



51
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6 Ordinance/Resolution# 16-016

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of August 3, 2015
 (Adoption Date)

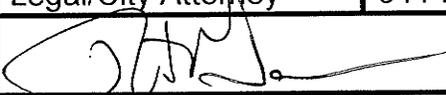
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING AMARO WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE SAFE HAVEN ANIMAL FASHION SHOW TO BE HELD ON MAIN STREET ON SEPTEMBER 27, 2015.

PURPOSE(S) OF ACTION:

To authorize a permitting process to continue.

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:

Project Mainstreet is the sponsor of the Safe Haven Animal Fashion Show to be held on Sunday, September 27, 2015 on Main Street, generally between Las Cruces Avenue and Griggs Avenue. Amaro 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 Amaro Winery to sell wine within the restricted and secured area between 4:00 p.m. and 7:30 p.m. on September 27, 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, Amaro 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 FY <u>16</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 wine for consumption by Amaro Winery, within a restricted and secured area on Main Street, generally between Las Cruces Avenue and Griggs Avenue during the Safe Haven Animal Fashion Show on Sunday, September 27, 2015. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that Amaro Winery may not serve wine during the event on September 27, 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.
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.

(Continue on additional sheets as required)

4. Vote to "Table"; this could result in no wine being sold by Amaro 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

(Continue on additional sheets as required)

RESOLUTION NO. 16-016

A RESOLUTION AUTHORIZING AMARO WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE SAFE HAVEN ANIMAL FASHION SHOW TO BE HELD ON MAIN STREET ON SEPTEMBER 27, 2015.

The City Council is informed that:

WHEREAS, Project Mainstreet is the sponsor of the Safe Haven Animal Fashion Show to be held on Sunday, September 27, 2015; and

WHEREAS, Amaro 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 Amaro 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 Amaro 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 4:00 p.m. and 7:30 p.m. on Sunday, September 27, 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) Anna Winery LLC Owner Name Anna Winery LLC Liquor License # 6151
 Mailing Address 10320 Vista de Oro City, State & Zip Las Cruces, NM 88007
 Contact Telephone # 575-312-3168 Fax # 575-525-9405 Email Address Kelly.alien@mn.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 3:30pm End Time 8:30pm
 Description and Name of Event Safe Haven Friends Fashion Show Date(s) of Event Sun. Sept. 27th Alcohol Service Begin Time 4:00pm End Time 7:30pm
 Physical Address of Event & Name of Building or Business 125 North Main Street (in front of the Community Event Center)
 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 Marissa Colorado Contact Telephone # (575) 520-3362

BUILDING/PROPERTY OWNER APPROVAL

Name (print) Robert Garza Signature _____ Telephone # 515-541-2076 Date _____
 City Manager
LICENSE HOLDER & SERVER CERTIFICATION: I, Kelly Allen (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) Kelly Allen Signature _____ Date 6/25/15
 All profits derived from the sale of alcohol will go only to the licensee.

NOTARY INFORMATION

Subscribed and Sworn before me this 25TH day of JUNE, 2015 Notary Public Juanita O'Steen Exp. 9/20/2018

LOCAL GOVERNING BODY APPROVAL

Print Name Robert L. Garza, PE Title City Manager Date _____ Signature _____
 Phone 515-541-2076 Fax 541-2017

