



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 8Ordinance/Resolution# 16-062For Meeting of _____
(Ordinance First Reading Date)For Meeting of September 21, 2015
(Adoption Date)

Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING BOSQUE BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING THE ZOMBIE WALK TO BE HELD ON MAIN STREET ON OCTOBER 24, 2015.

PURPOSE(S) OF ACTION:

To authorize continuation of a permitting process.

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 sponsoring the Zombie Walk on Main Street on October 24, 2015. Bosque Brewing Co. 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 Bosque Brewing Co. to sell beer within the restricted and secured area on October 24, 2015 between 5:00 p.m. and 10:30 p.m.

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.
2. Exhibit "A", Public Celebration Permit Application, Bosque Brewing Co.

(Continue on additional sheets as required)

3. Attachment "1", Map of event area on Main Street.
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 <u>FY16</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 beer for consumption by Bosque Brewing Co., within a restricted and secured area, during the Zombie Walk on October 24, 2015. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that Bosque Brewing Co. may not sell beer for consumption during the Zombie Walk on October 24, 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 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 beer being sold by Bosque Brewing Co. during the Zombie Walk.

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. 16-062

A RESOLUTION AUTHORIZING BOSQUE BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING THE ZOMBIE WALK TO BE HELD ON MAIN STREET ON OCTOBER 24, 2015.

The City Council is informed that:

WHEREAS, Project Mainstreet is sponsoring the Zombie Walk on Main Street on October 24, 2015, 2015; and

WHEREAS, Bosque Brewing Co. requests 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 Bosque Brewing Co. to sell beer for consumption within a restricted and secured area during the Zombie Walk on October 24, 2015 between 5:00 p.m. and 10:30 p.m.; 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 Bosque Brewing Co. 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 October 24, 2015 between 5:00 p.m. and 10:30 p.m.

(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:

Mayor

ATTEST:

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) BESOVE BREWING Co. Owner Name Besove Brewing Co., LLC Liquor License # 67028
Mailing Address 8900 SAN MATEO BLVD. NE, STE 1 City, State & Zip ALBUQUERQUE, NM 87113
Contact Telephone # 505 401 7115 Fax # GATE@BOSQUEBREWING.COM

EVENT INFORMATION: Celebration type: State Fair County 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 Zombie Walk Date(s) of Event Sat, Oct 24th, 2015 Alcohol Service Begin Time 5:00 PM End Time 10:30 PM
Physical Address of Event & Name of Building or Business 201 North Main St (Camunez Building) Number of Persons expected to Drink 800
Description of Security Security Concepts Number of Security 8 Security Contact Name Michael Contact Telephone # (575) 526-4151

SPONSOR INFORMATION

Sponsor of Event Project Mainstreet Contact Name Marissa Coronado Contact Telephone # (575) 525-3362

BUILDING/PROPERTY OWNER APPROVAL

Name (print) Robert L. Garza, P.E. Signature _____ Telephone # 515-541-2076 Date _____
City Manager

LICENSE HOLDER & SERVER CERTIFICATION: I, GABRIEL JENSEN (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) GABRIEL JENSEN Signature _____ Date 7/29/15
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 29th day of July, 2015 Notary Public [Signature] Date 7-31-15

LOCAL GOVERNING BODY APPROVAL

Print Name Robert L. Garza, P.E. Title City Manager Date _____ Signature _____
Date _____



