City of Las Cruces®
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 **Ordinance/Resolution#** 16-178

For Meeting of _____ (Ordinance First Reading Date)

For Meeting of April 4, 2016 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☐ LEGISLATIVE ☒ ADMINISTRATIVE

TITLE: **A RESOLUTION AUTHORIZING TAOS MESA BREWING TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING BLAZIN' BREWFEST, AN EVENT TO BE HELD ON MAIN STREET ON SATURDAY, MAY 7, 2016 FROM 4:00 P.M. TO 10:00 P.M.**

PURPOSE(S) OF ACTION:

To 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:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Blazin' Brewfest will be held on Main Street, which is City property, on Saturday, May 7, 2016. The New Mexico Brewers Guild is the sponsor of its annual Blazin' Brewfest and would like to make available for consumption award winning ales and lagers from craft breweries throughout New Mexico. Consumption of the alcoholic beverages would be allowed between the hours of 4:00 p.m. and 9:00 p.m. within a restricted and secured area on Main Street. Taos Mesa Brewing, New Mexico Small Brewer's License No. 67010, has submitted a Public Celebration Permit Application ("Permit Application") to serve beer during the event.

The Alcohol and Gaming Division of the New Mexico Regulation and Licensing Department (Alcohol and Gaming) allows an alcoholic beverage license holder, in this case Taos Mesa Brewing, to submit a Permit Application to use its Small Brewer's license at a place other than its regular approved licensed premises. The Las Cruces City Council must grant approval for the issuance of the Permit Application before Taos Mesa Brewing sends the Permit Application to Alcohol and Gaming for review and final approval.

In addition to the Permit Application, Alcohol and Gaming requires a detailed floor plan showing the restricted and secured location of alcoholic beverages including the location of bars, security

(Continue on additional sheets as required)

and the placement of security personnel, serving areas, entrances, exits, and the type and height of the enclosure of the service area which is at least four feet or higher. Finally, Alcohol and Gaming requires a list of employees who are licensed servers for Taos Mesa Brewing who may sell and serve the beer.

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 only to areas approved by Alcohol and Gaming.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Public Celebration Permit Application, Taos Mesa Brewing.
3. Attachment "1", Map of Brewfest area.
4. Attachment "2", List of servers for Taos Mesa Brewing.

SOURCE OF FUNDING:

Is this action already budgeted?			
N/A	Yes	☐	See fund summary below
	No	☐	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the _____Fund.
Does this action create any revenue?			
	Yes	☒	Funds will be deposited into this fund: 1000-10180010-520002 in the amount of $25.00 for FY16.
	No	☐	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

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the sale of beer for consumption by Taos Mesa Brewing within a restricted and secured area during Blazin' Brewfest on Main Street on May 7, 2016. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that Taos Mesa Brewing may not serve beer during Blazin' Brewfest on May 7, 2016. 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 Taos Mesa Brewing during Blazin' Brewfest.

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)

(4)

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 April 4, 2016 (Adoption Date)

TITLE: A RESOLUTION AUTHORIZING TAOS MESA BREWING TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING BLAZIN' BREWFEST, AN EVENT TO BE HELD ON MAIN STREET ON SATURDAY, MAY 7, 2016 FROM 4:00 P.M. TO 10:00 P.M.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	Monica Campbell	541-2128	3/4/2016
Department Director		541-2128	8 MAR 2016
Other			
Assistant City Manager /CAO Management & Budget Manager		541-2100 541-2107	3-9-2016
Assistant City Manager/COO		541-2271	3/11/16
City Attorney		541-2128	8 MAR 2016
City Clerk		541-2115	3-22-16

Rev. 8/2011

RESOLUTION NO. 16-178

A RESOLUTION AUTHORIZING TAOS MESA BREWING TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF BEER WITHIN A RESTRICTED AND SECURED AREA DURING BLAZIN' BREWFEST, AN EVENT TO BE HELD ON MAIN STREET ON SATURDAY, MAY 7, 2016 FROM 4:00 P.M. TO 10:00 P.M.