ALCOHOL & GAMING DIVISION USE ONLY

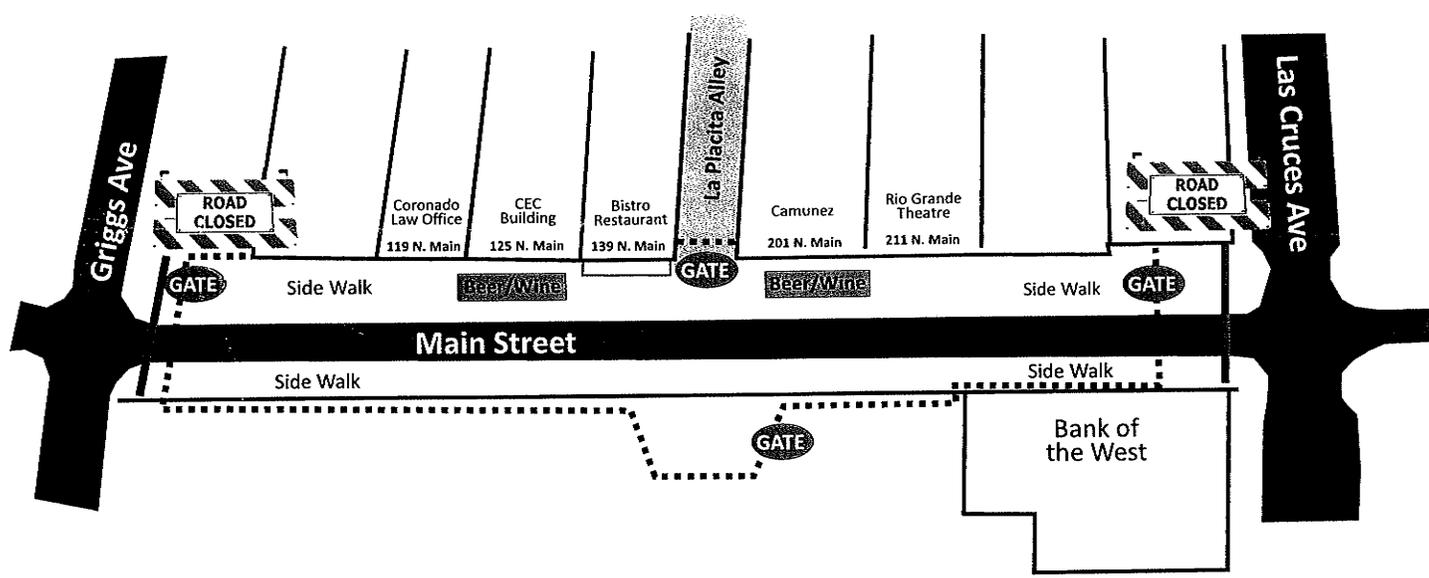
Approved by: _____ Date _____ Permit Number _____
 Attachments: 1) Floor plan - (Pictures) _____ 2) Fees per day (listed on top of page) _____ 3) Server information list _____

NOTARY PUBLIC - STATE OF NEW MEXICO
 My Commission Expires: 9/20/2018



Beer & Wine Service Map

Sept 27th - The Animal Show by Pet Haven afternoon



Street Closed at Main & Griggs
Street Closed at Main & Las Cruces

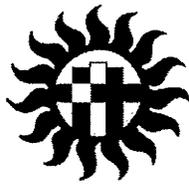
R2 barriers

Liquor License Number: 6151

Owner Name: Amaro Winery, LLC

DBA: Amaro Winery

Server Perit #	Last Name	First Name	DOB	Exp Date
237060	Denton	Barbara		5/8/2017
236682	Denton	Harold		5/18/2017
227706	Maier	Lisa		5/24/2017
227683	Maier	Benjamin		5/23/2017
38954	Allen	Kelly		8/22/2017
252985	XU	Qiongxiao		12/15/2015
128609	Williams	Allen		6/11/2018
289963	Mainini	Nick		7/6/2016
183833	De Villez	Kacy		5/17/2017



4

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of August 3, 2015
(Adoption Date)

TITLE: A RESOLUTION AUTHORIZING AMARO WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE SAFE HAVEN ANIMAL FASHION SHOW TO BE HELD ON MAIN STREET ON SEPTEMBER 27, 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	7/15/15
Department Director	<i>WRB</i>	541-2128	16 July 2015
Other	<i>[Signature]</i>		
Assistant City Manager /CAO	<i>[Signature]</i>	541-2100	7/16/15
Management & Budget Manager	<i>[Signature]</i>	541-2100	7/16/15
Assistant City Manager/COO	<i>Donna Oa</i>	541-2271	7/17/15
City Attorney	<i>WRB</i>	541-2128	16 July 2015
City Clerk - Interim	<i>[Signature]</i>	541-2115	7-24-15