



City of Las Cruces
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3

Ordinance/Resolution# 16-084

For 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 BOSQUE BREWING CO. TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA AT THE 44TH ANNUAL RENAISSANCE ARTSFAIRE TO BE HELD NOVEMBER 7 AND 8, 2015 AT 1905 EAST NEVADA (YOUNG PARK), LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To authorize a permitting process to continue.

COUNCIL DISTRICT: 3		
<u>Drafter/Staff Contact:</u> Monica Campbell	<u>Department/Section:</u> Legal/City Attorney	<u>Phone:</u> 541-2128
<u>City Manager Signature:</u>	<i>Daniel Oute</i>	

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

One of the largest annual cultural events in Southern New Mexico is the Renaissance ArtsFaire ("ArtsFaire"). The ArtsFaire is a juried arts show that showcases local and regional artists and crafts people and is sponsored by the Dona Ana Arts Council, Inc., a nonprofit corporation. Bosque Brewing Co. is requesting approval to sell beer for consumption within a restricted and secured area located between the pond and the pavilion in Young Park during the ArtsFaire.

Approval by the 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 beer to be sold within the restricted and secured area on the following dates during the times indicated:

Saturday November 7, 2015 10:00 a.m. to 5:00 p.m.

Sunday November 8, 2015 11:00 a.m. to 4:00 p.m.

(Continue on additional sheets as required)

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.
3. Attachment "1", Site map showing the restricted and secured area for beer sale and consumption.
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: 1000-10180010-520002 in the amount of \$50.00 for FY16.
	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 at Young Park during the Renaissance ArtsFaire on November 7 and 8, 2015. Approval will allow Alcohol and Gaming to continue with the permitting process.

(Continue on additional sheets as required)

2. Vote "No"; this will mean that no beer will be served by Bosque Brewing Co. at the Renaissance ArtsFaire on November 7 and 8, 2015. The Alcohol and Gaming Director may issue the Public Celebration Permit for Bosque Brewing Co. provided that the City Council has given written approval for the permitting process to continue.
3. Vote to "Amend"; this could include such items as changing the dates or times 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. at the ArtsFaire.

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. 16-084

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 AT THE 44TH ANNUAL RENAISSANCE ARTSFAIRE TO BE HELD NOVEMBER 7 AND 8, 2015 AT 1905 EAST NEVADA (YOUNG PARK), LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, the Renaissance ArtsFaire (“ArtsFaire”) is an annual cultural event held the first full weekend in November; and

WHEREAS, the ArtsFaire is sponsored by the Dona Ana Arts Council, Inc., a New Mexico nonprofit corporation; and

WHEREAS, Bosque Brewing Co. is requesting approval to offer beer for sale and consumption at the ArtsFaire; and

WHEREAS, approval by the 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 beer to be sold for consumption within a restricted and secured area during the ArtsFaire; and

WHEREAS, approval of the Public Celebration Permit Applications 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 during the Renaissance ArtsFaire on the following dates during the times indicated:

Saturday November 7, 2015 10:00 a.m. to 5:00 p.m.

Sunday November 8, 2015 11:00 a.m. to 4:00 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:

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) Bosque Brewing Co. Owner Name Bosque Brewing Co, LLC Liquor License # 67028
 Mailing Address 8900 So Market Blvd. NE Ste. I City, State & Zip Albuquerque, NM 87113
 Contact Telephone # 505 401 7115 Fax # _____ Email Address GABE@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 10:00 AM End Time 5:00 PM
 Description and Name of Event LC Renaissance Faire Date(s) of Event Nov 7 + 8, 2015 Alcohol Service Begin Time 10:00 AM End Time 5:00 PM
 Physical Address of Event & Name of Building or Business 1905 E Nevada Ave. (Young Park) 16, AM Number of Persons expected to Drink 500
 Description of Security Security Concepts Number of Security 5 Security Contact Name Benedette Contact Telephone # 575-

SPONSOR INFORMATION

Doñ Ana Arts Council + NM Brewers Guild Contact Name Chris Gablet Contact Telephone # 505-660-2951

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Gabe 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) Gabe Jensen Signature _____ Date 7/29/15
 All profits derived from the sale of liquor will go only to the licensee.

NOTARY INFORMATION

Subscribed and Sworn before me this 29th day of July, 2015 Notary Public _____ Exp. 07-31-15
605 01 930



Print Name Robert L. Garza, P.E. Title City Manager Date _____ Signature _____
 Public Information expires Fax 575-541-2076