The City Council is informed that:

WHEREAS, the New Mexico Brewers Guild is sponsoring its annual Blazin' Brewfest, a craft beer festival to be held on Saturday, May 7, 2016; and

WHEREAS, Taos Mesa Brewing 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 Taos Mesa Brewing to sell beer for consumption within a restricted and secured area during Blazin' Brewfest; 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 Taos Mesa Brewing 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 between 4:00 p.m. and 9:00 p.m. on Saturday, May 7, 2016.

(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 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) Taos Mesa Brewing Owner Name Jayson Wylie Liquor License # 67010
Mailing Address PO Box 2099 City, State & Zip El Prado, NM 87529
Contact Telephone # 575-758-1900 Fax # _____ Email Address Jayson@taosmesabrewing

EVENT INFORMATION: Celebration type: State Fair___ County Fair___ Community Fiesta X Cultural/Artistic Performance___ Athletic ___

Circle those that apply – *All Age Event* / Wrist Bands and/or Stamps – *Beer Garden* – *Indoor* / *Outdoor* Event Begin Time 4:00 End Time 10:00
Description and Name of Event BLAZIN' BREWFEST Date(s) of Event 5/7/2016 Alcohol Service Begin Time 4:00 End Time 9:00
Physical Address of Event & Name of Building or Business 211 MAIN ST, DOWNTOWN MALL, LAS CRUCES Number of Persons expected to Drink 1,000
Description of Security SECURITY CONCEPTS UNIFORM GUARDS Number of Security 10 Security Contact Name MIKE GONZALES Contact Telephone # (575) 526-4151

SPONSOR INFORMATION

Sponsor of Event NEW MEXICO BREWERS GUILD Contact Name JOHN GOZIGIAN Contact Telephone # (505) 660-7423

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Jayson Wylie (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) Jayson Wylie Signature [signature] Date 2/16/16
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 16th day of February, 2016 Notary Public Louise A. Seck Exp. 1-26-2017

