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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 12 Ordinance/Resolution# 15-180

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 RED DOOR BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING THE 3RD 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.

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 sponsor the 3rd Annual Blazin' Brewfest, a beer festival to be held on Main Street, Saturday, May 2, 2015. Red Door Brewing Co. 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 Red Door Brewing Co. 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, Red Door Brewing Co.
3. Attachment "1", Map of alcoholic beverages service areas.
4. Attachment "2", Map of Brewfest area.
5. Attachment "3", List of servers for Red Door Brewing Co.

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"/> 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

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 Red Door Brewing Co. within a restricted and secured area during the 3rd 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 Red Door Brewing Co. 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 Red Door Brewing Co. during the 3rd 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. 15-180

A RESOLUTION AUTHORIZING RED DOOR BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING THE 3RD 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 3rd Annual Blazin' Brewfest, a beer festival to be held on Saturday, May 2, 2015; and

WHEREAS, Red Door Brewing Co. 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 Red Door Brewing Co. to sell beer for consumption within a restricted and secured area during the 3rd 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 Red Door Brewing Co. 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

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) Leed Door Brewery Co. Owner Name Jeff Hart Liquor License # 67042
Billing Address 1201 Caroleena rd NE City, State & Zip Albuquerque, NM 87114
Contact Telephone # 505-379-7626 Fax # _____ Email Address jeff@leeddoorbrewery.com

EVENT INFORMATION: Celebration type: State Fair _____ County Fair _____ Community Fiesta 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 Brewfest 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 Number of Persons expected to Drink 1,000
Description of Security Security Concepts Number of Security 10 Security Contact Name Mike Gonzalez Contact Telephone # _____

SPONSOR INFORMATION

Sponsor of Event New Mexico Brews Guild Contact Name Christophe Gilet Contact Telephone # (505) 662-2151

BUILDING/PROPERTY OWNER APPROVAL

Name (print) Robert L. Garza, P.E. Signature _____ Telephone # 515-541-2016 Date _____
City Manager

LICENSE HOLDER & SERVER CERTIFICATION: I, _____ (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) Matthew Biggs Signature _____ Date 26 Feb 2015
profits derived from the sale of liquor will go only to the licensee.

NOTARY INFORMATION

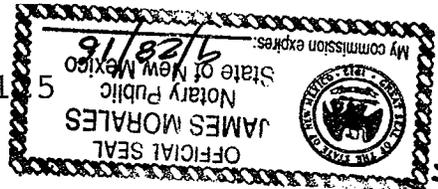
Only the owner or authorized person under this license may sign the permit.
Notary Public Matthew Biggs Signature _____ Date 26 Feb 2015 Exp. 9/28/16