ALCOHOL & GAMING DIVISION USE ONLY

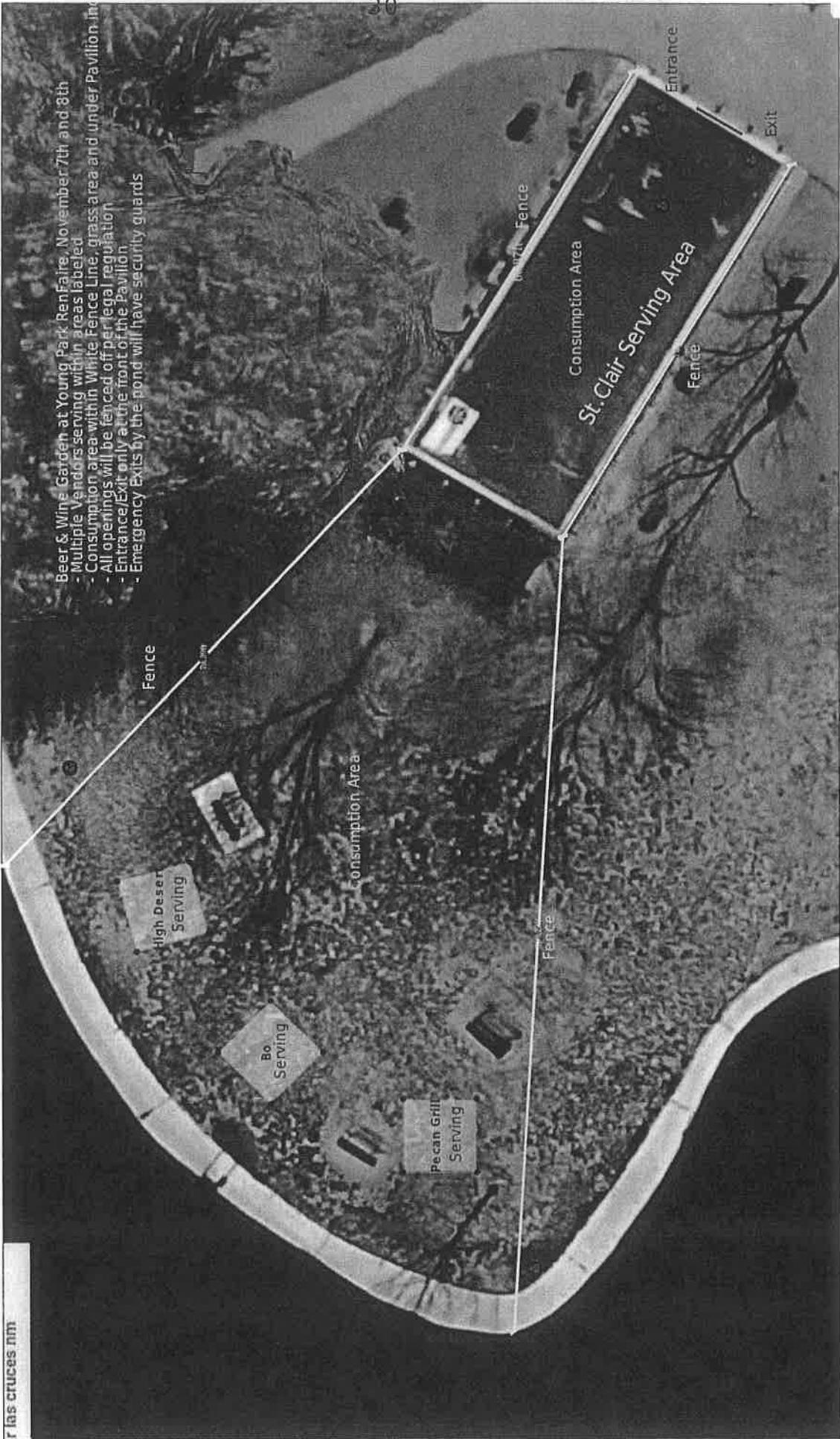
Approved by: _____ Date _____ Permit Number _____
 Attachments: 1) Floor plan - (Pictures) _____ 2) Fees per day (listed on top of page) _____ 3) Server information list _____

Beer & Wine Garden at RenFaire_St.Clair
 2015-11-07 10:00 am
 Print Date: 2015-09-17 20:05:51
 Young Park Pavillion

See notes in map below



if las cruces nm



- Beer & Wine Garden at Young Park RenFaire, November 7th and 8th
- Multiple Vendors serving within areas labeled
- Consumption area within White Fence Line, grass area and under Pavilion in
- All openings will be fenced off per legal regulation
- Entrance/Exit only at the front of the Pavilion
- Emergency Exits by the pond will have security guards

LIQUOR LICENSE NUMBER 67028 OWNER NAME Bosque Brewing Co., LLC DBA NAME Bosque Brewing Co.

SERVER PERMIT #	LAST NAME	FIRST NAME	PERMIT EXPIRATION DATE
196002	Myers	Jessica	8/22/17
210028	Jameson	Ryan	6/19/16
242887	Eichorn	David	6/8/15
209744	Strain-Bey	Ira	5/22/18
196965	Barfield	Danny	8/16/17
72576	Jensen	Gabe	6/27/16
274185	Moya	Candice	6/7/17
191227	Michnovicz	Joanna	10/18/17
90000	Michnovicz	Jotham	9/22/17
279384	Jameson	Kevin	10/11/17
279368	Michnovicz	Jared	10/11/17
286840	Jensen	Gelaine	5/12/18
286933	Jameson	Jenifer	5/13/18
283183	Michnovicz	Esther	2/11/18
286835	Dallas	Sarah	5/11/18
253883	Escamilla	Nestor	3/7/16
232051	Barfield	Ryan	1/3/18
240931	Bullard	John	4/14/15
288123	Michnovicz	Kara	6/12/18



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:

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Y. Monica Campese</i>	541-2128	9/18/15
Department Director	<i>WRB</i>	541-2128	18 Sept 2015
Other			
Assistant City Manager /CAO	<i>[Signature]</i>	541-2100	9/22/15
Management & Budget Manager	<i>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>WRB</i>	541-2128	18 Sept 2015
City Clerk - Interim	<i>[Signature]</i>	541-2115	9/25/15