



33  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 4 Ordinance/Resolution# 15-020

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

For Meeting of August 18, 2014  
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** A RESOLUTION AUTHORIZING THE GAME SPORTS BAR & GRILL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA DURING THE SIXTH ANNUAL SALSA FEST TO BE HELD ON MAIN STREET ON AUGUST 23 AND 24, 2014.

**PURPOSE(S) OF ACTION:**

To authorize continuation of a 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 Downtown Las Cruces Partnership will host the Sixth Annual Salsa Fest event on Main Street, August 23 and 24, 2014. The Game Sports Bar & Grill is requesting approval to sell alcoholic beverages 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 Special Dispenser Permit Applications 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 The Game Sports Bar & Grill to sell alcoholic beverages within the restricted and secured area on August 23, 2014 between 7:00 p.m. and 11:00 p.m. and on August 24, 2014 between 12:00 p.m. and 5:00 p.m.

The authorization of the Special Dispenser Permit Applications 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", Special Dispenser Permit Application for August 23, 2014.
3. Exhibit "B", Special Dispenser Permit Application for August 24, 2014.
4. Attachment "1", Map of event area on Main Street for August 23, 2014
5. Attachment "2", Map of event area on Main Street for August 24, 2014.
6. Attachment "3", 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>\$50.00</u> for FY15.
	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 alcoholic beverages for consumption by The Game Sports Bar & Grill, within a restricted and secured area, during the Sixth Annual Salsa Fest on Main Street, August 23 and 24, 2014. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that The Game Sports Bar & Grill may not sell alcoholic beverages for consumption during the Sixth Annual Salsa Fest on August 23 and 24, 2014. The Alcohol and Gaming Director may issue the Special Dispenser Permits

(Continue on additional sheets as required)

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 alcoholic beverages are 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 alcoholic beverages being sold by The Game Sports Bar & Grill during the Sixth Annual Salsa 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. 15-020**

**A RESOLUTION AUTHORIZING THE GAME SPORTS BAR & GRILL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA DURING THE SIXTH ANNUAL SALSA FEST TO BE HELD ON MAIN STREET ON AUGUST 23 AND 24, 2014.**

The City Council is informed that:

**WHEREAS**, the Downtown Las Cruces Partnership is sponsoring the Sixth Annual Salsa Fest event on Main Street, generally between Las Cruces Avenue and Griggs Avenue, on August 23 and 24, 2014; and

**WHEREAS**, The Game Sports Bar & Grill requests approval to sell alcoholic beverages 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 Special Dispenser Permit Applications 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 The Game Sports Bar & Grill to sell alcoholic beverages for consumption within a restricted and secured area during the Sixth Annual Salsa Fest on August 23, 2014 between 7:00 p.m. and 11:00 p.m. and on August 24, 2014 between 12:00 p.m. and 5:00 p.m.; and

**WHEREAS**, approval of the Special Dispenser Permit Applications 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 The Game Sports Bar & Grill is hereby authorized to continue with the permitting process for the Special Dispenser Permit Applications, attached hereto as Exhibits "A" and "B", to allow alcoholic beverages to be sold for consumption within a restricted and secured area on August 23, 2014 between 7:00 p.m. and 11:00 p.m. and on August 24, 2014 between 12:00 p.m. and 5:00 p.m.

(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  
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12)

Fee Per day:  \$50.00 Public Celebration  
 \$25.00 Private Event (Catered) (all fees are non refundable)  
A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

**LICENSE HOLDER INFORMATION**  
Business Name (DBA) THE GAME SPORTS BAR & GRILL Owner Name MARCI DICKERSON Liquor License # 2732  
Street Address 2605 S. ESTERNA Mailing Address P.O. Box 161 Local Option District LAS CEJES  
City, State & Zip LAS CEJES NM 88003 Telephone # (575) 644-0778 Fax # (575) 526-0880

**EVENT INFORMATION**  
Description of Event SASSA FEST Date(s) of Event 8/23/14 Begin Time 7pm End Time 11pm  
Physical Address of Event Mttn St Number of Security personnel to be at this function 4  
Number of Persons expected 300

