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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 15-220

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of May 18, 2015
 (Adoption Date)

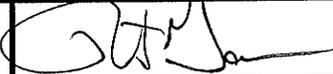
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING BEVERLY HILLS HALL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT EVENTS SPONSORED BY CROSSROADS CITY DERBY AT MEERSCHIEDT CENTER, 1600 EAST HADLEY, ON JUNE 6, 2015 AND JULY 18, 2015.

PURPOSE(S) OF ACTION:

To authorize a permitting process to continue.

COUNCIL DISTRICT: 3		
<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:

Crossroads City Derby, a women's flat track roller derby league, is the sponsor of roller derby events to be held on Saturday, June 6, 2015 and Saturday, July 18, 2015, at Meerscheidt Center, 1600 East Hadley. Beverly Hills Hall is requesting approval to sell alcoholic beverages for consumption within a restricted and secured area during the events.

Approval by the Las Cruces City Council is required prior to the submission of the Special Dispenser Permit Applications 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 Beverly Hills Hall to sell alcoholic beverages for consumption within a restricted and secured area at Meerscheidt Center between 7:00 p.m. and 10:00 p.m. on June 6, 2015 and July 18, 2015.

The authorization of the Special Dispenser Permit Applications 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.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Special Dispenser Permit Application for June 6, 2015.
3. Exhibit "B", Special Dispenser Permit Application for July 18, 2015.
4. Attachment "1", Map showing the restricted and secured area for alcoholic beverage sales and consumption during the events.
5. Attachment "2", List of servers.

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>\$50.00</u> for FY <u>15</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 alcoholic beverages by Beverly Hills Hall for consumption within a restricted and secured area at Meerscheidt Center during events sponsored by Crossroads City Derby on Saturday, June 6, 2015 and Saturday, July 18, 2015. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that Beverly Hills Hall may not sell and serve alcoholic beverages during the events on June 6, 2015 and July 18, 2015. The Alcohol and Gaming Director

(Continue on additional sheets as required)

may issue the Public Celebration Permit provided that the City Council has given written approval for the permitting process to continue.

3. Vote to "Amend"; this could include changing the time that alcoholic beverages are 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 alcoholic beverages being sold by Beverly Hills Hall during the events.

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. 15-220

A RESOLUTION AUTHORIZING BEVERLY HILLS HALL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT EVENTS SPONSORED BY CROSSROADS CITY DERBY AT MEERSCHIEDT CENTER, 1600 EAST HADLEY, ON JUNE 6, 2015 AND JULY 18, 2015.

The City Council is informed that:

WHEREAS, Crossroads City Derby, a women's flat track roller derby league, is the sponsor of events to be held on Saturday, June 6, 2015 and Saturday, July 18, 2015; and

WHEREAS, Beverly Hills Hall has requested approval to sell alcoholic beverages for consumption within a restricted and secured area during the events; and

WHEREAS, approval by the Las Cruces City Council is required prior to submission of the Special Dispenser Permit Applications 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 Beverly Hills Hall to sell alcoholic beverages for consumption within a restricted and secured area during the events; and

WHEREAS, approval of the Special Dispenser Permit Applications 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 Beverly Hills Hall is hereby authorized to continue with the permitting

process for the Special Dispenser Permit Applications, attached hereto as Exhibits "A" and "B", to allow alcoholic beverages to be sold for consumption within a restricted and secured area between 7:00 p.m. and 10:00 p.m. on Saturday, June 6, 2015 and Saturday, July 18, 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
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12 NMSA)

Fee Per day: \$50.00 Public Event
 \$25.00 Private Event (Catered) (all fees are non refundable)

A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

LICENSE HOLDER INFORMATION

Liquor License # 2712

Business Name (DBA) Beverly Hills Hall Owner Name Perez Enterprises Local Option District Las Cruces
Mailing Address 150 N. Holmes City, State & Zip Las Cruces, NM 88001
Contact Telephone # (575) 621-7027 Fax # _____ Email Address chperez67@yahoo.com

Circle those that apply: All Age Event Beer Garden Indoor/Outdoor Wrist Band/ Stamps **EVENT INFORMATION** Event Begin Time 7:00 pm End Time 10:00 pm
Description and Name of Event Roller Derby Game Date(s) of Event June 6, 2015 Alcohol Service Begin Time 7:00 pm End Time 10:00 pm
Physical Address of Event and Name of Building or Business _____ Number of Persons expected to Drink 200
Description of Security Las Cruces Security Number of Security 2 Security Contact Name _____ Contact Telephone # _____

SPONSOR INFORMATION

Sponsor of Event Cross Roads City Roller Derby Contact Name Rebecca Ryan Contact Telephone # (575) 635-5914

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Victor Perez (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that 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 all 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) Victor Perez Signature _____ Telephone # _____
Perez Enterprises LLC Only the owner or authorized person under this license may sign the permit.