LOCAL GOVERNING BODY APPROVAL

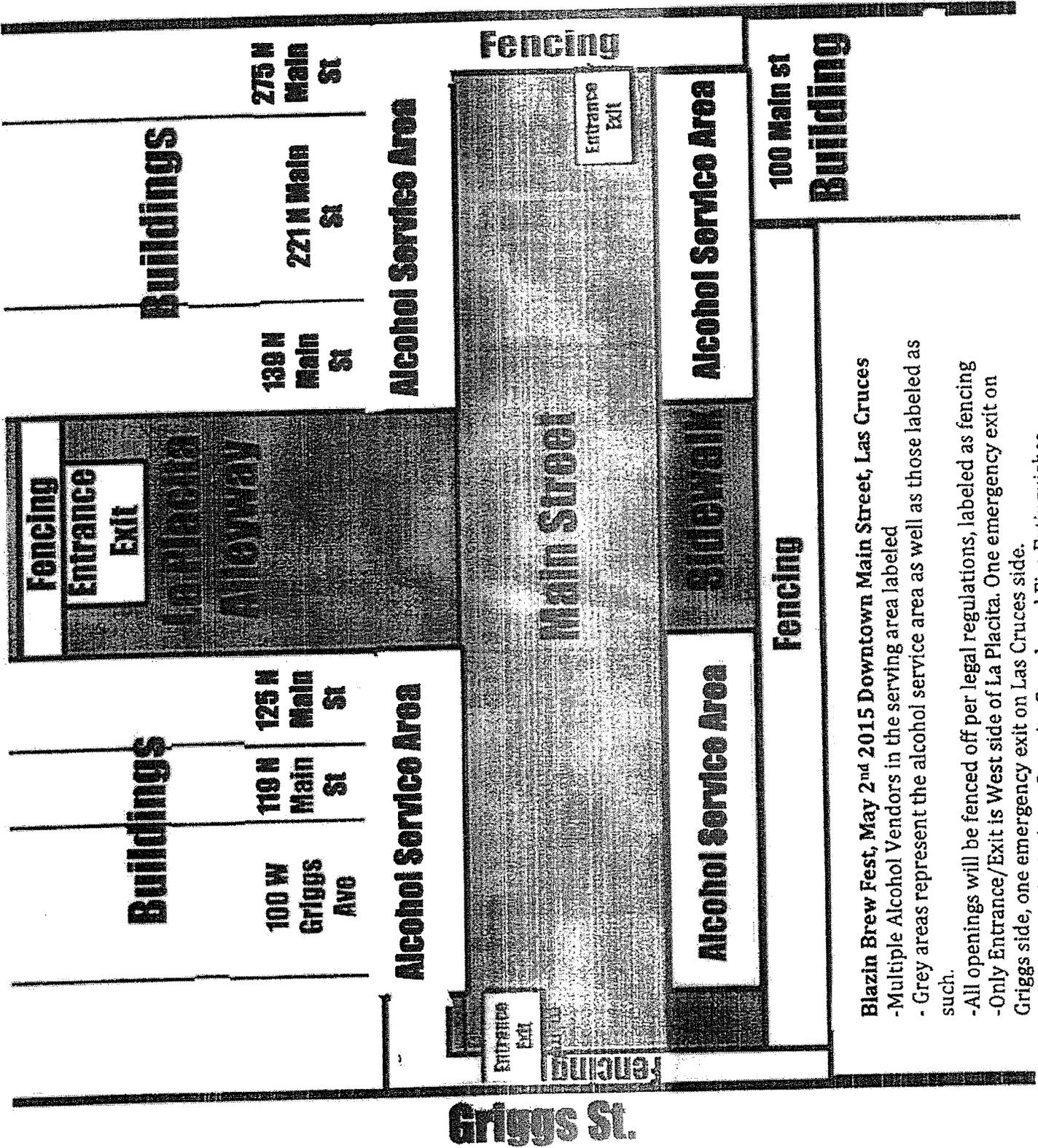
Permit Name Robert L. Garza, P.E. Title City Manager Date _____ Signature _____
515. 541. 2016 Phone 541-2076 Fax 541-2017

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 2nd, 2015

NEW MEXICO
ALCOHOL & GAMING DIVISION
SERVER CERTIFICATE

Permit # 98343 Expires 01/27/2016 N/A

Date of Birth 1981 Sex M Height 72 Weight 175 Hair Bm Eyes Gm

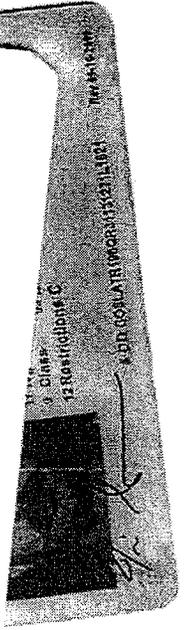
Signature *[Signature]*

Travis R Goslar
1617 Gold Avenue SE #J
Albuquerque, NM 87106

NEW MEXICO
ALCOHOL & GAMING DIVISION
SERVER CERTIFICATE

83000-1139V

41178 MN, NM 87106
Jeffrey D Hart
6401 Duero Place NW
Albuquerque, NM 87106



NEW MEXICO
ALCOHOL & GAMING DIVISION
SERVER CERTIFICATE

Permit # 129383 Expires 10/11/201 N/A

Date of Birth 982 Sex M Height 69 Weight 180 Hair BLK Eyes BRN

Signature *[Signature]*

FRANK E HOLLOWAY
2404 Pomelo Place NW
Albuquerque, NM 87106

AGD-00003

Red Door

NEW MEXICO
ALCOHOL & GAMING DIVISION
SERVER CERTIFICATE

Permit # 298293 Expires 02/24/2017 N/A Social Security No

Date 984 Sex M Height 70 Weight 155 Hair Rcd Eyes HZI

Signature *[Signature]*

Matthew H Biggs
3416 Sierra Drive NE
Albuquerque, NM 87110

AGD-00003