Description of Security LAS CEJES SECURITY  
Security Contact Name DAVE MANSSEN Telephone # (575) 636-7204

**SPONSOR INFORMATION**  
Sponsor of Event Downtown Las Cejes Farmers Market Contact Name Carrie La Tou Signature Carrie La Tou Telephone # 525-1955  
**BUILDING/PROPERTY OWNER APPROVAL**

Name (print) Robert L. Garza, P.E Signature Robert L. Garza Telephone # 575-541-2016 Date \_\_\_\_\_  
City Manager  
**LICENSE HOLDER & SERVER CERTIFICATION:** I, MARCI DICKERSON (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that event is not within 300 Ft. 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 they are my employees and that ALL the information in this application is true and correct.  
**NOTE:** List of servers including name, server permit # and server expiration date must be attached to permit application.  
Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) MARCI DICKERSON Signature (Licensee Only) [Signature] Date 8/23/14  
All profits derived from the sale of liquor will go only to the licensee. Only the owner or authorized person under this license may sign the permit. (Seal)  
Subscribed and Sworn before me this 23rd day of August, 2014 Notary Public [Signature] Exp. 7-21-2015

**NOTARY INFORMATION**  
Notary Name Robert L. Garza, P.E Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_  
**LOCAL GOVERNING BODY APPROVAL**  
575- \_\_\_\_\_ 575- \_\_\_\_\_  
Phone 541-2016 Fax 541-2017

**ALCOHOL & GAMING DIVISION USE ONLY**  
Approved by: \_\_\_\_\_ Date \_\_\_\_\_ Permit Number \_\_\_\_\_  
Attachments: 1) Floor plan - (Pictures?) 2) Fees (listed on top of page) 3) Server information list

ALCOHOL & GAMING DIVISION  
SPECIAL DISPENSER PERMIT APPLICATION (68-6A-12)

Fee Per Day: \$50.00 Public Celebration  
\$25.00 Private Event (Catered) (all fees are non refundable)  
A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

Liquor License # 2732  
Business Name (DBA) THE GAME SPORTS BAR & GRILL Owner Name MARCI DECKERSON Local Option District LA S CRUCES  
Street Address 2605 S. ESTANA Mailing Address P.O. Box 161 TAPABEES NM 88033  
City, State & Zip LA S CRUCES NM 88005 Telephone # (575) 644-0778 Fax # (575) 526-2888

EVENT INFORMATION  
Description of Event Salsa Fest Date(s) of Event 8/24/14 Begin Time 12 PM End Time 5 PM  
Physical Address of Event MAIN ST LA PASITA ALLEY WAY Number of Persons expected 300

Description of Security LA S CRUCES SECURITY Number of Security personnel to be at this function 4  
Security Contact Name DAVE MADSEN Telephone # (575) 636-7204

SPONSOR INFORMATION  
Sponsor of Event Danston Las Cruces Father's Day Contact Name Carrie La Tour Signature [Signature] Telephone # 525-1955  
BUILDING/PROPERTY OWNER APPROVAL  
Name (print) Robert L. Garza, P.E. Signature [Signature] Telephone # 515-541-2016 Date 7/23/14