LOCAL GOVERNING BODY APPROVAL

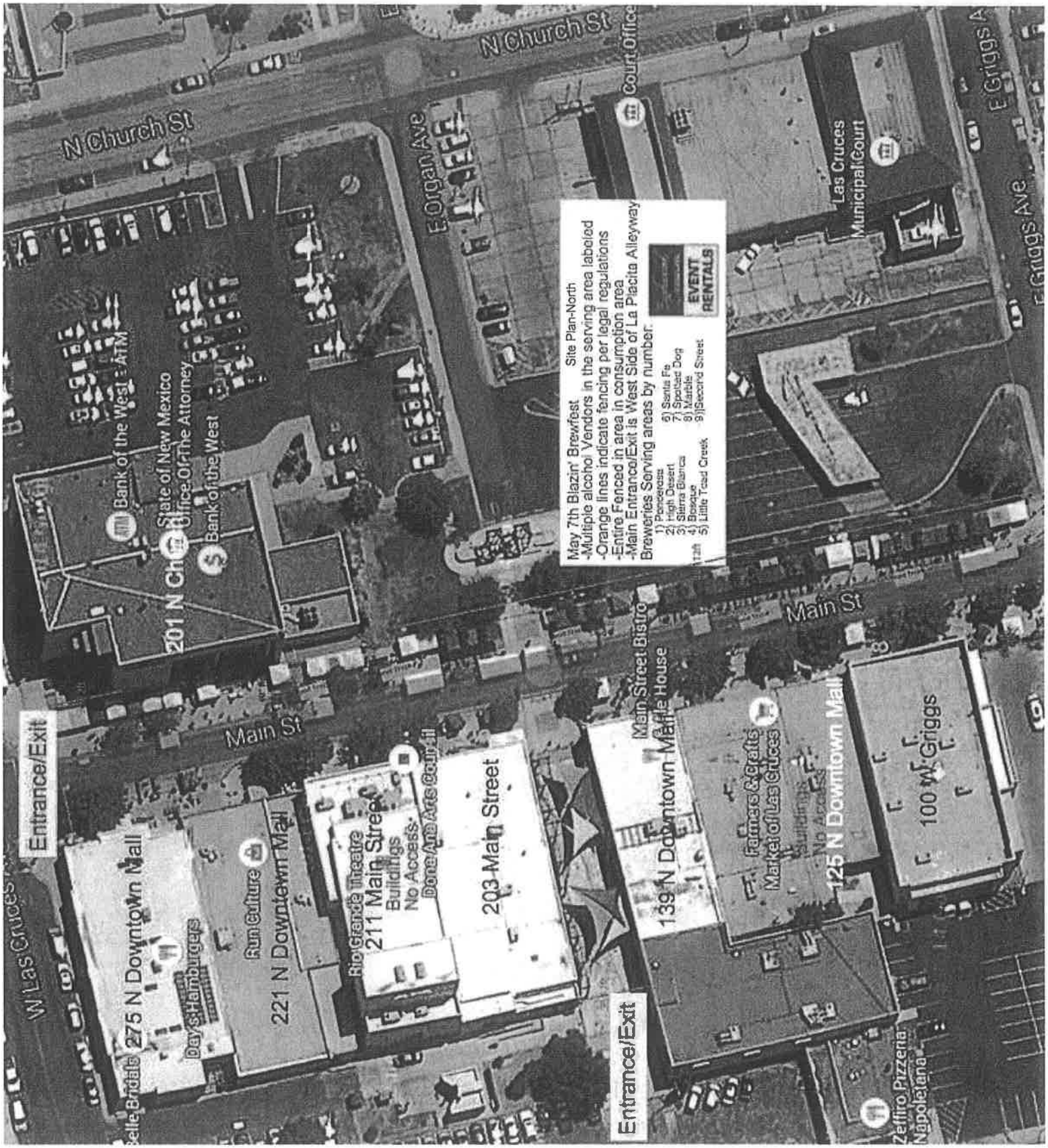
Print Name Robert L. Garza, P.E. Title City Manager Date _____ Signature _____ Phone 575-541-2076 Fax 575-541-2017

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

LOUISE A. SECK NOTARY PUBLIC STATE OF NEW MEXICO

Scanned by CamScanner

Exhibit A


May 7th Blazin' Brewfest
Site Plan-North
-Multiple alcohol Vendors in the serving area labeled
-Orange lines indicate fencing per legal regulations
-Entire Fenced in area in consumption area
-Main Entrance/Exit is West Side of La Placita Alleyway
Breweries Serving areas by number.
1) Pecoriass
2) High Desert
3) Sierra Blanca
4) Bosque
5) Little Toad Creek
6) Santa Fe
7) Spotted Dog
8) Marble
9) Second Street
EVENT RENTALS
N Church St
E Organ Ave
Court Office
Las Cruces Municipal Court
E Griggs Ave
Bank of the West - ATM
State of New Mexico Office Of The Attorney
Bank of the West
201 N Church
Main St
Entrance/Exit
W Las Cruces
275 N Downtown Mall
Day's Hamburgers
221 N Downtown Mall
Run Culture
Rio Grande Theatre
211 Main Street
Buildings
No Access-
Done And Arts Council
203 Main Street
Main Street Bistro
Marble House
139 N Downtown Mall
Farmers & Crafts Market of Las Cruces
Buildings
No Access
125 N Downtown Mall
100 W Griggs
Zeffiro Pizzeria Napoletana

