

195  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 16 Ordinance/Resolution #10- 081 Council District:     

**For Meeting of September 8, 2009**  
 (Adoption Date)

**A RESOLUTION AUTHORIZING THE DONA ANA ARTS COUNCIL, INC. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE RENAISSANCE ARTSFAIRE 2009 TO BE HELD NOVEMBER 7 AND 8, 2009 AT YOUNG PARK, LAS CRUCES, NEW MEXICO.**

**PURPOSE(S) OF ACTION:** To approve, modify or not approve authorization for the Dona Ana Arts Council, Inc. ("DAAC, Inc.") to sell wine for consumption within a restricted and secured area during the Renaissance ArtsFaire 2009 ("ArtsFaire").

<b>Name of Drafter:</b> Monica Campbell <i>mc</i>		<b>Department:</b> Legal		<b>Phone:</b> 541-2128	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Originating Department			Budget	<i>[Signature]</i>	541-2107
			Assistant City Manager	<i>[Signature]</i>	541-2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

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

The ArtsFaire is an annual, Renaissance themed, juried art show showcasing local and regional arts, craftspeople and entertainers. It is one of the largest cultural events in Southern New Mexico.

DAAC, Inc. is a New Mexico nonprofit corporation which plans and organizes the ArtsFaire. This year DAAC is requesting approval to sell wine for consumption on the premises, within a restricted and secured area, at the northernmost corner of Young Park.

Approval by the City Council is required prior to submission of the Special Dispenser 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

(Continue on additional sheets as required)

and Gaming would allow wine to be sold for consumption within a restricted and secured area at the northernmost corner of Young Park, during specific dates and times as follows:

Saturday, November 7, 2009                      10:00 a.m. to 5:00 p.m.

Sunday, November 8, 2009                      12:00 p.m. to 4:00 p.m.

The granting of a Special Dispenser Permit will also 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:**

<b>Fund Name / Account Number</b>	<b>Amount of Expenditure</b>	<b>Budget Amount</b>
N/A	N/A	N/A

1. Resolution.
2. Special Dispenser Permit application attached as Exhibit "A" with attachments (a map of Young Park and a list of servers).

**OPTIONS / ALTERNATIVES:**

1. Approve the Resolution and consent to wine being sold for consumption within a restricted and secured area at the northernmost corner of Young Park during the Renaissance ArtsFaire 2009, to be held November 7 and 8, 2009. Approval will allow Alcohol and Gaming to continue with its Special Dispenser Permit process.
2. Modify the Resolution and provide further direction to staff.
3. Do not approve the Resolution. This will result in no wine being served at the Renaissance ArtsFaire 2009. The Director of Alcohol and Gaming may issue a Special Dispenser Permit for the ArtsFaire provided that the City Council has given written approval for the permitting process to continue.

**RESOLUTION NO. 10-081**

**A RESOLUTION AUTHORIZING THE DONA ANA ARTS COUNCIL, INC. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE RENAISSANCE ARTSFAIRE 2009 TO BE HELD NOVEMBER 7 AND 8, 2009 AT YOUNG PARK, LAS CRUCES, NEW MEXICO.**

The City Council is informed that:

**WHEREAS**, the Renaissance ArtsFaire ("ArtsFaire") is an annual event held in Las Cruces, New Mexico during the first full weekend of November; and

**WHEREAS**, the Dona Ana Arts Council, Inc. ("DAAC, Inc.") is a New Mexico nonprofit corporation which plans and organizes the ArtsFaire; and

**WHEREAS**, DAAC, Inc. is requesting approval to sell wine for consumption at the Renaissance ArtsFaire 2009 within a restricted and secured area at the northernmost corner of Young Park; and

**WHEREAS**, approval by the City Council is required prior to submission of the Special Dispenser 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 wine to be sold for consumption at the ArtsFaire within a restricted and secured area at the northernmost corner of Young Park; and

**WHEREAS**, the granting of a Special Dispenser Permit will also 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 Dona Ana Arts Council, Inc. is hereby authorized to continue with the permitting process to allow wine to be sold for consumption at the Renaissance ArtsFaire 2009 within a restricted and secured area at the northernmost corner of Young Park, during specific dates and times as follows:

Saturday, November 7, 2009 10:00 a.m. to 5:00 p.m.

Sunday, November 8, 2009 12:00 p.m. to 4:00 p.m.

