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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 16 Ordinance/Resolution# 15-184

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 TRACTOR 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 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. Tractor 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 Tractor 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, Tractor 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 Tractor Brewing Company.

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 \$25.00 for FY15.
	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 Tractor Brewing Company, 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 Tractor 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 Tractor Brewing Company 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. 15-184

A RESOLUTION AUTHORIZING TRACTOR 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 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, Tractor 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 Tractor Brewing Company 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 Tractor 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
(60-64-II / 60-64-26.1 NMSA)

FEES ARE \$10 PER DAY -- Fees are Non-Refundable

LICENSE HOLDER INFORMATION:

Business Name (DBA) Tractor Brewing Company Owner Name Troubled Minds Liquor License # 67033
Mailing Address 1800 4th St NW City, State & Zip Albuquerque, New Mexico 87102
Contact Telephone # 505-243-6752 Fax # _____ Email Address nicole@getplowed.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 4:00pm End Time 10:00pm
Description and Name of Event Blazing Brewfest Date(s) of Event May 2, 2015 Alcohol Service Begin Time 4:00pm End Time 9:00pm
Physical Address of Event & Name of Building or Business 200 Main St. Las Cruces 88001 Number of Persons expected to Drink 1,000
Description of Security Security Concepts Number of Security 10 Security Contact Name Mile Gonzales Contact Telephone # _____

SPONSOR INFORMATION

Sponsor of Event New Mexico Brewers Guild contact Name Christopher Goblet Contact Telephone # (505) 660-2951

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Skye Morris-Devore (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 this application is for a public celebration for Jennifer Nicole Duke. I am not a public official.
all persons providing the service of alcoholic beverages are server certified and that they are my employees and that ALL the information on 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) Skye - Morris-Devore Signature [Signature] Date 8/19/15
All profits derived from the sale of liquor will go only to the licensee.

NOTARY INFORMATION

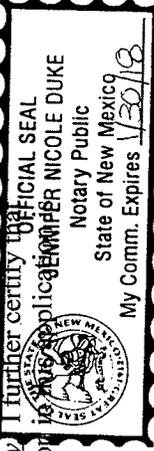
Subscribed and Sworn before me this 19 day of February, 2015 Notary Public Jennifer Nicole Duke Exp. 1/30/18
Only the owner or authorized person under this license may sign the permit.

