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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 4 Ordinance/Resolution# 15-040

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of September 15, 2014
 (Adoption Date)

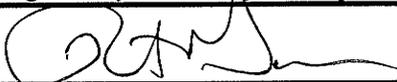
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING ST. CLAIR WINERY AND ST. CLAIR WINERY & BISTRO TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE 43RD ANNUAL RENAISSANCE ARTSFAIRE TO BE HELD NOVEMBER 1 AND 2, 2014 AT YOUNG PARK, 850 SOUTH WALNUT STREET, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To authorize a permitting process to continue.

COUNCIL DISTRICT: 3		
<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:

One of the largest annual cultural events in Southern New Mexico is the Renaissance ArtsFaire ("ArtsFaire"). The ArtsFaire is a juried arts show that showcases local and regional artists and crafts people and is sponsored by the Dona Ana Arts Council, Inc., a nonprofit corporation. St. Clair Winery and St. Clair Winery & Bistro are requesting approval to sell wine for consumption within a restricted and secured area located in and around the pavilion in Young Park during the ArtsFaire.

Approval by the City Council is required prior to the submission of the Public Celebration 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 wine to be sold within the restricted and secured area on the following dates during the times indicated:

Saturday	November 1, 2014	10:00 a.m. to 6:00 p.m.
Sunday	November 2, 2014	12:00 p.m. to 5:00 p.m.

(Continue on additional sheets as required)

The authorization of the Public Celebration 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.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Public Celebration Permit Application, St. Clair Winery, Wine Grower License Number 6130.
3. Exhibit "B", Public Celebration Permit Application, St. Clair Winery & Bistro, Wine Grower License Number 6161.
4. Attachment "1". Map of Young Park showing restricted and secured area for wine sales and consumption.
5. 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"/>	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 <u>FY15</u> .
	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

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the sale of wine for consumption within a restricted and secured area at Young Park during the Renaissance ArtsFaire on November 1 and 2, 2014. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that no wine will be served at the Renaissance ArtsFaire on November 1 and 2, 2014. The Alcohol and Gaming Director may issue the Public Celebration Permits for the ArtsFaire provided that the City Council has given written approval for the permitting process to continue.
3. Vote to "Amend"; this could include such items as changing the dates or times that wine 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 wine being sold at the ArtsFaire.

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. 15-040

A RESOLUTION AUTHORIZING ST. CLAIR WINERY AND ST. CLAIR WINERY & BISTRO TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE 43RD ANNUAL RENAISSANCE ARTSFAIRE TO BE HELD NOVEMBER 1 AND 2, 2014 AT YOUNG PARK, 850 SOUTH WALNUT STREET, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, the Renaissance ArtsFaire ("ArtsFaire") is an annual cultural event held the first full weekend in November; and

WHEREAS, the ArtsFaire is sponsored by the Dona Ana Arts Council, Inc., a New Mexico nonprofit corporation; and

WHEREAS, St. Clair Winery and St. Clair Winery & Bistro is requesting approval to offer wine for sale and consumption at the ArtsFaire; and

WHEREAS, approval by the City Council is required prior to submission of the Public Celebration 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 wine to be sold for consumption within a restricted and secured area during the ArtsFaire; and

WHEREAS, approval of the Public Celebration 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 St. Clair Winery and St. Clair Winery & Bistro are hereby authorized to continue with the permitting process for the Public Celebration Permit Applications, attached hereto as Exhibits "A" and "B", to allow wine to be sold for consumption within a restricted and secured area during the Renaissance ArtsFaire on the following dates during the times indicated:

Saturday	November 1, 2014	10:00 a.m. to 6:00 p.m.
Sunday	November 2, 2014	12:00 p.m. to 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 _____, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Smith: _____

Councillor Pedroza: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Levatino: _____