OFFICIAL SEAL

Ignacio Madrid

NOTARY PUBLIC State of New Mexico

NOTARY INFORMATION

Subscribed and Sworn before me this 13th day of April, 2015 Notary Public _____ My Commission Expires _____ Exp. 12/13/16

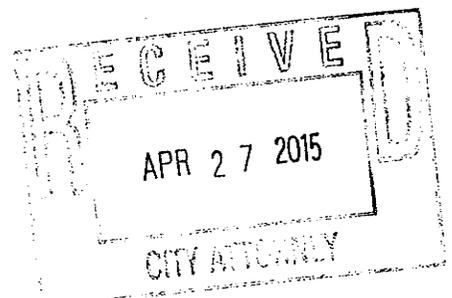
LOCAL GOVERNING BODY APPROVAL

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



ALCOHOL & GAMING DIVISION
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12 NMSA)

Fee Per day: \$50.00 Public Event
 \$25.00 Private Event (Catered) (all fees are non refundable)

A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

LICENSE HOLDER INFORMATION

Liquor License # 2712

Business Name (DBA) Beverly Hills Hall Owner Name Perce Enterprises, LLC Local Option District Las Cruces
Mailing Address 150 N. Hernandez City, State & Zip Las Cruces, NM 88001
Contact Telephone # (575) 621-7027 Fax # _____ Email Address chrperez67@yahoo.com

Circle those that apply All Age Event Beer Garden Indoor Outdoor Wrist Band / Stamps

EVENT INFORMATION

Description and Name of Event Roller Derby Game Date(s) of Event July 18, 2015 Alcohol Service Begin Time 7:00pm End Time 10:00pm

Physical Address of Event and Name of Building or Business _____ Number of Persons expected to Drink 200

Description of Security Las Cruces Security Number of Security 2 Security Contact Name _____ Contact Telephone # _____

SPONSOR INFORMATION

Sponsor of Event Cross Roads City Roller Derby Contact Name Rebecca Ryan Contact Telephone # (575) 635-5914

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Victor Perez (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that 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 all 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) Victor Perez Signature _____ Date 7/15/15
Perce Enterprises LLC Only the owner or authorized person under penalty of perjury may sign the permit application. Ignacio Madrid



OFFICIAL SEAL
Date 7/15/15
Ignacio Madrid

NOTARY INFORMATION

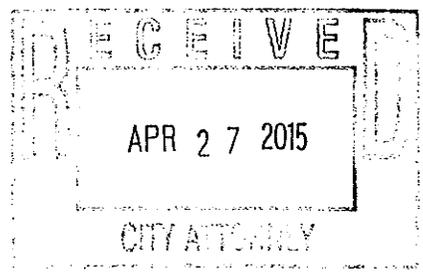
Subscribed and Sworn before me this 13th day of April, 2015 Notary Public _____
My Commission Expires _____ Exp. 12/13/14

