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

**Council Action and Executive Summary**

Item # 5 Ordinance/Resolution# 16-004

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

For Meeting of July 20, 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 AT THE SPIRIT OF '45 VETERANS' TRIBUTE DINNER TO BE HELD ON MAIN STREET ON AUGUST 14, 2015.

**PURPOSE(S) OF ACTION:**

To authorize a permitting process to continue.

<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:**

Project Mainstreet is the sponsor of the Spirit of '45 Veterans' Tribute Dinner to be held on August 14, 2015 on Main Street, generally between Las Cruces Avenue and Griggs Avenue. 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 5:00 p.m. and 10:00 p.m. on August 14, 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.

(Continue on additional sheets as required)

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Public Celebration Permit Application, High Desert Brewing Company.
3. Attachment "1", Map showing the restricted and secured area for beer service during the event.
4. Attachment "2", List of servers.

**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 FY16.
	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 on Main Street, generally between Las Cruces Avenue and Griggs Avenue during the Spirit of '45 Veterans' Tribute Dinner on Friday, August 14, 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 the event on August 14, 2015. The Alcohol and Gaming Director may issue the Public

(Continue on additional sheets as required)

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 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 wine being sold by Rio Grande Vineyards & Winery at the event.

**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. 16-004**

**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 AT THE SPIRIT OF '45 VETERANS' TRIBUTE DINNER TO BE HELD ON MAIN STREET ON AUGUST 14, 2015.**

The City Council is informed that:

**WHEREAS**, Project Mainstreet is the sponsor of the Spirit of '45 Veterans' Tribute Dinner to be held on Friday, August 14, 2015; and

**WHEREAS**, High Desert Brewing Company has requested 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 event; 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 on Main Street between 5:00 p.m. and 10:00 p.m. on Friday, August 14, 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)

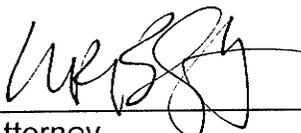
VOTE:

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

(60-64-11 / 60-64-26.1 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  
Mailing Address 1201 W Hadley Avenue City, State & Zip Las Cruces, NM 88005  
Contact Telephone # 575-525-6752 Fax # 575-647-8033 Email Address hdhc.lcnm@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~~ <sup>Friday</sup> ~~Outdoor~~ Event Begin Time 5:00 pm End Time 11:00 pm  
Description and Name of Event Spirit of '45 Date(s) of Event Aug 14, 2015 Alcohol Service Begin Time 5:00 pm End Time 10:00 pm  
Physical Address of Event & Name of Building or Business 125 N Main Street (in front of the CEC) Number of Persons expected to Drink 150  
Description of Security Security Concepts Number of Security 2 Security Contact Name Michael Contact Telephone # 575-526-4151

SPONSOR INFORMATION

Sponsor of Event Project Main Street Contact Name Marissa Coronado Contact Telephone # 575-520-3362

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Donna L. Almarez (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 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) Donna L. Almarez Signature Donna L. Almarez Date 2 July 2017  
All 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 2 day of July, 2015 Notary Public Monica Campbell Exp. 7-6-2017  
MI - 5 302

