

138
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 14 Ordinance/Resolution# 15-182

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 SPOTTED DOG BREWERY 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. Spotted Dog Brewery 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 Spotted Dog Brewery 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, Spotted Dog Brewery.
3. Attachment "1", Map of alcoholic beverages service areas.
4. Attachment "2", Map of Brewfest area.
5. Attachment "3", List of servers for Spotted Dog Brewery.

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

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 Spotted Dog Brewery, 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 Spotted Dog Brewery 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 Spotted Dog Brewery 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. 15-182

A RESOLUTION AUTHORIZING SPOTTED DOG BREWERY 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, Spotted Dog Brewery 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 Spotted Dog Brewery 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 Spotted Dog Brewery 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: _____

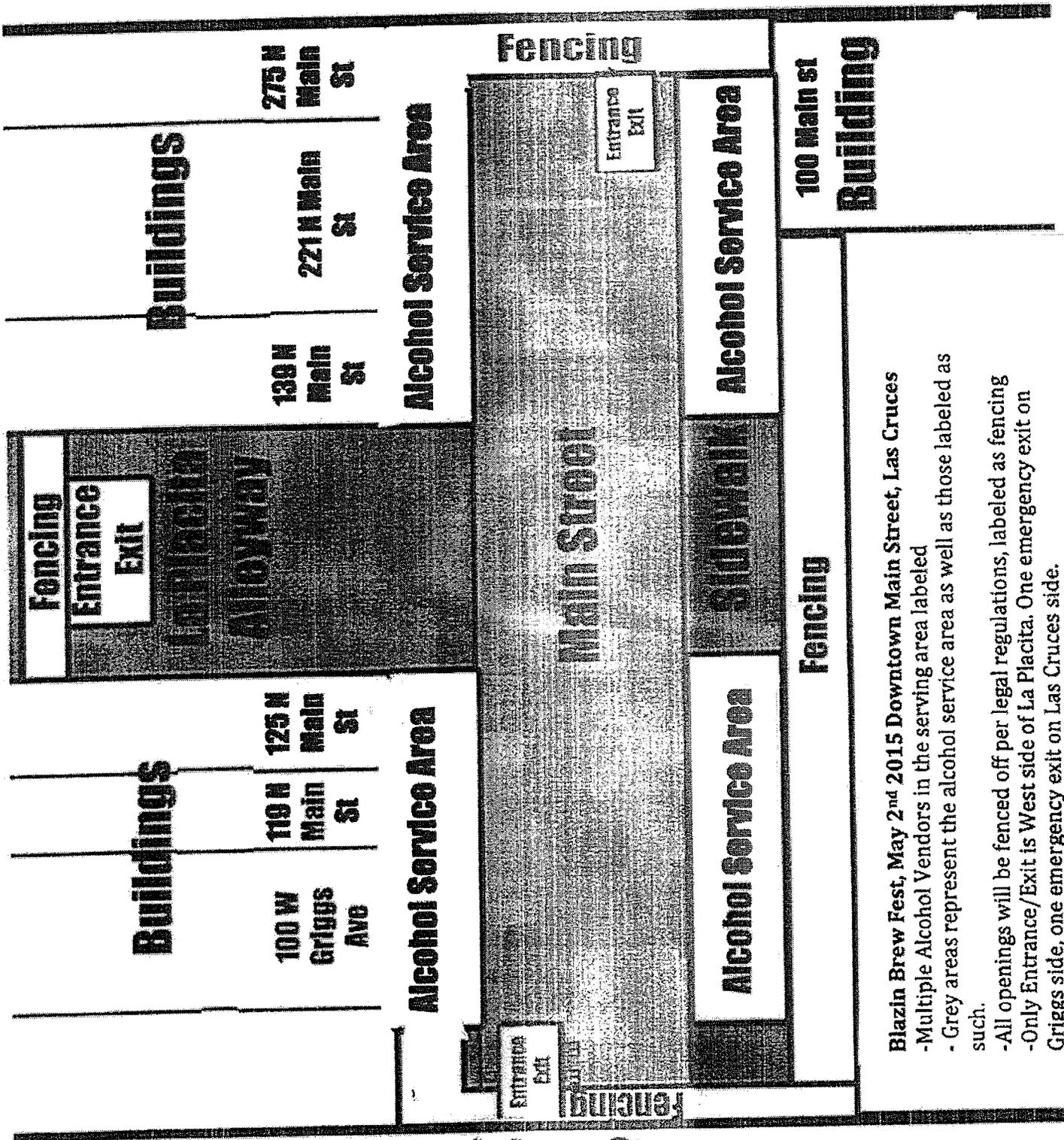
Seconded by: _____

APPROVED AS TO FORM:

