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

**Council Action and Executive Summary**

Item # 7 Ordinance/Resolution# 15-175

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

For Meeting of April 6, 2015  
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** A RESOLUTION AUTHORIZING HIGH DESERT 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 3<sup>RD</sup> ANNUAL BLAZIN' BREWFEST TO BE HELD ON MAIN STREET ON SATURDAY, MAY 2, 2015 FROM 4:00 P.M. TO 10:00 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 sponsor the 3<sup>rd</sup> Annual Blazin' Brewfest, a beer festival to be held on Main Street, Saturday, May 2, 2015. High Desert Brewing Company 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 High Desert Brewing Company to sell beer within the restricted and secured area between 4:00 p.m. and 9:00 p.m. on May 2, 2015.

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.

**SUPPORT INFORMATION:**

1. Resolution.

(Continue on additional sheets as required)

2. Exhibit "A", Public Celebration Permit Application, High Desert Brewing Company.
3. Attachment "1", Map of alcoholic beverages service areas.
4. Attachment "2", Map of Brewfest area.
5. Attachment "3", List of servers for High Desert Brewing Company.

**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>\$25.00</u> for <u>FY15</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 High Desert Brewing Company, within a restricted and secured area during the 3<sup>rd</sup> Annual Blazin' Brewfest on Main Street on May 2, 2015. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that High Desert Brewing Company may not serve beer during Blazin' Brewfest on May 2, 2015. The Alcohol and Gaming Director may issue the Public Celebration Permit provided that the City Council has given written approval for the permitting process to continue.

(Continue on additional sheets as required)

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 High Desert Brewing Company during the 3<sup>rd</sup> Annual Blazin' Brewfest.

**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. 15-175

**A RESOLUTION AUTHORIZING HIGH DESERT 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 3<sup>RD</sup> ANNUAL BLAZIN' BREWFEST TO BE HELD ON MAIN STREET ON SATURDAY, MAY 2, 2015 FROM 4:00 P.M. TO 10:00 P.M.**

The City Council is informed that:

**WHEREAS**, the New Mexico Brewers Guild is sponsoring the 3<sup>rd</sup> Annual Blazin' Brewfest, a beer festival to be held on Saturday, May 2, 2015; and

**WHEREAS**, High Desert Brewing Company 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 High Desert Brewing Company to sell beer for consumption within a restricted and secured area during the 3<sup>rd</sup> Annual Blazin' Brewfest; 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** High Desert 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 2, 2015.

(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)

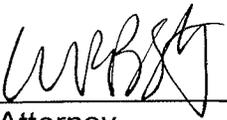
VOTE:

- 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 & CRAFT DISTILLER 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) High Desert Brewing Company Owner Name High Desert Brewing Co., Inc. Liquor License # 6801  
Billing Address 1201 W Hadley Avenue City, State & Zip Las Cruces, NM 88005  
Contact Telephone # 575-525-6752 Fax # 575-647-8033 Email Address hdhc.lcnn@gmail.com

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

Circle those that apply - All Age Event  Wrist Bands and/or Stamps - Beer Garden - Indoor/Outdoor Event Begin Time 4:00 End Time 10:00  
Description and Name of Event BLAZING BEERFEST Date(s) of Event May 2, 2015 Alcohol Service Begin Time 4:00 End Time 9:00  
Physical Address of Event & Name of Building or Business 200 MAIN ST LAS CRUCES NM 88001 Number of Persons expected to Drink 1,000  
Description of Security Security Concepts Number of Security 10 Security Contact Name Mike Gonzalez Contact Telephone # 575-526-4151

SPONSOR INFORMATION

Sponsor of Event New Mexico Brews Guild Contact Name Christopher Gabel Contact Telephone # (505) 662-2251

BUILDING/PROPERTY OWNER APPROVAL

Name (print) Robert L. Garza, P.E. Signature \_\_\_\_\_ Telephone # 575-541-2076 Date \_\_\_\_\_  
City Manager

CENSE HOLDER & SERVER CERTIFICATION: I, Donna L Almaraz (Licensee) hereby certify that this 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  
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) Donna L Almaraz Signature \_\_\_\_\_ Date 13 Mar 20  
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.