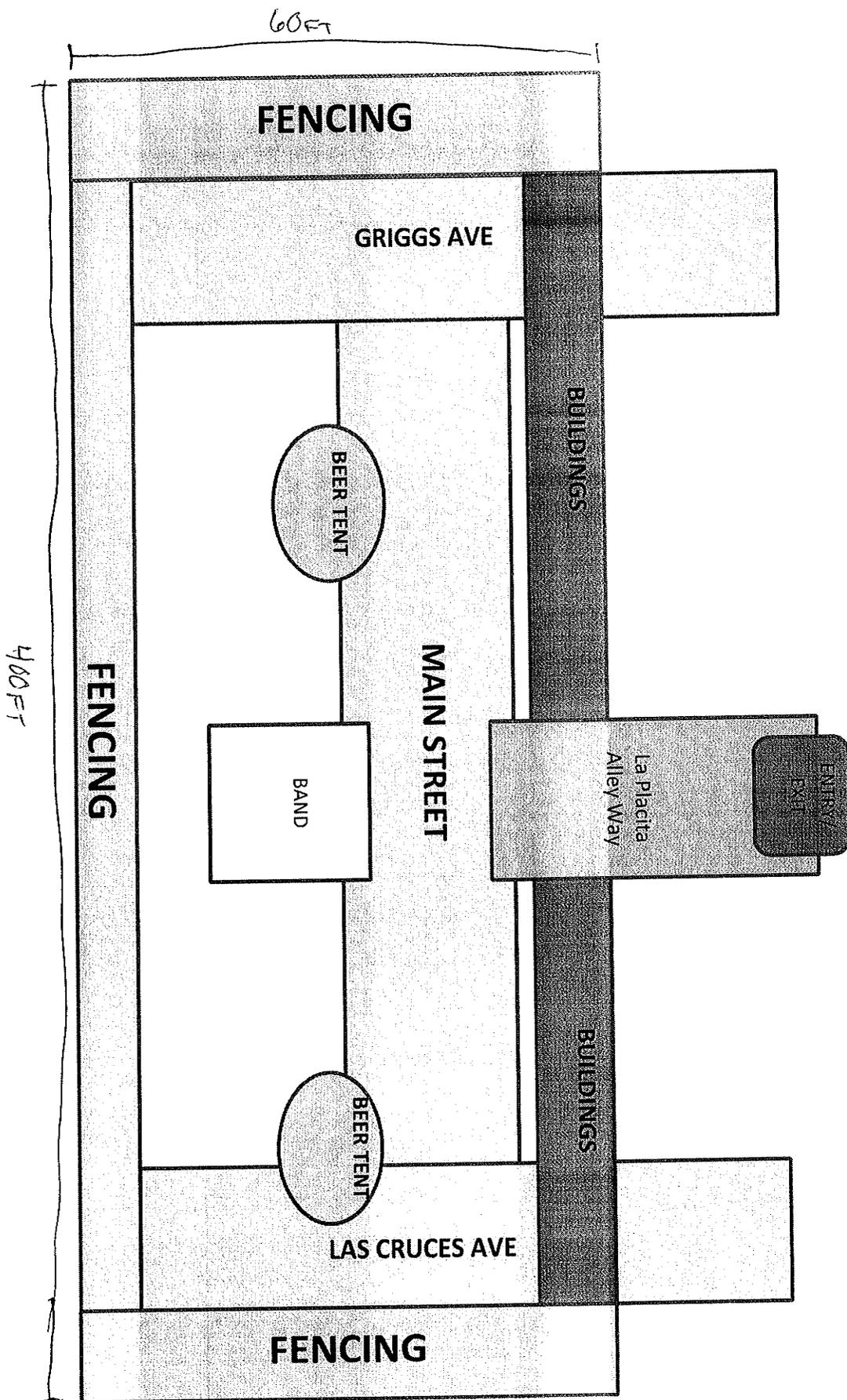
Licensee Name (print) MARCI DECKERSON Signature (Licensee Only) [Signature] Date 7/23/14  
All profits derived from the sale of liquor will go only to the licensee. Only the owner or authorized person under this license may sign the permit. (Seal)  
LICENSE HOLDER & SERVER CERTIFICATION: I, MARCI DECKERSON (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that event is not within 300 Ft. 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 they are my employees and that ALL the information in this application is true and correct.  
NOTE: List of servers including name, server permit # and server expiration date must be attached to permit application.  
Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Subscribed and Sworn before me this 23rd day of July 20 14 Notary Public [Signature] Exp. 7.21.2014  
LOCAL GOVERNING BODY APPROVAL

