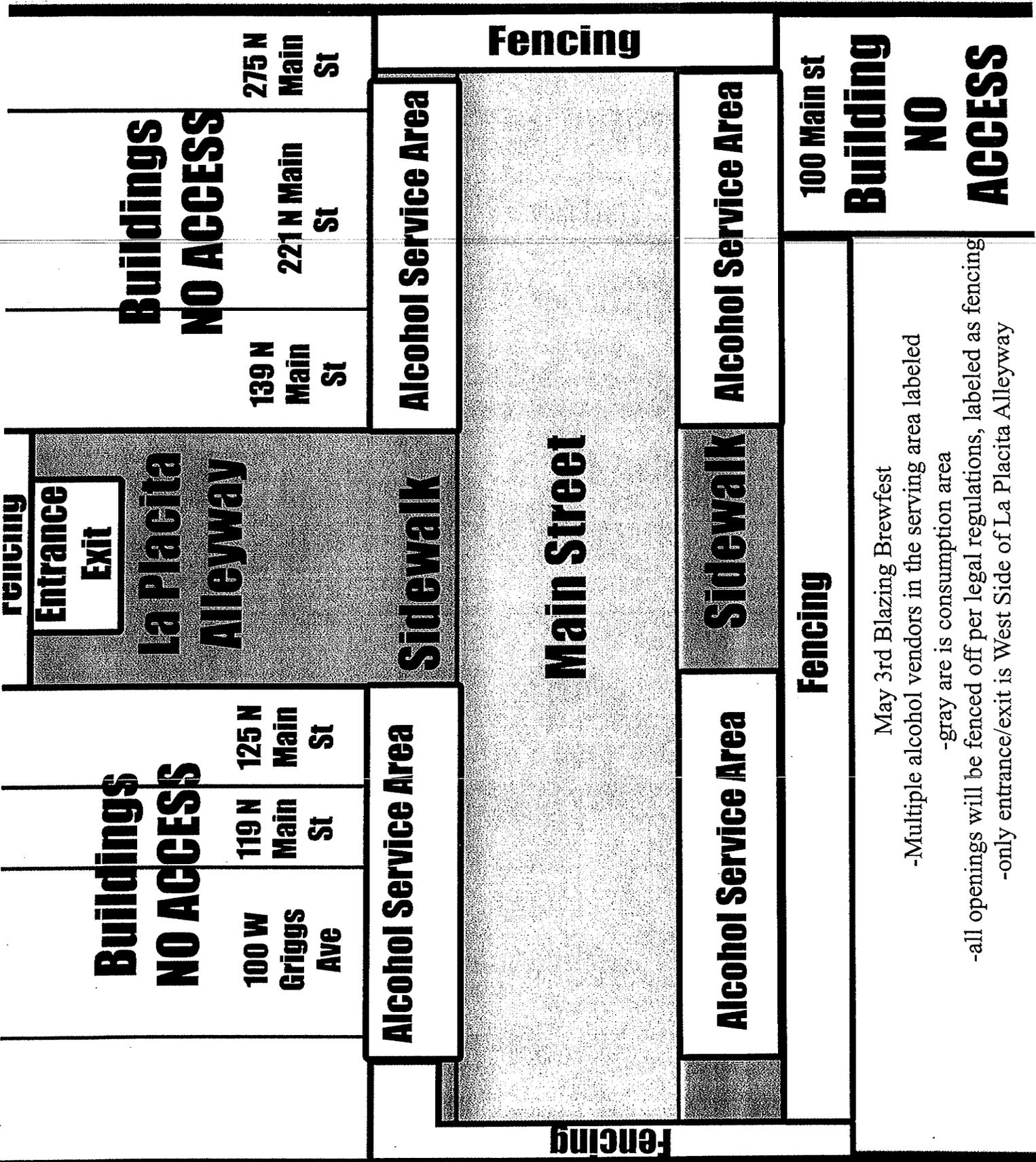
Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

Permit Number: \_\_\_\_\_



# Las Cruces Avenue



**100 Main st**  
**Building**  
**NO**  
**ACCESS**

**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

**Griggs St.**

July 1, 2013-June 30, 2014

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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 DATE
32589	Gosselin	Robert			1/13/1994	N/A	6/8/2016
43172	Schack	Eric			7/20/2001	N/A	10/17/2017
49454	Alvarez	Donna			1/1/1997	N/A	6/1/2018
91307	Romero	Rudy			1/16/2010	N/A	5/11/2016
92623	Costilow	Amber			5/3/2003	N/A	12/20/2015
153396	Hauptmann	Benjamin			10/10/2003	N/A	7/11/2014
162289	Costilow	Raven			6/5/2006	N/A	2/5/2015
181875	Cepeda	Cory			4/11/2013	N/A	6/25/2016
194355	Lowther	Coy			1/10/2014	N/A	7/28/2017
201850	Tutor	Tabitha			3/28/2012	N/A	6/22/2016
211210	Lowther	Matthew			4/21/2008	N/A	7/20/2016
213777	Costilow	Lianne			8/17/2005	N/A	8/19/2016
215329	Williams	Nathaniel			7/18/2010	N/A	10/16/2016
223584	Morin	Daniel			11/7/2007	N/A	Retest 2/26/2014-93%
224282	Merle	Monett			8/2/2012	N/A	3/11/2014
230468	Obregon	Andres			6/1/2001	N/A	9/4/2014
253231	Radtke	Michael			11/1/2010	N/A	1/12/2016
258148	Hite	Maria			5/29/2013	N/A	5/14/2016
258151	Knab	Abigail			9/2/2011	N/A	5/14/2016
278399	Arrieta	Jonathan			6/5/2012	N/A	9/15/2017
49696	Whitman	Christopher			Special Events	8/5/2012	10/8/2014
93042	Kindrick	Lawrence			Special Events	Special Events	5/2/2017
158769	Frary	Susan			Special Events	Special Events	10/13/2015
236149	Kindrick	Jill			Special Events	Special Events	10/29/2014
238398	Kamat	Satish			Special Events	Special Events	1/11/2015
241940	Denton	Drew			Special Events	Special Events	5/7/2015