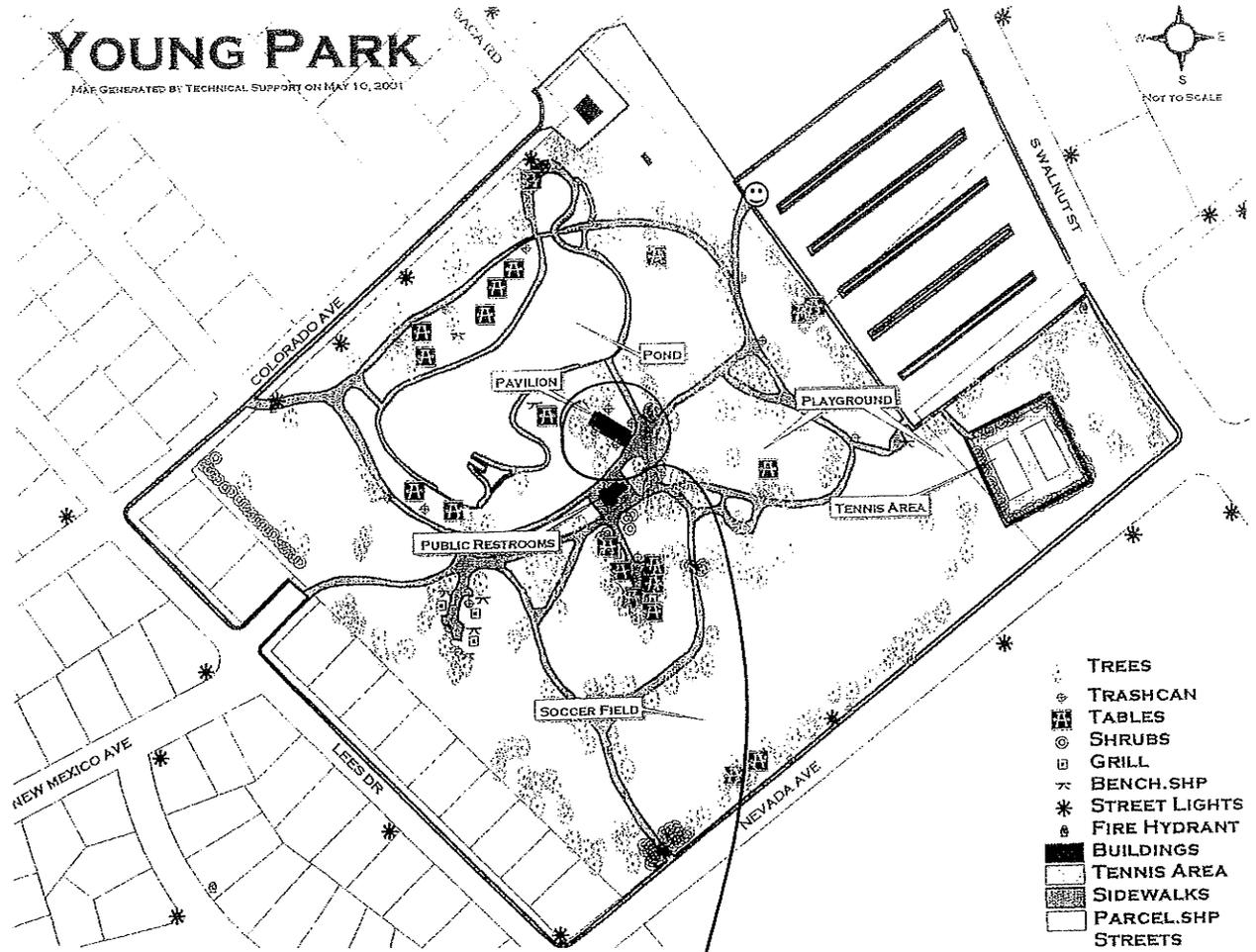
APPROVED AS TO FORM:



City Attorney

YOUNG PARK

MAP GENERATED BY TECHNICAL SUPPORT ON MAY 10, 2001



→ fenced area
beer & wine garden

St. Clair Winery and Tasting Room, LLC, Deming, NM. Event Servers License Information

All Server Permit Information are kept on file at the Managers Office in Deming NM.

All Servers are required to carry the original certificate when dispensing alcohol.

Emery	Jennifer	65565	5/19/2016
Lemcke	Megan	287751	5/13/2018
Smith	Diane	288736	6/19/2016
Hart	Michael	21438	5/24/2018
Acosta	Christophe	188096	5/19/2017
Angel	Veronica	57436	12/10/2015
Aragon	Anthony	243388	6/21/2015
Babington	Carol	273183	5/19/2017
Babington	William	273184	5/19/2017
Barbara	Aaron	273602	5/30/2017
Bartholomew	Donalee	188083	4/25/2017
Bizzell	James	264922	10/15/2016
Castanede	Anita	143976	5/28/2016
Chacon	Samantha	257915	5/11/2016
Comparin	Elizabeth	276335	7/28/2017
costa	Benjamin	275198	6/30/2017
Cunningham	Joyclyn	268549	1/28/2017
Duran	Erica	276960	8/8/2017
Durr	Darrell	246764	9/7/2015
Figueroa	Lili	238182	12/30/2014
Flores	Doreen	229248	8/19/2014
Garay	Teresa	574042	6/6/2017
Goremon	Larry	277216	8/8/2017
Guzman	Marcos	260166	6/20/2016
hering	Leanne	174078	8/10/2015
Hinton	Marjorie	273516	4/11/2017
Hobbs	Kristie	247012	9/9/2015
Hopper	Amber	255998	5/20/2016
Hubbard	Sammie	246758	7/13/2015
Johnson	Breanna	250625	12/9/2015
Juarez	Brenda	262525	8/24/2016
Marinelarena	Mirna	251192	11/3/2015
McCarson	Samantha	274427	6/16/2017
McClave	Megan	273197	5/19/2017

St. Clair Winery , Deming, NM.**Event Servers License Information**

All Server Permit Information are kept on file at the Business Office in Deming NM.

All Servers are required to carry the original certificate when dispensing alcohol.

Name	server #	expires
Cluff, Benjamin	#237030	14/24/14
Emery, Jennifer	#65565	5/19/16
Hayes, Connie	#165853	5/5/15
Paulk, Terri	#202859	1/4/18
Robinson, Lora	#232072	9/22/14
Lemcke, Megan	#287751	5/13/18
Smith, Daine	#288736	6/19/16