

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 20 Ordinance/Resolution# 14-161

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of April 7, 2014
(Adoption Date)

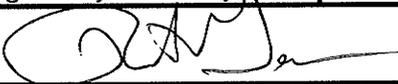
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING 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 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. Sierra Blanca Brewing Company from Moriarty, 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 Sierra Blanca Brewing Company 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, Sierra Blanca Brewing Company, License No. 6792.
3. Attachment "1", Map of event area on Main 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"/>	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
	<input type="checkbox"/>	<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 during the 2nd 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 Sierra Blanca Brewing Company 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 Sierra Blanca Brewing Company 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. 14-161

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 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, Sierra Blanca Brewing Company from Moriarty, 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 Sierra Blanca Brewing Company 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 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 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

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

APPROVED AS TO FORM:
[Signature]
CITY ATTORNEY

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 Doiarty 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 May 3rd 2014 Begin Time 4:00PM End Time 9:00PM

Description of Celebration: 2nd Annual Sazn Brew Fest

Number of Security to be Provided 10 Company Name Security Concepts Number of Guests Expected 1,000

Contact Name & Number Mike Gonzales (575) 526-4151

Physical Address of Event Main St Chas Cruces to Griggs City Las Cruces County Dona Ana

SPONSOR OF EVENT: Name of Organization/Person Sponsoring Celebration

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

LICENSE HOLDER CERTIFICATION:

I Suzanne Weber (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] Date 8-8-12

Notary information

Subscribed and Sworn To Before Me This 8th day of Aug, 2012, Notary Public [Signature] Signature
Contact Name (print) Robert Garza Facility Name Main St. Date _____ Signature _____
My Commission Expires: 02/26/14 Phone 575-541-2076

BUILDING OWNER APPROVAL:

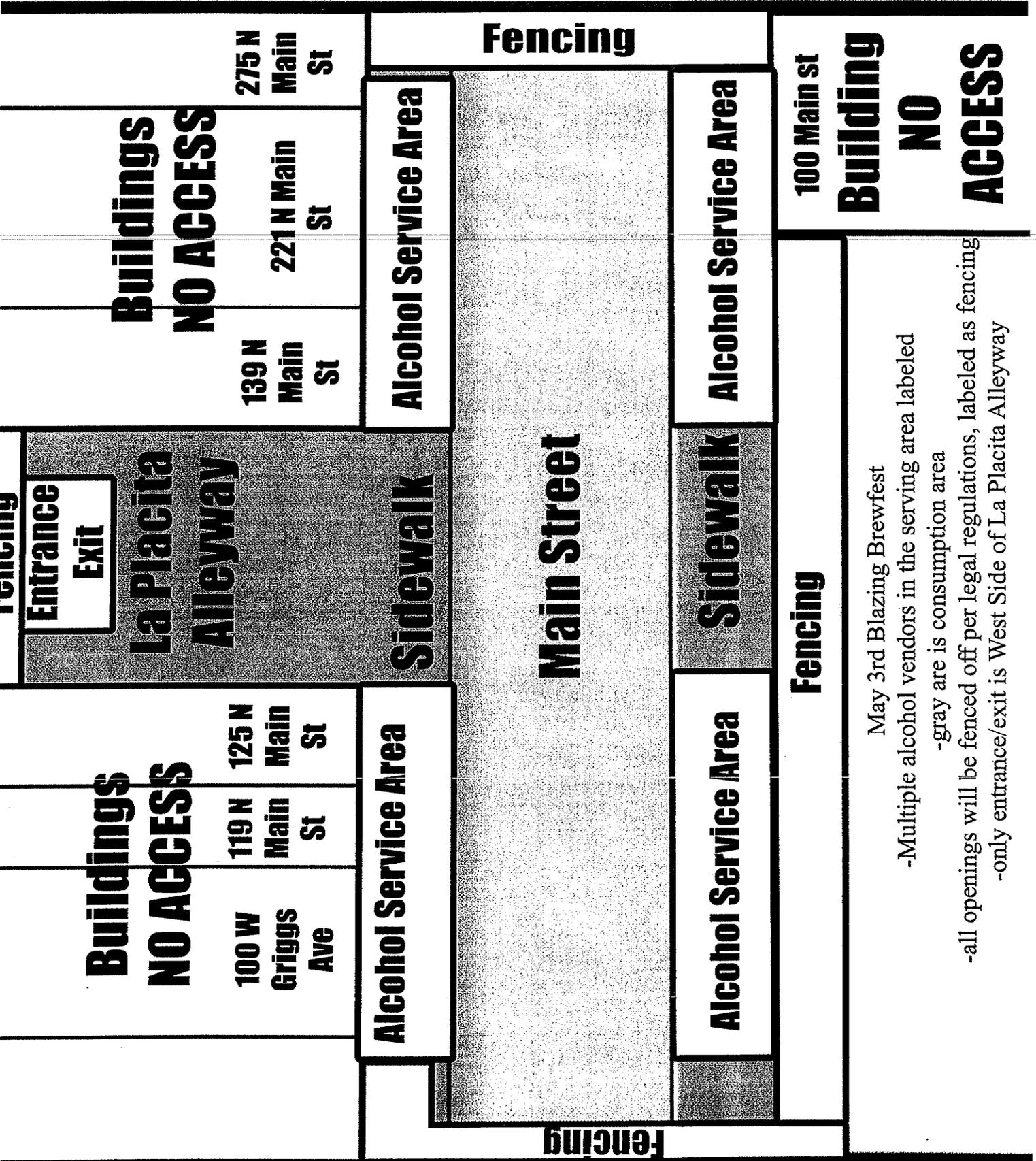
Contact Name (print) Robert Garza Title City Manager Date _____ Signature _____
Phone 541-2076 Fax 541-2017

LOCAL GOVERNING BODY APPROVAL

Alcohol and Gaming Division Use Only

Approved By: _____ Date: _____ Permit Number _____

Las Cruces Avenue



**Buildings
NO ACCESS**

100 W
Griggs
Ave

119 N
Main
St

125 N
Main
St

**Entrance
Exit**

**La Placita
Alleyway**

139 N
Main
St

221 N Main
St

275 N
Main
St

**Buildings
NO ACCESS**

Alcohol Service Area

Sidewalk

Main Street

Fencing

Alcohol Service Area

Sidewalk

Alcohol Service Area

Fencing

100 Main st

Building

**NO
ACCESS**

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

SIERRA BLANCA BREWING CO
P.O. BOX 9587
MORIARTY, N.M. 87035

AGD 100003

NEW MEXICO
ALCOHOL & GAMING DIVISION
SERVER CERTIFICATE

Number	Issue				
263016	09/01/2016				
Class	Sex	Age	Height	Weight	Color
[REDACTED]	M	78	190	BRN	BLU

BEN C COUGER
16 TURNER RIDGE
Edgewood, NM 87015