E Griggs Ave
Main St
Stage
Emergency Exit
Google
Casa De Allabanza
105 Griggs
Buildings No Access
100 S. Church
Buildings No Access
118 Main Street
138 Downtown mall
118 Main Street
Calvary Chapel of Las Cruces
126 Main Street
Emergency Exit
Google
May 7th Blazin' Brewfest
Site Plan-South
-Multiple alcohol Vendors in the serving area labeled
-Orange lines indicate fencing per legal regulations
-Entire Fenced in area in consumption area
-Main Entrance/Exit is West Side of La Placita Alleyway
Breweries Serving areas by number:
10) Tractor
11) Taos Mesa
12) Abbey Brewing
13) Pecan Grill
14) Red Door
15) Picacho Peak
16) La Cumbre
EVENT RENTALS

Taos Mesa Brewing

Server Permit	Last Name	First Name	Date of Birth	Hire Date	Termination Date	Expiration Date
291075	Findley	Adrian	[redacted]1986	07/15/2013		08/13/2016
308613	Longo	Alishia	[redacted]1990	10/06/2014		10/13/2017
280169	Kolly	Amy	[redacted]1970	10/15/2013	3/15/2014	11/5/2017
242028	Wollum	Carla	[redacted]1985	08/18/2014		05/09/2015
56359	Jones	Christopher	[redacted]1974	5/18/2013		01/16/2017
Application	Phillips	Christopher	[redacted]1981	09/01/2014	10/15/2014	
Aplication	Bailey	Claire	[redacted]1987	04/02/2015		
264618	Kennedy-Spielma	Corin	[redacted]1987	6/10/2013	6/15/2014	10/8/2016
Application	Phelps	Damian	[redacted]1976	6/10/2014	03/10/2015	
111924	Bureker	H. Olive	[redacted]1962	10/27/2013	12/15/2014	11/19/2016
282060	Alexander	Jason	[redacted]1978	7/17/2013	3/15/2014	1/15/2018
273495	Konvalin	Jenna	[redacted]1987	2/23/2014	06/30/2014	05/22/2017
169847	Gorham	Justin	[redacted]1980	06/13/2013		06/07/2016
277361	Pelton	Kim	[redacted]1960	06/10/2013	08/15/2014	08/21/2017
213081	Nelson	Kirstena	[redacted]1976	05/26/2014		06/30/2017
Application	Steinlicht	Lilli	[redacted]1977	12/8/2014	04/15/2015	
134994	Philipps	Matthew	[redacted]1970	4/20/2013		1/8/2017
68802	Davis	Max	[redacted]1960	2/22/2013		11/25/2017
270479	Lewandowski	Monica	[redacted]/1987	5/29/2013		03/20/2017
294848	Ryall	Peter	[redacted]/1973	5/15/2013		11/15/2016
275415	Dunn	Sage	[redacted]/1978	02/19/2013		07/7/2017
154074	Williams	Shawna	[redacted]/1978	08/01/2013	07/15/2014	05/24/2016
4291	Hills	Steven	[redacted]/1962	09/01/2014	12/15/2014	
Application	Hunt Jr.	Steven	[redacted]/1982	03/10/2015		
250043	Brown	Stuart	[redacted]/1968	04/10/2013		09/22/2015
277837	Urick	Tanya	[redacted]/1974	4/10/2013		12/31/2018
56332	Jones	Thersa	[redacted]/1975	06/02/2014		09/21/2017
283507	Ritchie	Todd	[redacted]/1959	02/21/2013		9/15/2017
263372	Mallon	Veronica	[redacted]/1973	3/12/2014		09/13/2016
146946	Lake	Whitney	[redacted]/1976	03/11/2014		renewal application
268245	Feuerman	Gary	[redacted]63	8/10/12		1/24/17
278261	Kolshorn	Peter	[redacted]/65	8/10/12		9/13/17
273950	Ritchie	Alisa		8/10/12		6/5/17
97800	Irion	Dan	XX/XX/76	8/10/12		9/11/17
90036	Wylie	Jayson	XX/XX/74	8/10/12		12/2/17

Attachment 2