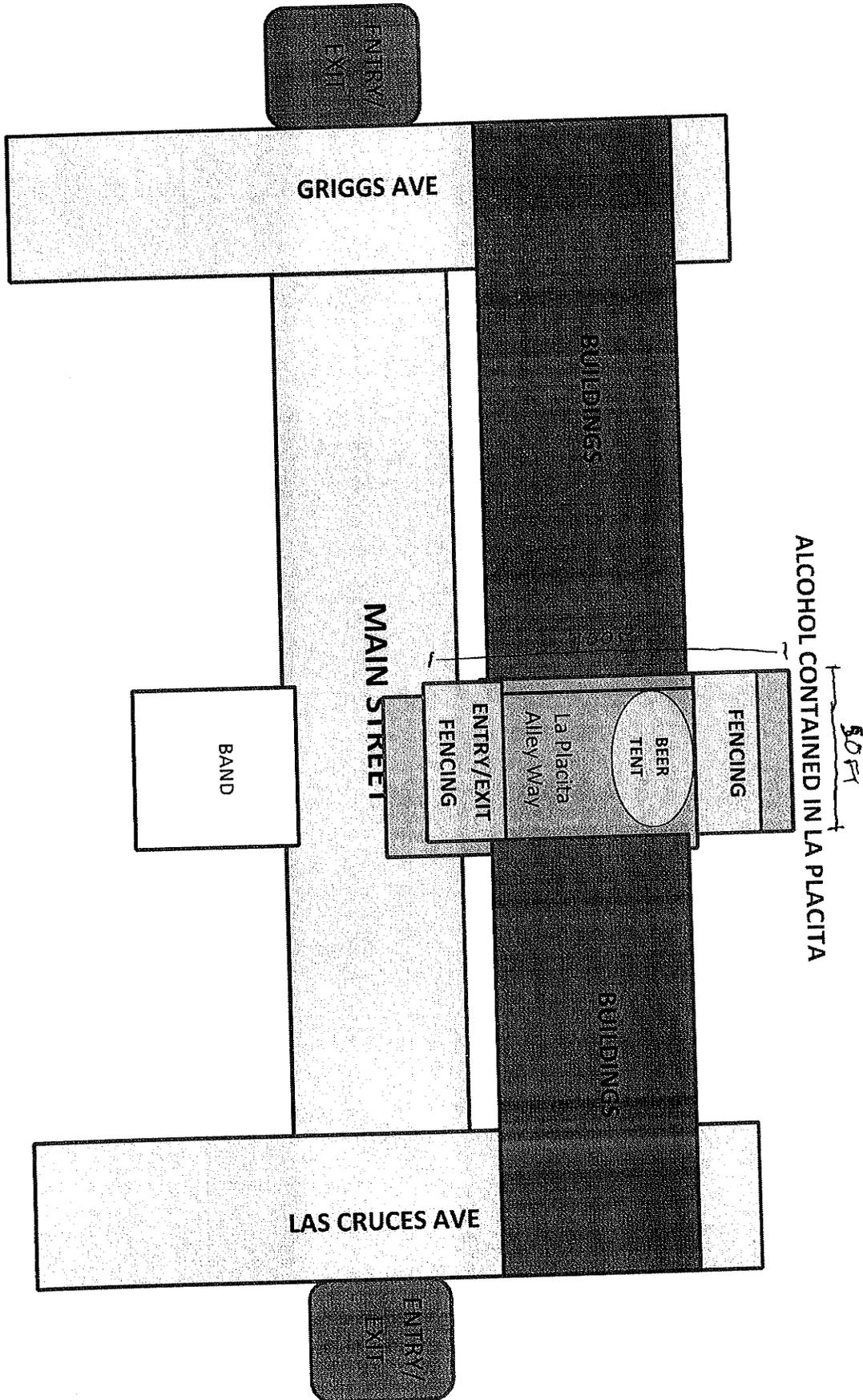
Print Name Robert L. Garza, P.E. Title City Manager Date 7/23/14 Signature [Signature] Telephone 515-541-2017 Fax 541-2017

ALCOHOL & GAMING DIVISION USE ONLY  
Approved by: [Signature] Date 7/23/14 Permitt Number 515-541-2017  
Attachments: 1) Floor plan - (Pictures?) 2) Fees (listed on top of page) 3) Server information list

**SALSA FEST 2014**  
SATURDAY / AUGUST 23, 2014  
7PM-11PM



**SALSA FEST 2014**  
SUNDAY / AUGUST 24, 2014  
12PM-5PM



NAME	#	EXP DATE
Brian Mares	146977	04/21/14
<del>Delaine Charlie</del>	<del>231542</del>	<del>09/05/14</del>
Reyes Garcia	244856	07/28/15
Tyler Alred	262976	08/27/16
Luis Vela	192905	02/09/17