



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 2Ordinance/Resolution# 16-083For Meeting of _____
(Ordinance First Reading Date)For Meeting of October 5, 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 DURING "MUSIC ON MAIN STREET" TO BE HELD ON FRIDAY, OCTOBER 16, 2015.

PURPOSE(S) OF ACTION:

Authorize continuation of a permitting process.

COUNCIL DISTRICT: 1		
Drafter/Staff Contact: Monica Campbell	Department/Section: Legal/City Attorney	Phone: 541-2128
City Manager Signature:	<i>Daniel Avela</i>	

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Berkshire Hathaway Home Services, New Mexico Properties, Southern Division is coordinating "Music on Main Street" on October 16, 2015. The event will be held on Main Street between the roundabout and Las Cruces Avenue. Dublin's Street Pub has been asked to serve alcoholic beverages 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 Dublin's Street Pub to sell alcoholic beverages within a restricted and secured area between 6:30 p.m. and 11:00 p.m. on October 16, 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", Special Dispenser Permit Application, Dublin's Street Pub.
3. Attachment "1", Map of event location.
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>1015-10180020-520002</u> in the amount of \$25.00 for FY15.
	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 alcoholic beverages being sold for consumption during "Music on Main Street" on October 16, 2015 between 6:30 p.m. and 11:00 p.m. Approval will allow Alcohol and Gaming to continue with the permit process.
2. Vote "No"; this will mean that no alcoholic beverages will be sold for consumption at the event. The Alcohol and Gaming Director may issue the Special Dispenser Permit provided that the City Council has given written approval for the permit process to continue.
3. Vote to "Amend"; this could include such items as 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 during the event.

REFERENCE INFORMATION:

The resolution(s) 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. 16-083

A RESOLUTION AUTHORIZING DUBLIN'S STREET PUB TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES DURING "MUSIC ON MAIN STREET" TO BE HELD ON OCTOBER 16, 2015.

The City Council is informed that:

WHEREAS, Berkshire Hathaway Home Services, New Mexico Properties, Southern Division is coordinating "Music on Main Street" on October 16, 2015, between the roundabout and Las Cruces Avenue; and

WHEREAS, Dublin's Street Pub requests 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 during "Music on Main Street" from 6:30 p.m. to 11:00 p.m.; 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 allow alcoholic beverages to be sold for consumption within a restricted and secured area during "Music on Main Street" on Friday, October 16, 2015, from 6:30 p.m. to 11:00 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
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 Las Cruces
 Mailing Address 1745 E. University Ave. City, State & Zip Las Cruces, NM, 88001
 Contact Telephone # 575-522-0932 Fax # Email Address hirtzel51@gmail.com Liquor License # 2543

EVENT INFORMATION

Circle those that apply - All Age Event - Beer Garden - Indoor / Outdoor Event Begin Time 6:30 pm End Time 11:00 pm
Wrist Band / Stamps
 Description and Name of Event MUSIC on Main St Date(s) of Event 10/16/15 Alcohol Service Begin Time 6:30 pm End Time 11:00 pm
 Physical Address of Event and Name of Building or Business 424 DOWNTOWN LC 88001 Number of Persons expected to Drink 400

Description of Security Security Concepts Number of Security 4 Security Contact Name Mike G. Contact Telephone # 575-526-4151

SPONSOR INFORMATION

Sponsor of Event Dublins St. Pub Contact Name Charles Hirtzel Contact Telephone # 575-496-4273

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: Robert 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 ~~certified~~ 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 Villalobos Signature Robert Villalobos Date 9/15/2015
 All profits derived from the sale of liquor will go only to the licensee.

NOTARY INFORMATION

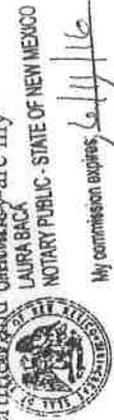
Subscribed and Sworn before me this 15 day of September, 2015 Notary Public Jane Becca Exp. 6/11/16

LOCAL GOVERNING BODY APPROVAL

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

ALCOHOL & GAMING DIVISION USE ONLY

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





Map Key

 closure

 bar(2)

 food truck(4)

 band

Last Name	First Name	Middle Initial	DOB	Permit #	Expire
Allen	Jonathan	K		238333	1/14/2018
Bohm	Lauren	E		270781	3/28/2017
Blake	Samuel	E		205685	5/11/2016
Conner	Jared	D		209224	5/29/2018
Finchum	Kourtnee	E		311314	1/5/2018
Garner	Deanna	T		279302	10/10/2017
Grettenberger	Alexis	T		288564	6/8/2018
Hardin	Rhiannon	M		262962	8/27/2016
Haggard	Madeleine	C		312198	1/30/2018
Hirtzel-Ward	Charles	W		185164	7/27/2016
Knapp	David	A		297258	1/26/2017
Lovato	Katie	J		308906	10/20/2017
Lucero	Jessica	A		274220	6/9/2017
Martin	Lindsey	C		253736	3/3/2016
Norris	Richard	T		226340	5/23/2017
Nunez	Felix	A		310074	11/27/2017
Portillo	Maxwell	A		213968	8/21/2016
Rogers	Lindsay	N		197598	7/9/2017
Sanchez	Brandon	C			
Schoonover	Christopher	P		271681	2/28/2021
Thibodeau	Edward	O		149240	7/13/2017
Villalobos	Rebecca	B		91312	7/23/2017
Villalobos	Robert	L		50669	7/25/2017



City of Las Cruces[®]

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 October 5, 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 DURING "MUSIC ON MAIN STREET" TO BE HELD ON FRIDAY, OCTOBER 16, 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	9/17/15
Department Director	<i>[Signature]</i>	541-2128	18 Sept 2015
Other			
Assistant City Manager /CAO	<i>[Signature]</i>	541-2100	9/21/15
Management & Budget Manager	<i>V. MacGregor for R. Lundien</i>	541-2107	9/18/15
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	9/22/15
City Attorney	<i>[Signature]</i>	541-2128	18 Sept 2015
City Clerk - Interim	<i>[Signature]</i>	541-2115	9/25/15