



# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 3Ordinance/Resolution# 16-113For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)For Meeting of December 7, 2015  
(Adoption Date)

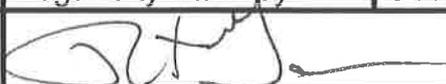
Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

**TITLE:** A RESOLUTION AUTHORIZING AMARO WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE LAS CRUCES CHILE DROP TO BE HELD ON MAIN STREET ON DECEMBER 31, 2015.

### PURPOSE(S) OF ACTION:

To authorize a permitting process to continue.

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

### BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Project Mainstreet is the sponsor of the Las Cruces Chile Drop to be held on December 31, 2015 on Main Street, generally between Las Cruces Avenue and Griggs Avenue. Amaro Winery is requesting approval to sell wine 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 Amaro Winery to sell wine within the restricted and secured area on December 31, 2015 between 8:00 p.m. and 12:00 a.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.

(Continue on additional sheets as required)

2. Exhibit "A", Public Celebration Permit Application, Amaro Winery.
3. Attachment "1", Map showing the restricted and secured area for wine and beer 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 \$25.00 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 by Amaro Winery within a restricted and secured area on Main Street, generally between Las Cruces Avenue and Griggs Avenue during the Las Cruces Chile Drop on December 31, 2015. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that Amaro Winery may not serve wine during the event on December 31, 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 wine is sold. Any amendments must comply with city ordinance, state statute, and/or the requirements of Alcohol and Gaming.

(Continue on additional sheets as required)

4. Vote to "Table"; this could result in no wine being sold 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

**RESOLUTION NO. 16-113**

**A RESOLUTION AUTHORIZING AMARO WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE LAS CRUCES CHILE DROP TO BE HELD ON MAIN STREET ON DECEMBER 31, 2015.**

The City Council is informed that:

**WHEREAS**, Project Mainstreet is the sponsor of the Las Cruces Chile Drop to be held on December 31, 2015; and

**WHEREAS**, Amaro Winery has requested approval to sell wine 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 Amaro Winery to sell wine for consumption within a restricted and secured area during the event; 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** Amaro 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 between 8:00 p.m. and 12:00 a.m. on December 31, 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:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

VOTE:

Mayor Miyagishima:	_____
Councillor Gandara:	_____
Councillor Smith:	_____
Councillor Pedroza:	_____
Councillor Eakman:	_____
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) AMARO WINERY Owner Name AMARO WINERY, LLC Liquor License # 6151  
Mailing Address 402 S. MELENDEZ ST. City, State & Zip LAS CRUCES, NM 88005  
Contact Telephone # 575 5275310 Fax # 575 5259405 Email Address winetasting@amaronwinerynm.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 8 pm End Time 12:30 am  
Description and Name of Event Chile Drop/Street Party Date(s) of Event Thurs 12/31 Alcohol Service Begin Time 8 pm End Time 12:00 am  
Physical Address of Event & Name of Building or Business 125 N. Main St. Number of Persons expected to Drink 1000  
Description of Security Security Concepts Number of Security 12 Security Contact Name Michael Contact Telephone # 526-4151

SPONSOR INFORMATION

Sponsor of Event Project Main Street Contact Name Marissa Comrado Contact Telephone # 520-3362

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Harold G. Denton (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) HAROLD G. DENTON Signature \_\_\_\_\_ Date 10/1/15  
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 OCTOBER, 2015 Notary Public Juanita A. Sten Exp. 9/20/2018

LOCAL GOVERNING BODY APPROVAL

Print Name Robert L. Garza, P.E. Title City Manager Date \_\_\_\_\_ Signature \_\_\_\_\_  
575-541-2076 Phone 575-541-2017 Fax 575-541-2017