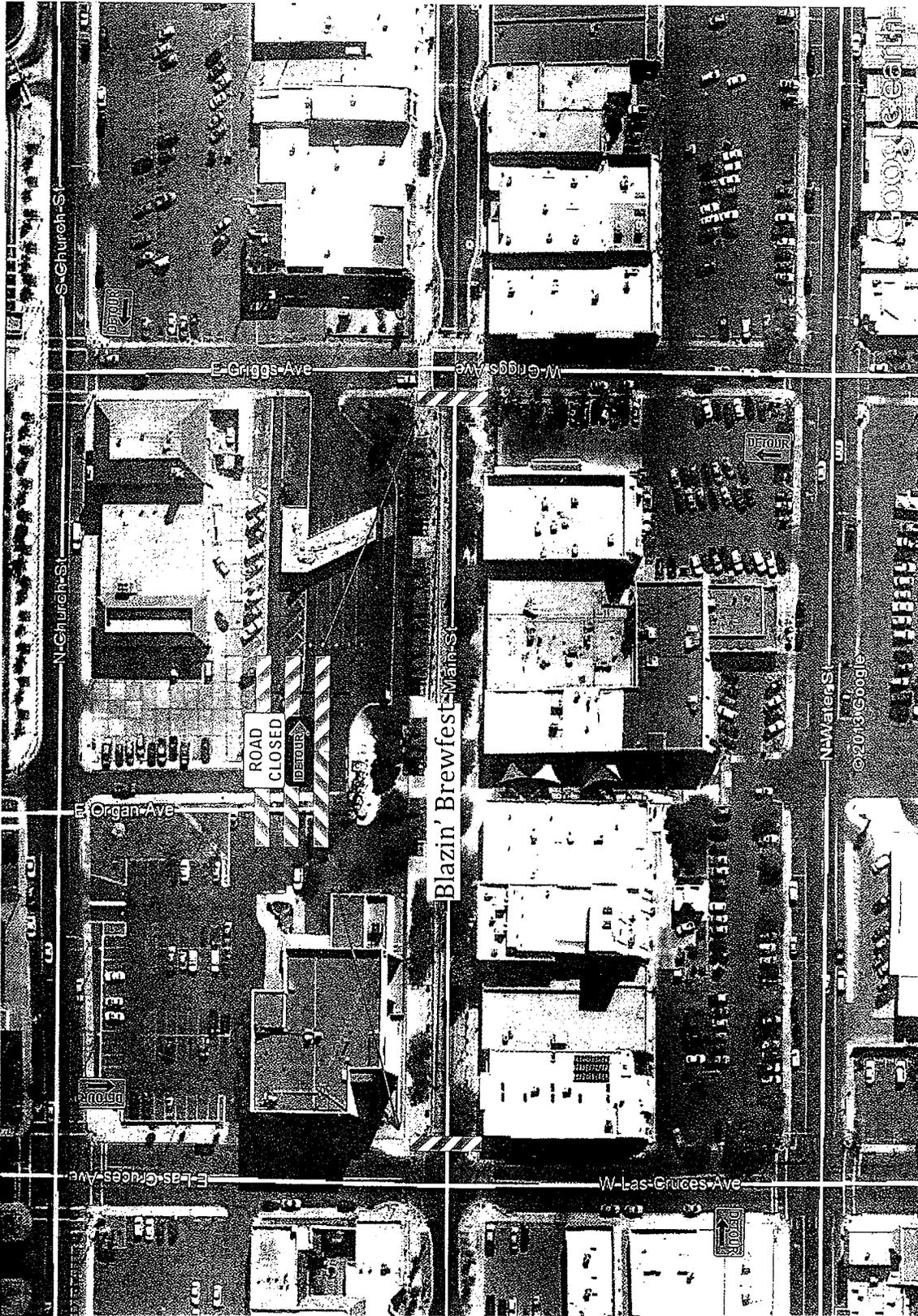


City Attorney

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

LIST OF ALCOHOL SERVERS

PLEASE MAKE ADDITIONAL COPIES AS NEEDED

(Submit copies of Temporary Server Permits for all new hires or renewing servers. Temporary server permits are valid for 120 days. If a server has not received the permanent permit within the 120 days they must contact our office as soon as possible at (505) 476-4875.)

SMALL BUSINESS # 20121 OWNER NAME GERALD GRANDUE DBA SCOTTED DOG RESTAURANT LLC

LIQUOR LICENSE NUMBER	SERVER PERMIT #	LAST NAME	FIRST NAME	SSN	DOB	HIRE DATE	TERMINATION DATE	PERMIT EXPIRATION DATE
304844		GRANDUE	SUSAN	[REDACTED]	[REDACTED]	9/83		7.17.2017
254712		DENMARK	GABRIEL	[REDACTED]	[REDACTED]	1989		3.31.2016
TEMP		PERTUSINI	ALEXANDER	[REDACTED]	[REDACTED]	1992	1990	11.8.2017
261940		SCHOENH	REBECCA	[REDACTED]	[REDACTED]	1998		8.8.2016
201850		TUIRE	TABITHA	[REDACTED]	[REDACTED]	1988		6.22.2016
300524		GRANDUE	GERALD	[REDACTED]	[REDACTED]	1991		4.20.2017
291742		BOINER	TIMOTHY	[REDACTED]	[REDACTED]	1991		9.1.2012
Temp		White	David	[REDACTED]	[REDACTED]	1981		2.25.2018