



City of Las Cruces²²
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3

Ordinance/Resolution# 16-028

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of August 17, 2015
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING DUBLIN'S STREET PUB TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT THE TACOS & TEQUILA EVENT ON SEPTEMBER 4, 2015 AT LA PLACITA, 145 NORTH MAIN STREET.

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:

The Las Cruces Young Professionals, a part of the Greater Las Cruces Chamber of Commerce, is the sponsor of Tacos & Tequila, an event to be held on Friday, September 4, 2015 at La Placita on Main Street. Dublin's Street Pub is requesting approval to sell alcoholic beverages 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 Special Dispenser 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 Dublin's Street Pub to set up at 4:30 p.m. and then sell alcoholic beverages within the restricted and secured area between 5:30 p.m. and 7:30 p.m. on September 4, 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", Special Dispenser Permit Application, Dublin's Street Pub.
3. Attachment "1", Map showing the restricted and secured area for alcoholic beverage 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 alcoholic beverages for consumption by Dublin's Street Pub within a restricted and secured area at La Placita on Main Street, during the Tacos & Tequila event on Friday, September 4, 2015. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that Dublin's Street Pub may not serve alcoholic beverages during the event on September 4, 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)

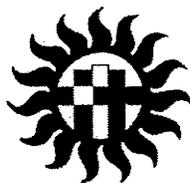
3. Vote to "Amend"; this could include changing the time that alcoholic beverages are sold. Any amendments must comply with city ordinance, state statute, and/or the requirements of Alcohol and Gaming.
4. Vote to "Table"; this could result in no alcoholic beverages being sold by Dublin's Street Pub at 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)



3

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of August 17, 2015
(Adoption Date)

TITLE: A RESOLUTION AUTHORIZING DUBLIN'S STREET PUB TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT THE TACOS & TEQUILA EVENT ON SEPTEMBER 4, 2015 AT LA PLACITA, 145 NORTH MAIN STREET.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Monica Campbell</i>	541-2128	7/30/15
Department Director	<i>WRS</i>	541-2128	30 Jul 2015
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i> <i>Robert E. Anderson</i>	541-2100 541-2106	7/30/15 7/30/15
Assistant City Manager/COO	<i>Samuel Ochoa</i>	541-2271	8/5/15
City Attorney	<i>WRS</i>	541-2128	30 July 2015
City Clerk - Interim	<i>[Signature]</i>	541-2115	8/7/15

RESOLUTION NO. 16-028

A RESOLUTION AUTHORIZING DUBLIN'S STREET PUB TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT THE TACOS & TEQUILA EVENT ON SEPTEMBER 4, 2015 AT LA PLACITA, 145 NORTH MAIN STREET.

The City Council is informed that:

WHEREAS, The Las Cruces Young Professionals, a part of the Greater Las Cruces Chamber of Commerce, is the sponsor of Tacos & Tequila, an event to be held on Friday, September 4, 2015; and

WHEREAS, Dublin's Street Pub has requested approval to sell alcoholic beverages 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 Special Dispenser 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 Dublin's Street Pub to sell alcoholic beverages for consumption within a restricted and secured area during the event; and

WHEREAS, approval of the Special Dispenser 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 Dublin's Street Pub is hereby authorized to continue with the permitting

process for the Special Dispenser Permit Application, attached hereto as Exhibit "A", to set up at 4:30 p.m. and then sell alcoholic beverages for consumption within a restricted and secured area between 5:30 p.m. and 7:30 p.m. on Friday, September 4, 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

Business Name (DBA) Dublins St. Pub Owner Name PineWolf LLC Local Option District City of Las Cruces
 Mailing Address 1745 E University City, State & Zip Las Cruces, NM, 88001
 Contact Telephone # 575-522-0932 Fax # _____ Email Address hirtel51@gmail.com Liquor License # 2543

Circle those that apply - All Age Event - Beer Garden - Indoor/Outdoor Wrist Band / Stamps 4 Tequila 9/4/15 Event Begin Time 5:30pm End Time 7:30pm
 Description and Name of Event Jaco's 4 Tequila Date(s) of Event 9/4/15 Alcohol Service Begin Time 4:30 End Time 7:30
 Physical Address of Event and Name of Building or Business La Placita 145 N. Main St. Number of Persons expected to Drink 100
 Description of Security Security Concepts Number of Security 2 Security Contact Name Mike Contact Telephone # (575) 526-4115

SPONSOR INFORMATION

Sponsor of Event Dublins St. Pub Contact Name Charles Hirtel Telephone # 575-496-4773
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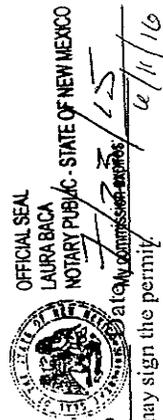
BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Robert L. Villalobos (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) Robert L. Villalobos Signature Robert L. Villalobos
 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. 9/3/15 9/11/16



