



# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 6Ordinance/Resolution# 16-087For 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 ST. CLAIR WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE 44<sup>TH</sup> 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.

<b>COUNCIL DISTRICT: 3</b>		
<b><u>Drafter/Staff Contact:</u></b> Monica Campbell	<b><u>Department/Section:</u></b> Legal/City Attorney	<b><u>Phone:</u></b> 541-2128
<b><u>City Manager Signature:</u></b>	<i>Daniel Arda</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. St. Clair Winery is requesting approval to sell wine 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 wine 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, St. Clair Winery.
3. Attachment "1", Site map showing the restricted and secured area for wine sale and consumption.
4. Attachment "2", List of servers.

**SOURCE OF FUNDING:**

N/A	<b>Is this action already budgeted?</b>	
	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.
<b>Does this action create any revenue?</b>	Yes	<input checked="" type="checkbox"/> Funds will be deposited into this fund: <u>1000-10180010-520002</u> 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
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**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 St. Clair Winery 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 wine will be served by St. Clair Winery at the Renaissance ArtsFaire on November 7 and 8, 2015. The Alcohol and Gaming Director may issue the Public Celebration Permit for St. Clair Winery 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 wine 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 wine being sold by St. Clair Winery 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. 16-087

**A RESOLUTION AUTHORIZING ST. CLAIR WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE 44<sup>TH</sup> 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**, St. Clair Winery is requesting approval to offer wine 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 wine 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** St. Clair 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 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)

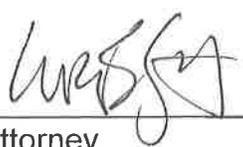
VOTE:

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  
(60-64-11 / 60-64-26.1 NMSA)

FEES ARE \$10 PER DAY -- Fees are Non-Refundable

LICENSE HOLDER INFORMATION:

Business Name (DBA) St Clair Winery Owner Name St Clair Winery Tasting Room Liquor License # 6130  
Mailing Address 3896 Hawkins St. NE City, State & Zip Albuquerque, NM 87109  
Contact Telephone # 575-644-0283 Fax # --- Email Address 575.644.0283 events@scwines.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  
Description and Name of Event Renaissance Arts Faire Date(s) of Event Nov. 7-8, 2015 Alcohol Service Begin Time 11am End Time 5pm Sat. 4pm Sun. 4pm  
Physical Address of Event & Name of Building or Business Wingpark 8500 Watson St. Las Cruces, NM Number of Persons expected to Drink 500  
Description of Security Security Concepts Number of Security 15 Security Contact Name Bernadette Contact Telephone # 575-526-4151  
Dona Arts Council Contact Name Chris Goble - 1<sup>st</sup> St. Clair Contact Telephone # 505-660-2951  
Sponsor of Event and NM Brewers Guild

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Florent Lescombes (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) Florent Lescombes Signature \_\_\_\_\_ Date 06.16.15  
All profits derived from the sale of liquor will go only to the licensee.

NOTARY INFORMATION

Subscribed and Sworn before me this 16 day of June, 2015 Notary Public [Signature] Exp. 04/01/2017  
Only the owner or authorized person under this license may sign the permit.

LOCAL GOVERNING BODY APPROVAL

Print Name Robert L. Garza, P.E. Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_  
Phone 515-541-2076 Fax 515-541-2017

ALCOHOL & GAMING DIVISION USE ONLY

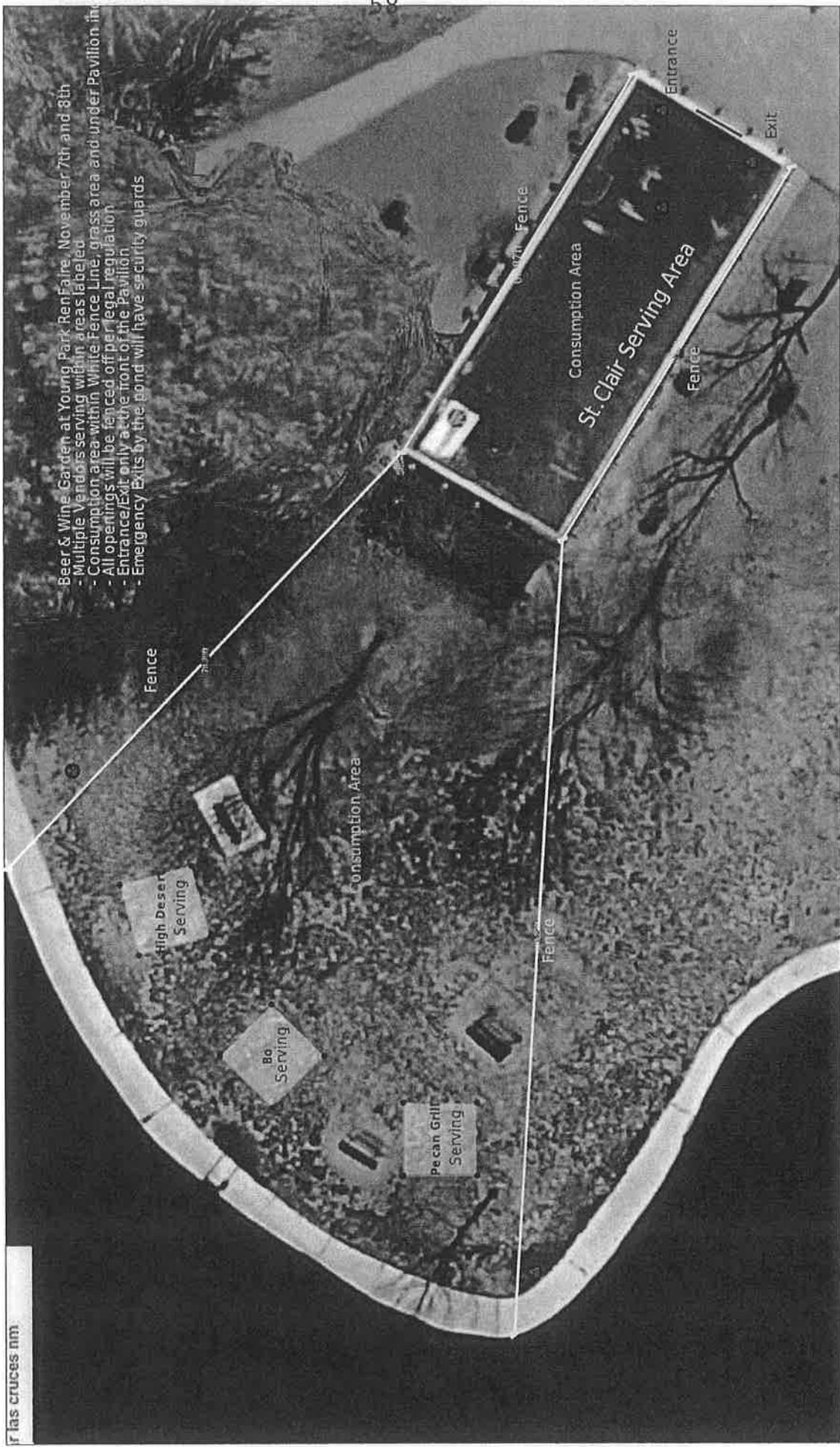
Approved by: \_\_\_\_\_ Date \_\_\_\_\_ Permit Number \_\_\_\_\_  
Attachments: 1) Floor plan - (Pictures) 2) Fees per day (listed on top of page) 3) Server information list