LOCAL GOVERNING BODY APPROVAL

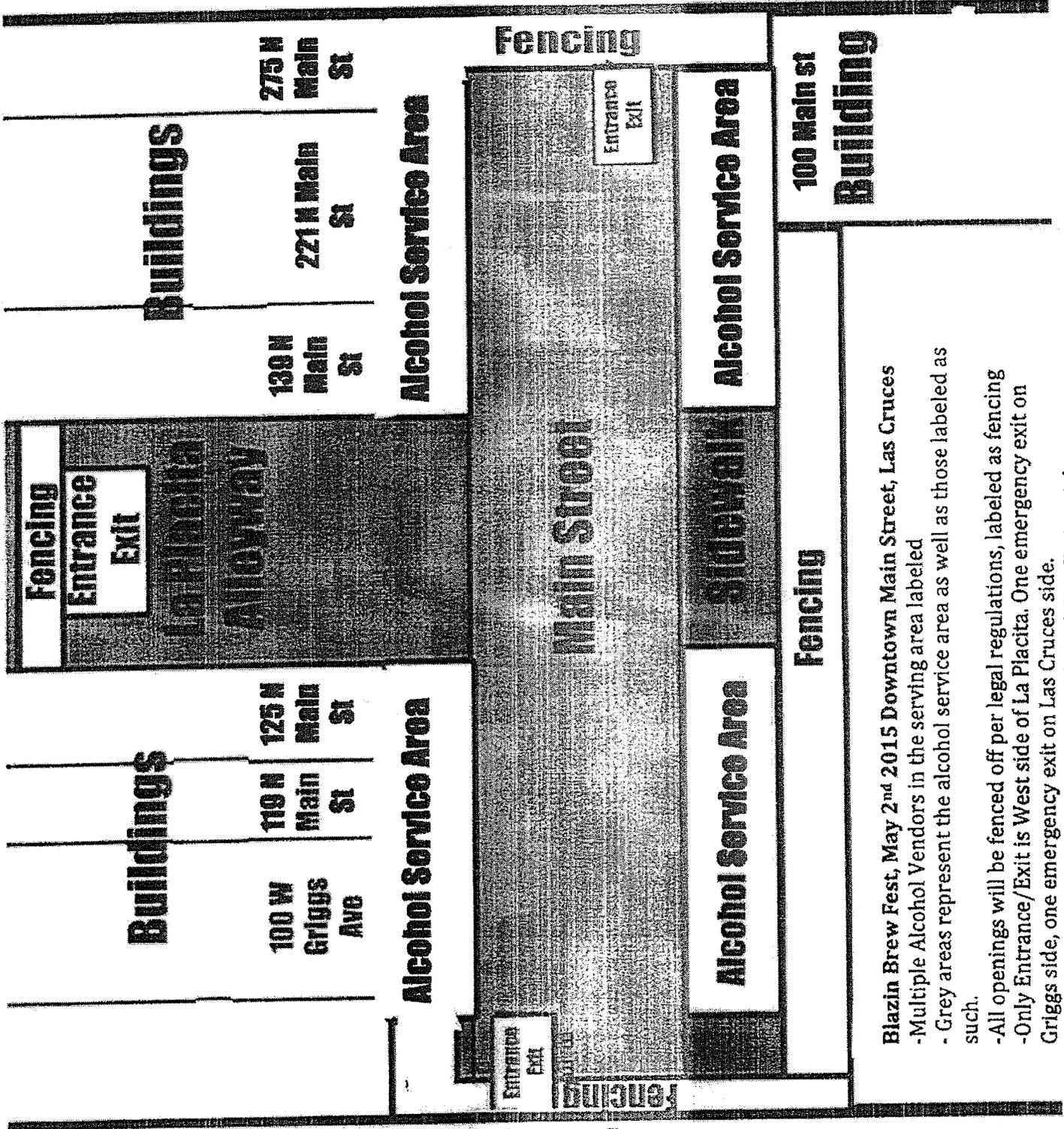
Print Name Robert L. Garza, P.E. Title City Manager Date _____ Signature _____
575-541-2076 Phone 575-541-2017 Fax 575-541-2017

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



Buildings

100 W
Griggs
Ave

119 N
Main
St

125 N
Main
St

Buildings

139 N
Main
St

221 N Main
St

275 N
Main
St

Alcohol Service Area

Alcohol Service Area

Griggs St.

Entrance
Exit

Fencing

Main Street

Fencing

Entrance
Exit

Alcohol Service Area

SIDEWALK

Alcohol Service Area

Fencing

100 Main St

Building

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

67033

Name	Number	Exp
Aaron Geiskopf	Temporary	
Alexis Bergen	262699	8/26/2016
Antal Maurer	289668	6/29/2016
Brenda Leyba	Temporary	
Carlos A. Contreras	163593	9/10/2016
Carlos J. Garcia	301529	5/8/2017
Chacon, Alexandria	253263	2/21/2016
Courtney Sunderland	286517	5/5/2018
David Hargis	249473	11/10/2015
Donna Marlow	113739	9/26/2016
Fritz J Bitsoie	265947	11/10/2016
Jennifer N Duke	287099	5/16/2018
Joshua Campbell	250121	11/29/2015
Kendal L Chavez	279442	10/12/2017
Kent A Steinhaus	183034	10/27/2017
Kyle McGraw	139621	4/16/2017
Lauren Poole	203735	7/5/2016
Marissa D Valdez	Temporary	7/19/2018
Melissa N Martinez	266049	12/2/2016
Michaela Maddry	239963	3/16/2015
Ortega, Aaron	288291	7/3/2016
Patrick Manjarrez	228382	8/7/2017
Raleigh Kyablue	272077	4/25/2017
Sharon Garcia	Temporary	
Shawn Sturgeon	297180	1/24/2017
Shelby Davis	242554	5/27/2015
Skye Morris Devore	102337	10/21/2017