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

**Council Action and Executive Summary**

Item # 7

Ordinance/Resolution# 16-006

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 RIO GRANDE VINEYARDS & WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE 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. Rio Grande Vineyards & Winery is requesting approval to sell wine 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 Rio Grande Vineyards & Winery to sell wine within the restricted and secured area between 6:00 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, Rio Grande Vineyards & Winery.
3. Attachment "1", Map showing the restricted and secured area for wine 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 wine for consumption by Rio Grande Vineyards & Winery, 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 Rio Grande Vineyards & Winery may not serve wine 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 wine 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. 16-006**

**A RESOLUTION AUTHORIZING RIO GRANDE VINEYARDS & WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE 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**, Rio Grande Vineyards & Winery has requested approval to sell wine 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 Rio Grande Vineyards & Winery to sell wine 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** Rio Grande Vineyards & Winery is hereby authorized to continue with the permitting process for the Public Celebration Permit Application, attached hereto as

Exhibit "A", to allow wine to be sold for consumption within a restricted and secured area on Main Street between 6:00 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  
(60-6A-11/60-6A-26.1 NMSA)

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

LICENSE HOLDER INFORMATION:

Business Name (DBA) Rio Grande Vineyards and Winery Owner Name Phillip Steel Liquor License # 6137  
Mailing Address 5321 HW 28 City, State & Zip Las Cruces, NM 88005  
Contact Telephone # (575) 524-3185 Email Address rio grande winery@aol.com  
EVENT INFORMATION: Celebration type: State 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 5:00 PM End Time 11:00 PM  
Description and Name of Event Spirit of 145 Veterans' Events Dinner of Event 8/14/15 Alcohol Service Begin Time 6:00 PM End Time 10:00 PM  
Physical Address of Event & Name of Building or Business 211 North Main Street (In front of the Rio Grande Theatre) 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 Mainstreet Contact Name Mavisssa Coronado Contact Telephone # (575) 520-3362

BUILDING/PROPERTY OWNER APPROVAL

Name (print) Robert Garza Signature \_\_\_\_\_ Telephone # 575-541-2616 Date \_\_\_\_\_  
City Manager

LICENSE HOLDER & SERVER CERTIFICATION: I, Phillip G. Steel (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) Phillip G. Steel Signature \_\_\_\_\_ Date 30 June 15  
All profits derived from the sale of liquor will go only to the licensee.



OFFICIAL SEAL  
ALEX INFANTE  
GOVERNOR PUBLIC - STATE OF NEW MEXICO

NOTARY INFORMATION

Subscribed and Sworn before me this 30 day of JUNE, 20 15 Notary Public \_\_\_\_\_  
Only the owner or authorized person under this license may sign the permit.

LOCAL GOVERNING BODY APPROVAL

Print Name Robert L. Garza Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_  
Phone 575-541-2616 Fax 575-541-2017 MY COMMISSION EXPIRES: 1-31-2018

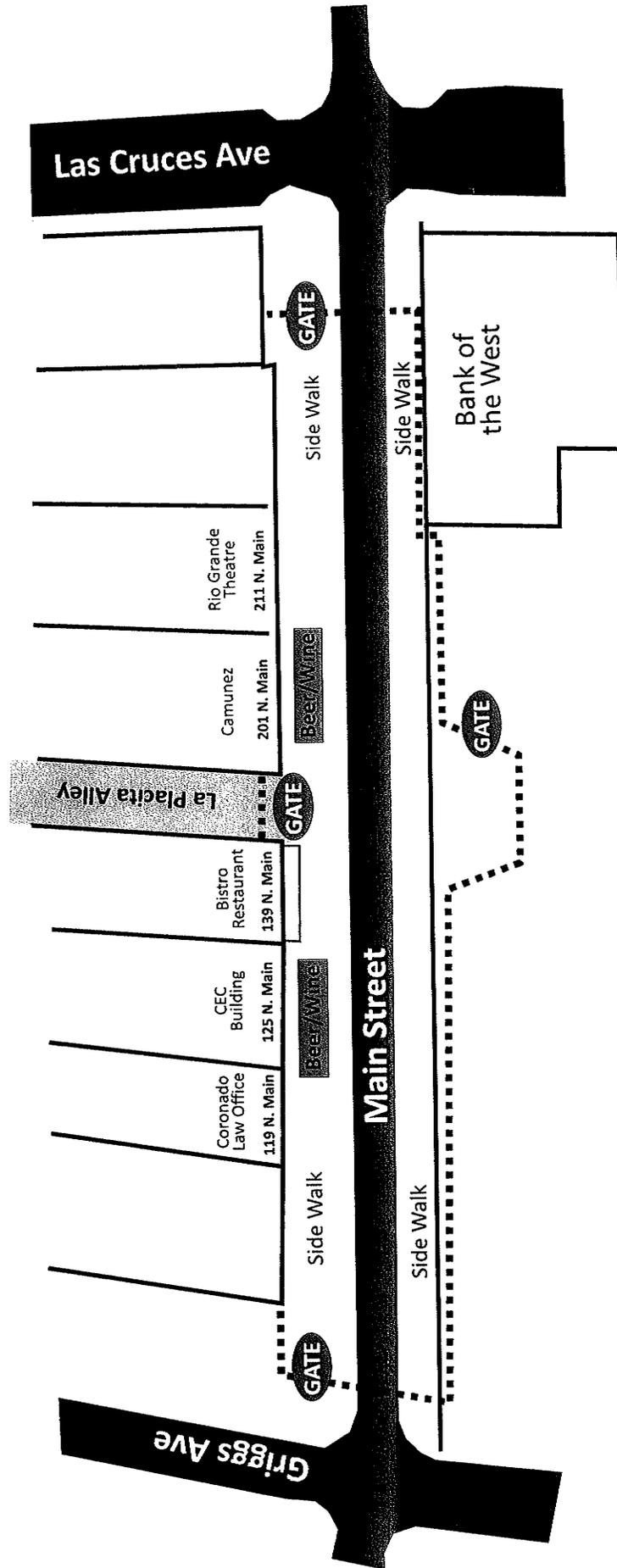
ALCOHOL & GAMING DIVISION USE ONLY

Approved by: \_\_\_\_\_ Date \_\_\_\_\_ Permit Number \_\_\_\_\_  
Attachments: 1) Floor plan - (Pictures) \_\_\_\_\_ 2) Fees per day (listed on top of page) \_\_\_\_\_ 3) Server information list \_\_\_\_\_

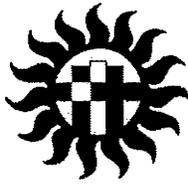
# Beer & Wine Service Map

Main Street evening dinner service area

**August 14, 2015**







# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

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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 RIO GRANDE VINEYARDS & WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE 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>Thonica Campbell</i>	541-2128	7/2/15
Department Director	<i>[Signature]</i>	541-2128	2 July 2015
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i>	541-2100 541-2106	7/6/15 7/2/15
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	7/8/15
City Attorney	<i>[Signature]</i>	541-2128	2 July 2015
City Clerk		541-2115	