(II)

THAT City staff is authorized to do all deeds necessary to accomplish the intent of this Resolution.

DONE AND APPROVED on this 8 day of September 2009.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

{SEAL}

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Miyagishima: \_\_\_\_\_  
Councillor Silva: \_\_\_\_\_  
Councillor Connor: \_\_\_\_\_  
Councillor Archuleta: \_\_\_\_\_  
Councillor Small: \_\_\_\_\_  
Councillor Jones: \_\_\_\_\_  
Councillor Thomas: \_\_\_\_\_

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**

**LICENSE HOLDER INFORMATION:**

Business Name (DBA) St. Clair Winery & Tasting Room Owner Name St. Clair Winery & Tasting Room LLC License Number 60130  
 Street Address: 1325 De Baca Rd SE City, State & Zip Domino, NM 88030 County Luna  
 Phone Number: 575-546-1179 Fax number 575-546-2027

**EVENT INFORMATION:** Celebration type: State Fair County Fair \_\_\_\_\_ Community Fiesta \_\_\_\_\_ Cultural/Artistic Performance X  
 Date(s) of Celebration Nov. 2-8 Begin Time Sat - 10:00 AM Sun. 12:00 PM End Time Sat. 5:00 Sun. 4:00 Beg. Session at 12:00  
 Description of Celebration: Renaissance Arts Fair - Art show + food vendors with Renaissance Theme at 4:00 on Sun.  
 Number of Security to be Provided 2 guards Company Name Las Cecees Security Services Number of Guests Expected 300  
 Contact Name & Number Ceci Vasconcelos - 575/523-6403  
 Physical Address of Event Young Park, S. Walnut St. City Las Cecees County Doña Ana

**SPONSOR OF EVENT:** Name of Organization/Person Sponsoring Celebration Doña Ana Arts Council  
 Contact Name Ceci Vasconcelos Title Events Program Coordinator Date 8/5/09 Signature C. Vasconcelos Phone 575-523-6403

**LICENSE HOLDER CERTIFICATION:** I EMMANUEL LESON (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: \_\_\_\_\_

Subscribed and Sworn To Before Me This 16 day of July, 2009, Notary Public Monica Castillo Date 12/09/2012 Exp 12/09/2012  
 Notary information

**BUILDING OWNER APPROVAL:**  
 Contact Name (print) Terrence R. Moore Facility Name Young Park Date \_\_\_\_\_ Signature \_\_\_\_\_  
 Phone 575-541-2076