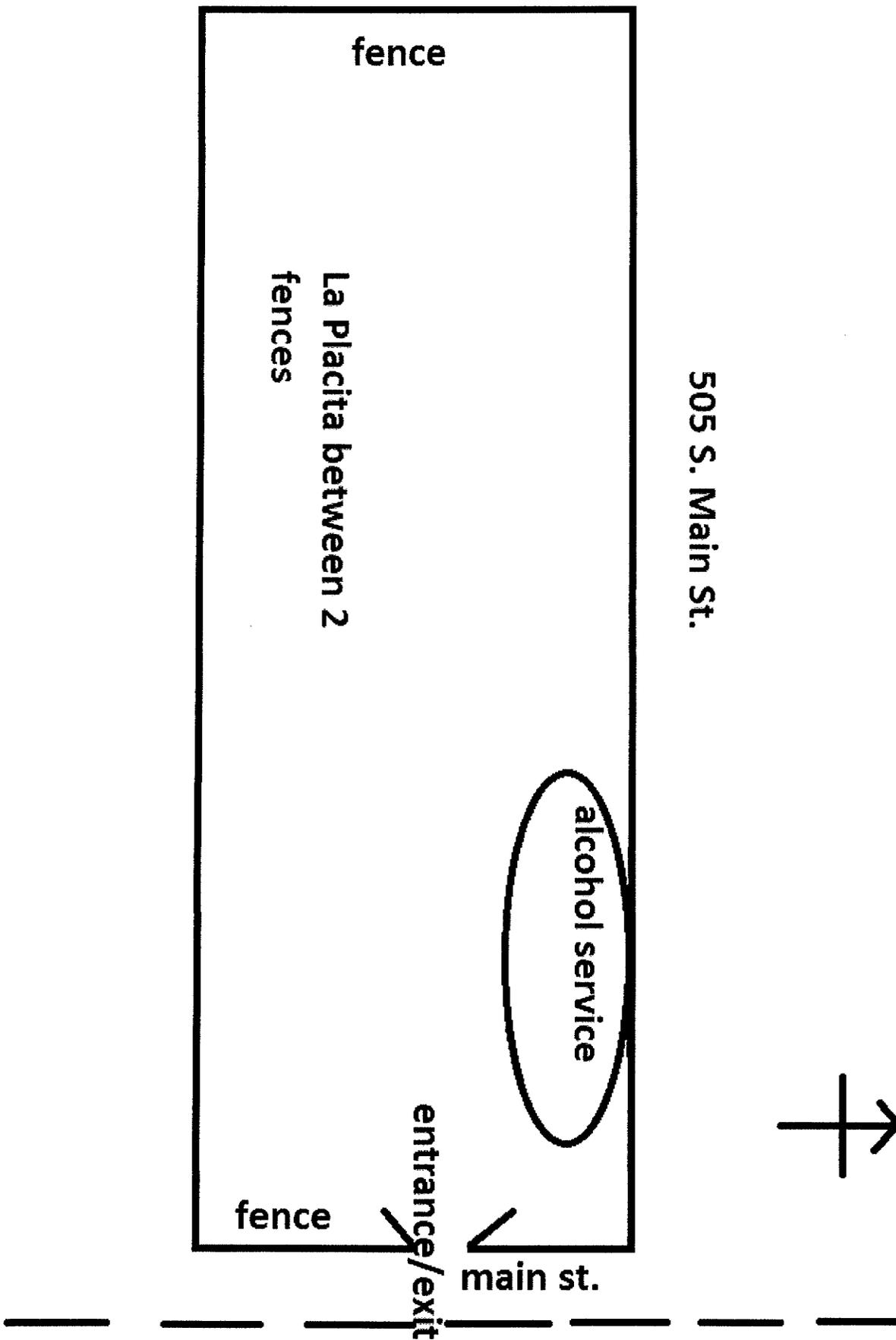
Subscribed and Sworn before me this 23rd day of July, 2015 Notary Public Juanita Baca Exp. 6/11/16

LOCAL GOVERNING BODY APPROVAL

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



Last Name	First Name	Middle Initial	DOB	Permit #	Expire
Allen	Jonathan	K	[REDACTED]	238333	1/14/2018
Bohm	Lauren	E	1990	270781	3/28/2017
Blake	Samuel	E	2016	205685	5/11/2016
Conner	Jared	D	1988	209224	5/29/2018
Finchum	Kourtnee	E	1995	311314	1/5/2018
Garner	Deanna	T	1993	279302	10/10/2017
Grettenberger	Alexis	T	1993	288564	6/8/2018
Haggard	Madeleine	C	1992	312198	1/30/2018
Hirtzel-Ward	Charles	W	1986	185164	7/27/2016
Knapp	David	A	1993	297258	1/26/2017
Lovato	Katie	J	1989	308906	10/20/2017
Lucero	Jessica	A	1992	274220	6/9/2017
Martin	Lindsey	C	1988	253736	3/3/2016
Norris	Richard	T	1989	226340	5/23/2017
Nunez	Felix	A	1993	310074	11/27/2017
Porfillo	Maxwell	A	1987	213968	8/21/2016
Rogers	Lindsay	N	1985	197598	7/9/2017
Sanchez	Brandon	C	1985		
Schoonover	Christopher	P	1992	271681	2/28/2021
Thibodeau	Edward	O	1984	149240	7/13/2017
Villalobos	Rebecca	B	1952	91312	7/23/2017
Villalobos	Robert	L	1952	50669	7/25/2017