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**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 18      Ordinance/Resolution# 14-159

For Meeting of \_\_\_\_\_  
 (Ordinance First Reading Date)

For Meeting of April 7, 2014  
 (Adoption Date)

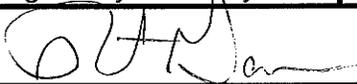
Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** A RESOLUTION AUTHORIZING SANTA FE 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. Santa Fe Brewing Co. from Santa Fe, 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 Santa Fe 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.

(Continue on additional sheets as required)

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Public Celebration Permit Application, Santa Fe Brewing Co., License No. 6785.
3. Attachment "1", Map of event area on Main Street.
4. Attachment "2", List of servers.

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>  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.
<b>Does this action create any revenue?</b>	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 <u>FY14</u> .
	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 Santa Fe 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 Santa Fe 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 Santa Fe 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. 14-159**

**A RESOLUTION AUTHORIZING SANTA FE 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**, Santa Fe Brewing Co. from Santa Fe, 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 Santa Fe 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 Santa Fe 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:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
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

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

APPROVED AS TO FORM:  
*Brian Lock*  
CITY ATTORNEY

LICENSE HOLDER INFORMATION:

Business Name (DBA) SANTA FE BREWING CO. Owner Name BRIAN LOCK License Number 6785  
Street Address: 35 FIRE PLACE City, State & Zip SANTA FE, NM County SANTA FE  
Phone Number: (505) 424-3333 Fax number (505) 424-1184 87508

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

Date(s) of Celebration May 2nd 2014 Begin Time 4:00PM End Time 9:00PM  
Description of Celebration: 2nd Annual Basin Brewfest  
Number of Security to be Provided 10 Company Name Security Concepts Number of Guests Expected 1000  
Contact Name & Number Mike Gonzalez - (575) 526-4151  
Physical Address of Event Main St @ Griggs & Las Cruces City Las Cruces County Dona Ana

SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration

Contact Name Chris Gebhart Title Ex Dir Date 3/17/14 Signature Chris Gebhart Phone (505) 660-2951  
New Mexico Brewers Guild

LICENSE HOLDER CERTIFICATION:

I 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 server certified and that ALL information in this application is true and correct. Licensee Signature: [Signature]

Subscribed and Sworn To Before Me This 17th day of January, 2014 Notary Public Mayely Castro

BUILDING OWNER APPROVAL:

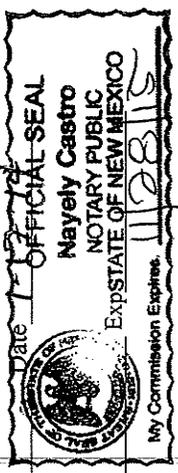
Contact Name (print) Robert Garza Facility Name Main St. Date \_\_\_\_\_ Signature \_\_\_\_\_  
Phone 575-541-2076

LOCAL GOVERNING BODY APPROVAL:

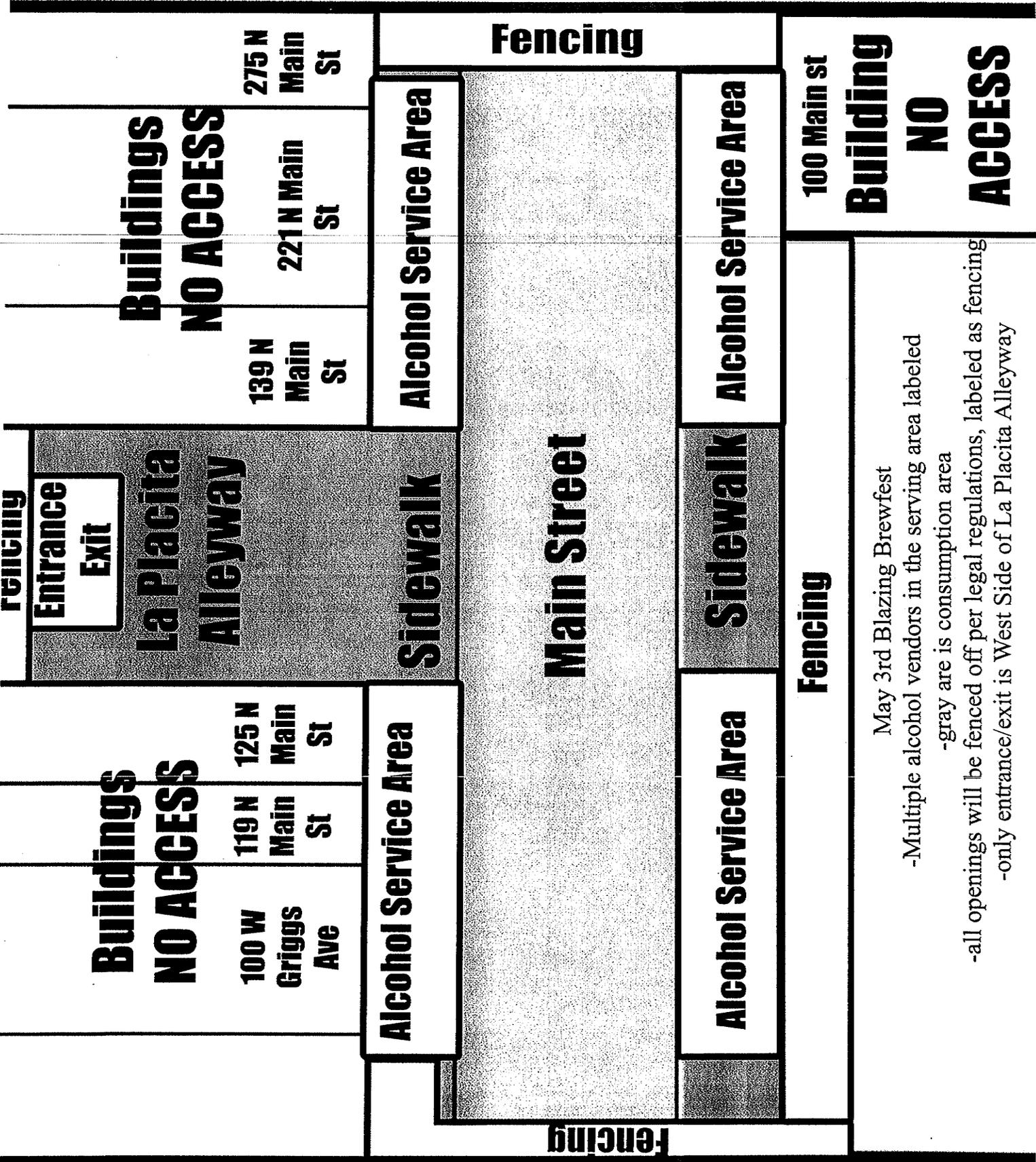
Print Name Robert Garza Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_  
Phone 575-541-2076 Fax 541-2017

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



# Las Cruces Avenue



**Buildings  
NO ACCESS**

275 N  
Main  
St

221 N Main  
St

139 N  
Main  
St

**Fencing**

**Alcohol Service Area**

**Alcohol Service Area**

100 Main st

**Building**

**NO**

**ACCESS**

**FENCING**

**Entrance  
Exit**

**La Placita  
Alleyway**

**Sidewalk**

**Main Street**

**Sidewalk**

**Fencing**

**Alcohol Service Area**

**Alcohol Service Area**

**Buildings  
NO ACCESS**

125 N  
Main  
St

119 N  
Main  
St

100 W  
Griggs  
Ave

**Fencing**

**Griggs St.**

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

**SANTA FE BREWING CO. CERTIFIED SERVER LIST**

<b>NAME</b>	<b>SERVER #</b>	<b>EXP. DATE</b>
Matthew Friccek	232709	9/29/14
Alana Harris	146879	3/4/14
Jason Soto	144207	3/4/14
Arthur Levis	25284	10/20/15
Adam Bishop	240383	2/27/15
Cullen Dwyer	51805	2/25/14
Tony Cordova	255961	5/20/16
Evan Galpert	268310	1/26/17
Jason Burk	258716	8/25/16
Shelly Wiemann	260130	6/21/16
Nathan Sutton	256916	4/20/16
Teri Knox	254296	2/12/16
Melodie Wade	97564	9/11/15
Becky Kaiser	154939	10/13/14
Marcos Lopez	248484	8/21/15
Andrew Friccek	234067	10/8/14
Kristina Verde-Murphy	263913	9/24/16