LOCAL GOVERNING BODY APPROVAL

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

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

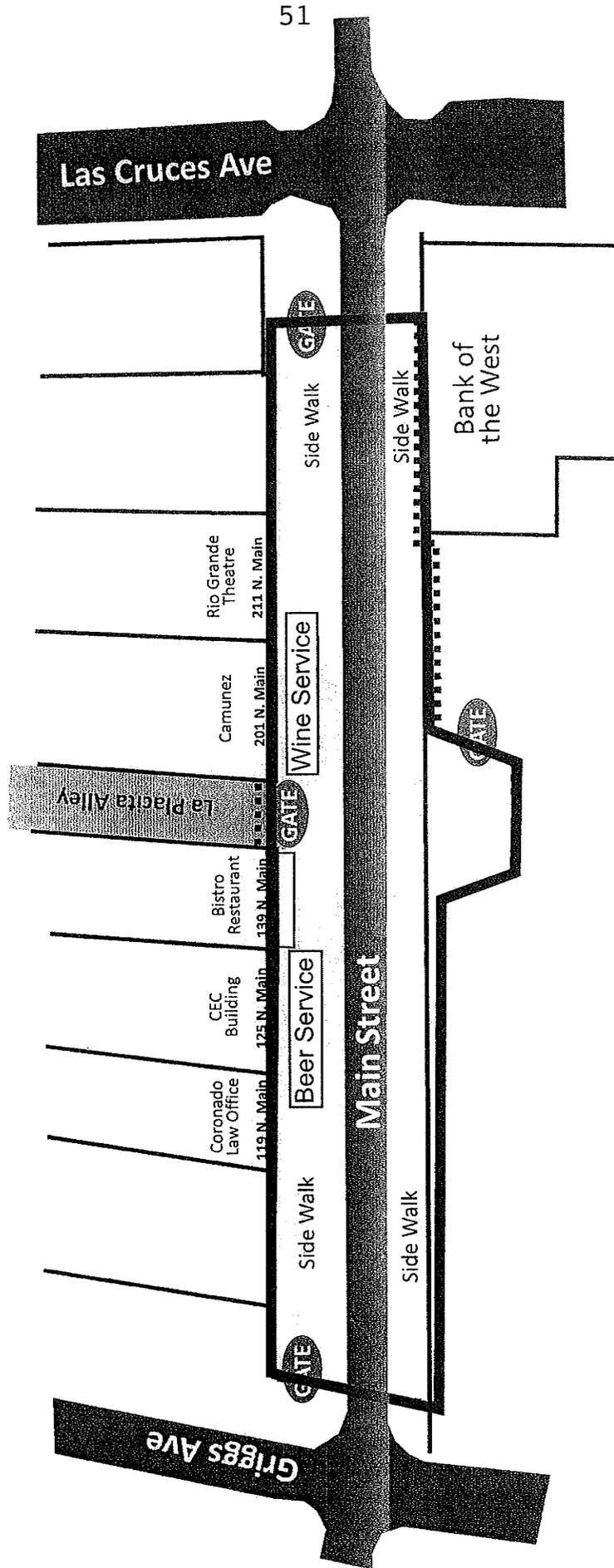
OFFICIAL SEAL  
MONICA CAMPBELL  
NOTARY PUBLIC STATE OF NEW MEXICO  
7-6-17



# Beer & Wine Service Map

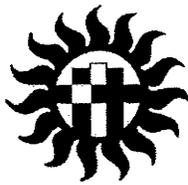
Main Street evening dinner service area

August 14, 2015



July 1, 2015~June 30, 2016

LIQUOR LICENSE NUMBER	OWNER NAME	DBA NAME	SERVER EXPIRATION DATE				
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			1/13/1994	N/A	6/8/2016
36476	McClellan	Jacob			12/15/2014	N/A	3/26/2017
43172	Schack	Eric			7/20/2001	N/A	10/17/2017
49454	Alvarez	Donna			1/1/1997	N/A	6/1/2018
91307	Romero	Rudy			1/16/2010	N/A	5/11/2016
92623	Costilow	Amber			5/3/2003	N/A	12/20/2015
153396	Hauptmann	Benjamin			10/10/2003	N/A	7/12/2017
162289	Costilow	Raven			6/5/2006	N/A	2/5/2015
181875	Cepeda	Cory			4/11/2013	N/A	6/25/2016
194355	Lowther	Coy			1/10/2014	N/A	7/28/2017
211210	Lowther	Matthew			4/21/2008	N/A	7/20/2016
213777	Costilow	Lianne			8/17/2005	N/A	8/19/2016
215329	Williams	Nathaniel			7/18/2010	N/A	10/16/2016
222454	Burns	Daniel			8/4/2014	N/A	10/30/2016
223584	Morin	Daniel			11/7/2007	N/A	2/26/2017
230468	Obregon	Andres			6/1/2001	N/A	10/17/2017
243855	Cooper	Keit			9/8/2014	2/1/2015	11/7/2016
258148	Hite	Maria			5/29/2013	N/A	5/14/2016
280753	Vera	Elizabeth			9/5/2014	N/A	11/26/2017
282292	Taylor	Morgan			5/3/2014	11/9/2014	1/16/2018
304548	Williams	Taylor			4/18/2009	N/A	7/12/2017
	Garton	Lori			3/13/2015	N/A	Test-03/14/2015-96%
49696	Whitman	Christopher			Special Events	Special Events	10/8/2014
93042	Kindrick	Lawrence			Special Events	Special Events	5/2/2017
236149	Kindrick	Jill			Special Events	Special Events	10/18/2017
238398	Kamat	Satish			Special Events	Special Events	1/16/2018
241940	Denton	Drew			Special Events	Special Events	Retested-5/09/2015-95%
299885	Rios	Robert			Special Events	Special Events	Test-04/01/2014-92%
301778	Miller	Joy			Special Events	Special Events	5/22/2017



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## COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

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

For Meeting of July 20, 2015  
(Adoption Date)

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 AT THE SPIRIT OF '45 VETERANS' TRIBUTE DINNER TO BE HELD ON MAIN STREET ON AUGUST 14, 2015.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes  No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Monica Campbell</i>	541-2128	7/2/15
Department Director	<i>WBS</i>	541-2128	2 July 2015
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>Robert F. Anderson</i>	541-2100 541-2107	7/6/15 7/6/15
Assistant City Manager/COO	<i>Spencer De</i>	541-2271	7/8/15
City Attorney	<i>WBS</i>	541-2128	2 July 2015
City Clerk		541-2115	