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

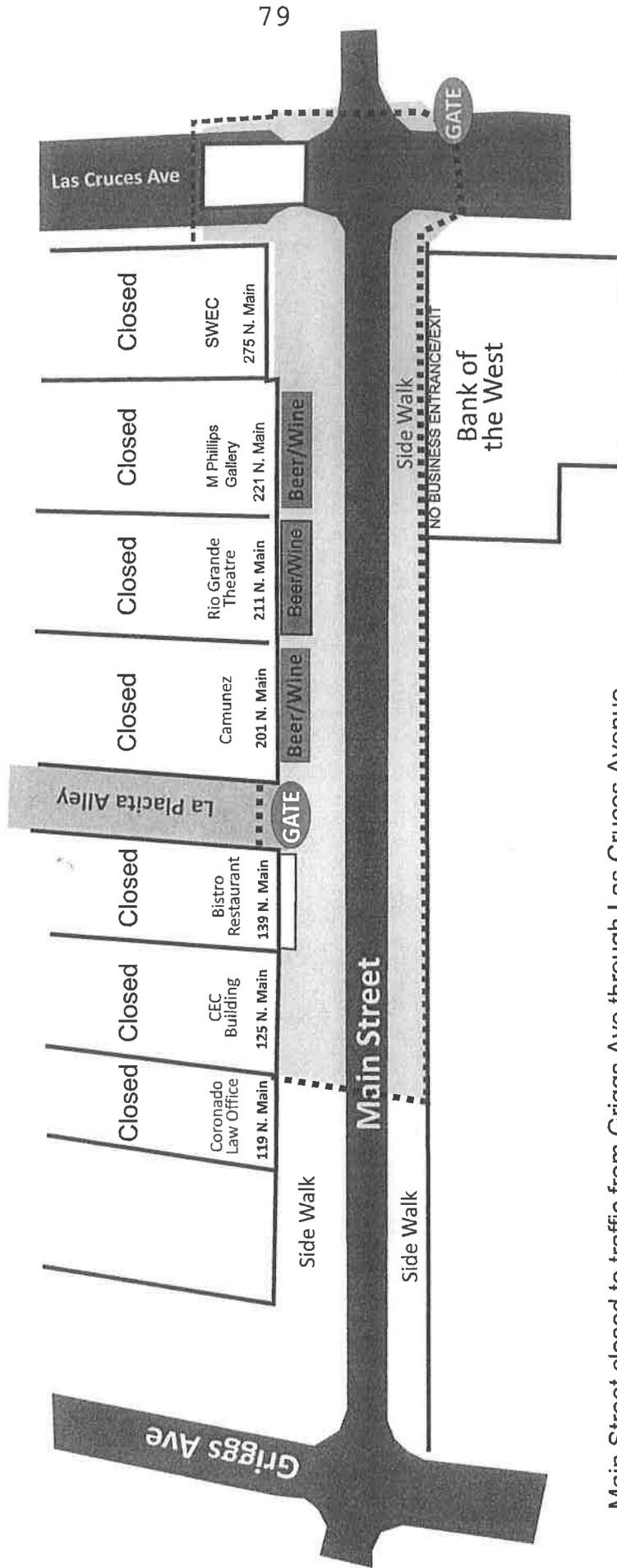
My commission expires: 9/20/2018  
NOTARY PUBLIC - STATE OF NEW MEXICO  
OFFICIAL SEAL



# Beer & Wine Service Map

## Chile Drop

Dec 31, 2015



Main Street closed to traffic from Griggs Ave through Las Cruces Avenue  
 Las Cruces Avenue closed to traffic at intersection with Main Street  
 R2 Barriers at street closings  
 4 foot orange barrier fencing around all open areas and in front of street barriers.

Authorized security personnel at both gates at all times to ensure no alcoholic beverages leave the enclosed area.

Liquor License #		Owner Name:			DBA Name:		
6868		AMARO WINERY, LLC			AMARO WINERY		
Server Permit #	Last Name:	First Name:	SS#	DOB:	Hire Date:	Termination Date:	Sever E)
227706	Maier	Lisa		1983	12/11/2009		
227683	Maier	Belamin		1983	12/11/2009		
188136	Maier	Bernard		1958	12/11/2009		
38954	Allen	kelly		1975	12/11/2009		
252985	Xu	Quiongxiao		1978	3/1/2011		1
128609	Williams	Allen		1956	5/3/2010		
289963	Mainini	Nick		1992	6/6/2013		
183833	De Villez	Kacy		1977	8/20/2013		
290033	Selken	Nathan		1985	10/1/2015		



# City of Las Cruces®

PEOPLE HELPING PEOPLE

## COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of December 7, 2015  
(Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING AMARO WINERY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF WINE WITHIN A RESTRICTED AND SECURED AREA AT THE LAS CRUCES CHILE DROP TO BE HELD ON MAIN STREET ON DECEMBER 31, 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	11/20/15
Department Director	<i>Webb</i>	541-2128	20 NOV 2015
Other	<i>Heath</i>		
Assistant City Manager /CAO	<i>Heath</i>	541-2100	11/20/15
Management & Budget Manager	<i>Spencer</i>	541-2107	11/20/15
Assistant City Manager/COO	<i>Dave De</i>	541-2271	11/23/15
City Attorney	<i>Webb</i>	541-2128	20 NOV 2015
City Clerk - Interim	<i>Quinn</i>	541-2115	12-1-15