NOTARY INFORMATION

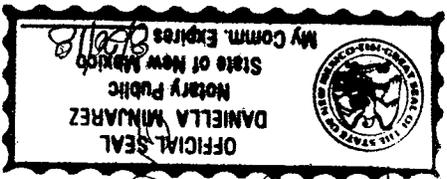
Subscribed and Sworn before me this 13<sup>th</sup> day of March, 20 15 Notary Public Donna L Almaraz Exp. 3/20/16

LOCAL GOVERNING BODY APPROVAL

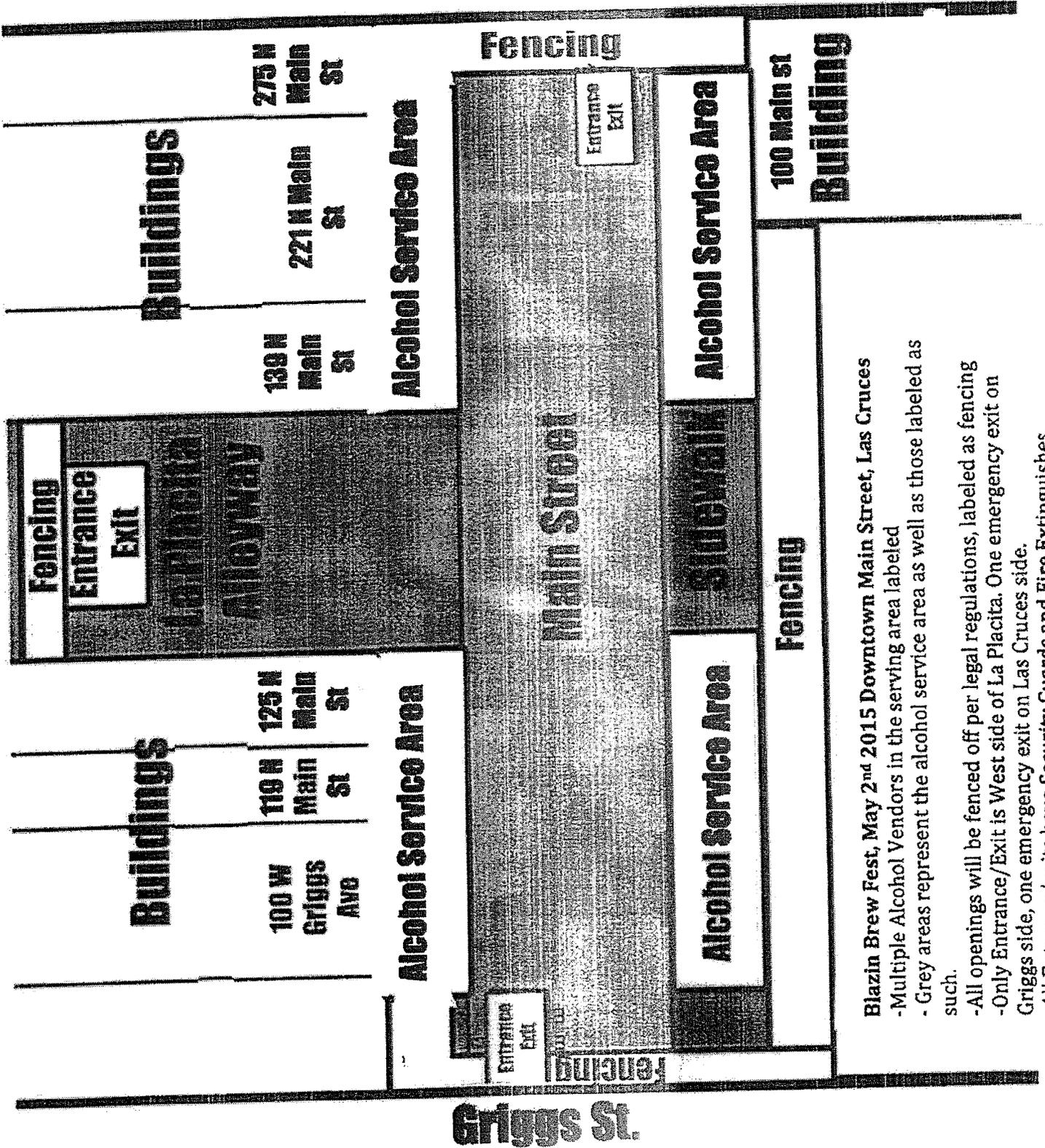
Name Robert L. Garza, P.E. Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_ Phone 541-2076 Fax 541-2017