LOCAL GOVERNING BODY APPROVAL

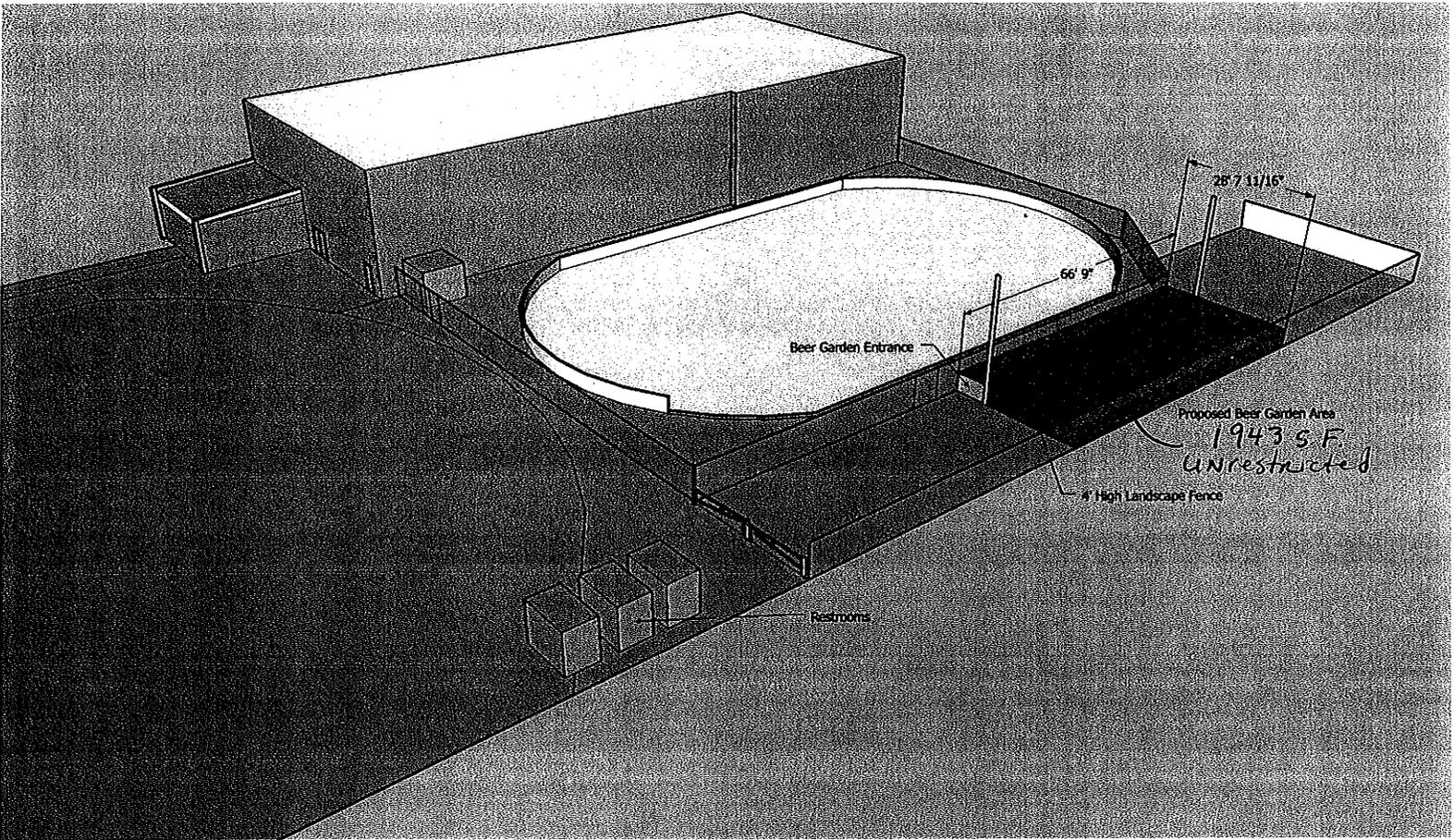
Print Name Robert L. Garza, P.E. Title City Manager Date _____ Signature _____
Phone 575-541-2076 Fax 575-541-2017

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



Perez Enterprises LLC 64
dba: Beverly Hills Inn
Liquor License # 2712



Special Dispense ~~License~~ Permit Application

Location: MEERScheidt Rec. Center

1600 E. Hadley

LAS Cruces, NM 87001

Beer Garden Area As Indicated Above with Red Landscape Fence
1943 S.F.
Unrestricted

List of Alcohol Servers

Liquor License #:	Owner Name:	DBA Name:	Server Permit #:	Last Name:	First Name:	SS#:	DOB:	Hire Date:	Termination Date:	Server Expiration Date:
2712	Perez Enterprises LLC	Beverly Hills Hall	242871	Perez	Victor	[REDACTED]	[REDACTED]	5/22/2010	N/A	6/7/2015
			242869	Perez	Christopher	[REDACTED]	[REDACTED]	5/22/2010	N/A	6/7/2015
			242870	Perez	Amy	[REDACTED]	[REDACTED]	5/22/2010	N/A	6/7/2015
			242871	Rubalcaba	Armando	[REDACTED]	[REDACTED]	4-12-2015	N/A	150 DAYS AFTER 4-8-2015
			Temp. Permit			[REDACTED]	[REDACTED]			
310492				Lucero C.	Jesmine	[REDACTED]	[REDACTED]	4-12-2015		11-26-2017