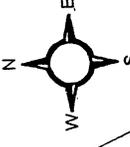
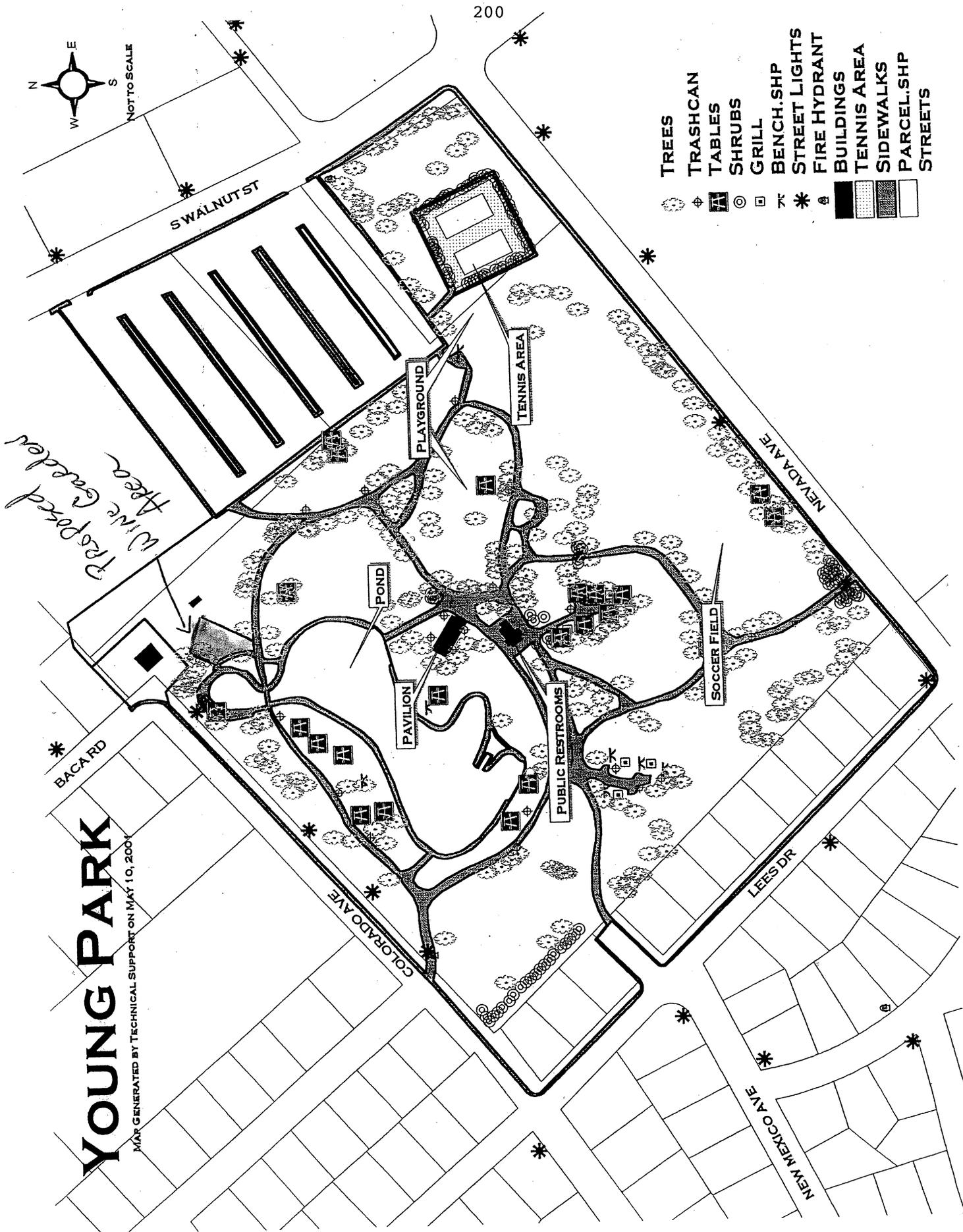
**LOCAL GOVERNING BODY APPROVAL**  
 Print Name Terrence R. Moore Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_  
 Phone 575-541-2076 Fax 541-2077

Alcohol and Gaming Division Use Only  
 Approved By: \_\_\_\_\_ Date: \_\_\_\_\_ Permit Number \_\_\_\_\_

PLEASE INCLUDE LIST OF SERVERS AND THEIR SERVER PERMIT NUMBER WHO WILL BE AT THE EVENT. A DETAILED FLOOR PLAN MUST ALSO BE SUBMITTED.  
**APPROVED AS TO FORM:**  
Terrence R. Moore  
 City Attorney

# YOUNG PARK

MAP GENERATED BY TECHNICAL SUPPORT ON MAY 10, 2000



NOT TO SCALE

200

- TREES
- TRASHCAN
- TABLES
- SHRUBS
- GRILL
- BENCH.SHP
- STREET LIGHTS
- FIRE HYDRANT
- BUILDINGS
- TENNIS AREA
- SIDEWALKS
- PARCEL.SHP
- STREETS

*Prepared Wine Garden Area*

SWALNUT ST

NEVADA AVE

BACA RD

COLORADO AVE

LEES DR

NEW MEXICO AVE

PLAYGROUND

TENNIS AREA

POND

PAVILION

PUBLIC RESTROOMS

SOCCER FIELD

**St. Clair Winery & Tasting Room, 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.

Name	server #	expires
Benningfield, Joshua	#210189	6/9/13
Emery, Jennifer	#65565	6/14/11
Hayes, Connie	#165853	5/5/10
James, Darrel	#133547	8/1/13
Mueller, Judy	#173644	11/7/10
Paulk, Terri	#202859	1/4/13
Acosta, Eduardo	#177394	2/2/11
Cabrales, Jeremiah	#193565	2/13/12
Contreras, Isaac	#205297	2/18/13
Dallman, Marisela	#216001	10/23/13
Gage, Ryan	#168815	7/8/10
Geary, George	#190086	1/3/12
Grubbs, Randall	#160752	12/30/09
Ford, Dana	#213975	8/20/13
Lawrence, Sarah	#220182	1/9/14
Mattlock, Brianne	#173679	11/9/10
McCraw, Judd	#217934	12/10/13
Sanchez, Myles	#198034	8/15/12
Emery, Tad	#187282	10/3/11