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



El 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

### St. Clair Winery & Tasting Room, Deming, NM. Event Servers License Information

All Server Permit Information are kept on file at the Managers Office in Deming NM.  
All Servers are required to carry the original certificate when dispensing alcohol.

Last Name	First Name	License A	Expiration Date	Status	
Abadie	Bret	245026	08/03/2015	Active	
Angulano	Vicente	275036	06/22/2017	Active	
Bailey	Brittney	TEMP PERMIT		Active	
Barreras	Leandra	194349	08/30/2017	Active	
Bolivar	Monica	131469	04/07/2015	Active	
Booker	Diamond	296429	01/07/2017	Active	
Bovinette	Matthew	228860	08/12/2014	Active	recertified 8/11/14
Burdick	Gerrad	207240	04/18/2018	Active	
Camiscion	Chanessa	285478	04/13/2018	Active	
Crowell	Erin W	138568	03/01/2015	Active	
Crowell	Vince	123949	05/25/2018	Active	
Cuadros	Cristina	276864	08/14/2017	Active	
Ellis	Moirra	272822	05/13/2017	Active	
Emarine	Chelsea	289085	06/25/2016	Active	
Goslar	Travis	98343	01/27/2016	Active	
Gross	Matthew	205725	10/14/2016	Active	
Gutierrez	Daniel	283955	03/08/2018	Active	
Hawley	Samantha	262348	08/19/2016	Active	
Hays	Kyle	81387	09/03/2014	Active	will need to renew
Huizar	Mark	52760	08/26/2016	Active	
John	Nicole K	167230	08/09/2015	Active	
Karki	Kushal	231584	09/18/2014	Active	will need to renew
Kesterson	Sarah	272202	04/28/2017	Active	
Krantman	Elizabeth	285845	04/20/2018	Active	
Macelroy	Bobbi Jo	209833	08/07/2018	Active	
McKinley	Chantill	274359	06/13/2017	Active	
Moore	Thomas	38551	07/22/2016	Active	
Pino	Andre	289080	06/25/2016	Active	
Ramos	Laura	277477	08/22/2017	Active	
Richardson	Chelsea	294861	11/16/2016	Active	
Roberts	Brandon	246801	09/08/2015	Active	
Rocha	Javier	204643	02/07/2017	Active	
Rojas	Sofia	211080	08/07/2016	Active	
Romero	Christophe	247342	06/14/2016	Active	
Romero	Jessica	247762	09/29/2015	Active	
Saavedra	Alyssa	183644	07/23/2016	Active	
Sanchez	Marie	120444	11/29/2017	Active	
Small	Bianca	251222	12/20/2015	Active	
Stahmann	Anastasia	240387	03/29/2015	Active	
Tapia	Ashley	working on it		Active	was hired 08.02.14
Uranga	Alexandra	270179	03/16/2017	Active	
Voltaire Sr	Kandrise	233432	10/05/2014	Active	will need to renew
Wayland	Christophe	168046	03/29/2015	Active	
Westmore	Mary	46030	10/06/2015	Active	
Wise	Stephanie	262059	08/11/2016	Active	
Yankee	Trent	TEMP PERMIT		Active	



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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 ST. CLAIR WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER <sup>WINE</sup> WITHIN A RESTRICTED AND SECURED AREA AT THE 44<sup>TH</sup> ANNUAL RENAISSANCE ARTSFAIRE TO BE HELD NOVEMBER 7 AND 8, 2015 AT 1905 EAST NEVADA (YOUNG PARK), LAS CRUCES, NEW MEXICO.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Monica Campbell</i>	541-2128	9/18/15
Department Director	<i>WBSgt</i>	541-2128	18 Sept 2015
Other	<i>[Signature]</i>		
Assistant City Manager /CAO	<i>[Signature]</i>	541-2100	9/21/15
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>WBSgt</i>	541-2128	18 Sept 2015
City Clerk - Interim	<i>[Signature]</i>	541-2115	