ALCOHOL & GAMING DIVISION USE ONLY

Approved by: \_\_\_\_\_ Date \_\_\_\_\_ Permit Number \_\_\_\_\_  
Attachments: 1) Floor plan - (Pictures) \_\_\_\_\_ 2) Fees per day (listed on top of page) \_\_\_\_\_ 3) Server information list \_\_\_\_\_



# Las Cruces Avenue



- Blazin Brew Fest, May 2nd 2015 Downtown Main Street, Las Cruces**
- Multiple Alcohol Vendors in the serving area labeled
  - Grey areas represent the alcohol service area as well as those labeled as such.
  - All openings will be fenced off per legal regulations, labeled as fencing
  - Only Entrance/Exit is West side of La Placita. One emergency exit on Griggs side, one emergency exit on Las Cruces side.
  - All Entrance/exits have Security Guards and Fire Extinguishers.



Blazin Brewfest May 2<sup>nd</sup>, 2015

July 1, 2014-June 30, 2015

LIQUOR LICENSE NUMBER		OWNER NAME		DBA NAME			
6801		High Desert Brewing Company		High Desert Brewing Company			
Server Permit #	Last Name	First Name	SS#	DOB	HIRE DATE	TERMINATION DATE	SERVER EXPIRATION DATE
32589	Gosselin	Robert		1943	1/13/1994	N/A	6/8/2016
36476	McClellan	Jacob		1973	12/15/2014	N/A	3/26/2017
43172	Schack	Eric		1973	7/20/2001	N/A	10/17/2017
49454	Alvarez	Donna		1953	1/1/1997	N/A	6/1/2018
91307	Romero	Rudy		1978	1/16/2010	N/A	5/11/2016
92623	Costilow	Amber		1981	5/3/2003	N/A	12/20/2015
153396	Hauptmann	Benjamin		1978	10/10/2003	N/A	Retest 7/10/2014-90%
162289	McClellan	Raven		1985	6/5/2006	N/A	Retest ?
181875	Cepeda	Corey		1986	4/11/2013	N/A	6/25/2016
194355	Lowther	Coy		1983	1/10/2014	N/A	7/28/2017
196600	Penate, Jr	Antonio		1986	6/9/2014	8/6/2014	10/24/2017
201850	Tutor	Tabitha		1988	3/28/2012	8/13/2014	6/22/2016
211210	Lowther	Matthew		1985	4/21/2008	N/A	7/20/2016
213777	Costilow	Lianne		1986	8/17/2005	N/A	8/19/2016
215329	Williams	Nathanlel		1983	7/18/2010	N/A	10/16/2016
222454	Burns	Daniel		1988	8/4/2014	N/A	10/30/2016
223584	Morin	Daniel		1985	11/7/2007	N/A	2/26/2017
224282	Merle	Monett		1988	8/2/2012	N/A	Retest 3/19/2014-95%
230468	Obregon	Andres		1985	6/1/2001	N/A	Retest 10/17/2014-96%
243855	Cooper	Kelt		1989	9/8/2014	N/A	11/7/2016
253231	Radtke	Michael		1988	11/1/2010	N/A	1/12/2016
258148	Hite	Maria		1992	5/29/2013	N/A	5/14/2016
258151	Knab	Abigail		1990	9/2/2011	7/20/2014	5/14/2016
278399	Arrieta	Jonathan		1982	6/5/2012	7/20/2014	9/15/2017
280753	Vera	Elizabeth		1992	9/5/2014	N/A	11/26/2017
282292	Taylor	Morgan		1991	5/3/2014	N/A	1/16/2018
304548	Williams	Taylor		1985	4/18/2009	N/A	7/12/2017
306401	DiLorenzo	Britnee		1989	9/4/2014	N/A	8/20/2017