ALCOHOL & GAMING DIVISION USE ONLY

Approved by: _____

Attachments: 1) Floor plan - (Pictures) _____

2) Fees per day (listed on top of page) _____

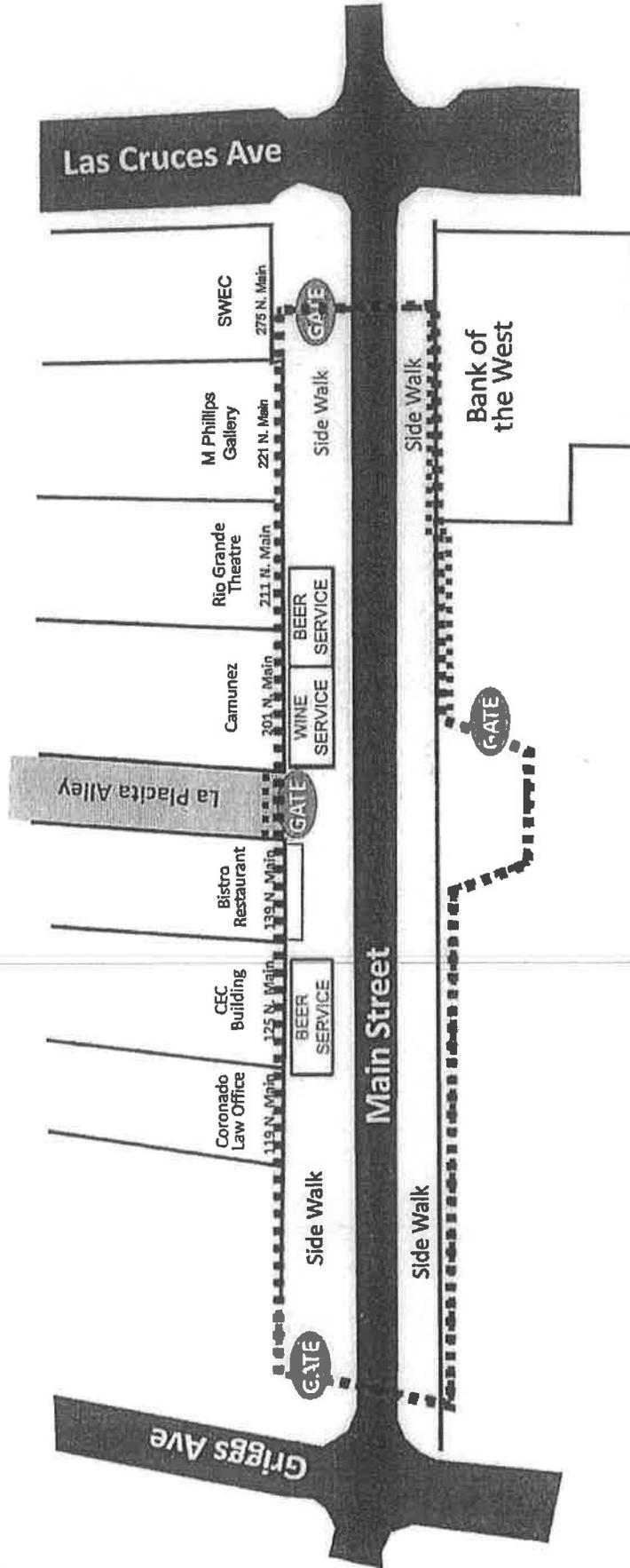
Permit Number _____

3) Server information list _____

Beer & Wine Service Map

Zombie Walk

October 24, 2015



Total fenced in beer serving area is approximately 13,285 sq ft
 Total length=295'; Total width = 45'; Extra cut-out=10'
 (Sidewalk = 12.5' on either side; Street = 20')

Street closed at Main St & Griggs Ave
 Street closed at Main St & Las Cruces Ave
 R2 Barriers at street closings
 4 foot orange barrier fencing around all open areas and in front of street barriers.

Authorized personnel at all gates to ensure alcohol does not leave the enclosed area.

LIQUOR LICENSE NUMBER: 67028		OWNER NAME: Bosque Brewing Co., LLC	
LICENSE #	LAST NAME	FIRST NAME	EXPIRATION
309055	Adair	Laurel	10/23/2017
279459	Anichini	Elizabeth	10/13/2017
277023	Arnold	Justin	8/15/2017
271594	Aumack	Samantha	4/13/2017
304474	Archuletta	Rhyanne	7/11/2017
232051	Barfield	Ryan	1/3/2018
205491	Carrillo	Felicia	2/20/2018
222704	Couty	Elizabeth	2/2/2017
242887	Eichorn	David	6/8/2015
302041	Erlandson	Amanda	5/20/2017
253883	Escamilla	Nestor	3/7/2016
296786	Gale	Melissa	1/16/2017
245158	Garcia	Lauren	5/28/2015
251444	Garrett	Alicia	12/27/2015
250712	Hendrickson	Heather	12/10/2015
286933	Jameson	Jenifer	5/3/2018
279384	Jameson	Kevin	10/11/2017
238112	Jones	Hayley	1/2/2018
302457	Gomez	Ezekiel	5/30/2017
72576	Jensen	Gabriel	6/27/2016
286840	Jensen	Geliane	5/12/2018
189738	Kaiser	Mindi	1/4/2017
294224	Kempkes	Timothy	10/28/2016
283183	Michnovicz	Esther	2/11/2018
279368	Michnovicz	Jared	10/11/2017
90000	Michnovicz	Jotham	9/22/2017
288123	Michnovicz	Kara	6/12/2018
Temp	Miller	Anthony	
274185	Moya	Candice	6/7/2017
196002	Myers	Jessica	8/22/2017
276415	Noe	Kevin	7/31/2017
146182	Padilla	Michael	10/15/2017
215141	Pierce	Allison	12/19/2016
213968	Portillo	Maxuel	8/21/2016
178948	Simpson	Nathan	3/19/2016
274258	Sisneros	Samuel	6/11/2017
267907	Stolberg	Mark	1/14/2017
209744	Strain-Bey	Ira	5/22/2018
291378	Vaughan	Dakotah	8/19/2016



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COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

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(Ordinance First Reading Date)

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TITLE: A RESOLUTION AUTHORIZING BOSQUE BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING THE ZOMBIE WALK TO BE HELD ON MAIN STREET ON OCTOBER 24, 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	9/3/15
Department Director	<i>[Signature]</i>	541-2128	3 Sept 2015
Other			
Assistant City Manager /CAO	<i>[Signature]</i>	541-2100	9/8/15
Management & Budget Manager	<i>[Signature]</i>	541-2107	9-4-15
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	9-9-15
City Attorney	<i>[Signature]</i>	541-2128	3 Sept 2015
City Clerk - Interim	<i>[Signature]</i>	541-2115	9-11-15