



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 16Ordinance/Resolution# 16-189For Meeting of _____
(Ordinance First Reading Date)For Meeting of April 4, 2016
(Adoption Date)

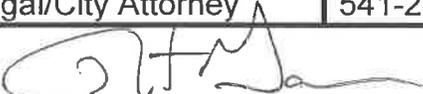
Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING HIGH DESERT BREWING COMPANY 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		
<u>Drafter/Staff Contact:</u> Monica Campbell	<u>Department/Section:</u> Legal/City Attorney	<u>Phone:</u> 541-2128
<u>City Manager Signature:</u>		

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. High Desert Brewing Company, New Mexico Small Brewer's License No. 6801, 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 High Desert Brewing Company, 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 High Desert Brewing Company 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 High Desert Brewing Company 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, High Desert Brewing Company.
3. Attachment "1", Map of Brewfest area.
4. Attachment "3", List of servers for High Desert Brewing Company.

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 <u>\$25.00</u> for <u>FY16</u> .
	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

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the sale of beer for consumption by High Desert Brewing Company 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 High Desert Brewing Company 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 High Desert Brewing Company 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)



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

15

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 HIGH DESERT BREWING COMPANY 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	<i>Monica Campbell</i>	541-2128	3/4/2016
Department Director	<i>WB</i>	541-2128	8 MAR 2016
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>Daniel Walker</i>	541-2100 541-2107	3-10-2016 29.2016
Assistant City Manager/COO	<i>Daniel De</i>	541-2271	3/11/16
City Attorney	<i>WB</i>	541-2128	8 MAR 2016
City Clerk	<i>Angie Davis</i>	541-2115	3-22-16

RESOLUTION NO. 16-189

A RESOLUTION AUTHORIZING HIGH DESERT BREWING COMPANY 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, High Desert Brewing Company 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 High Desert Brewing Company 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 High Desert Brewing Company 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) High Desert Brewing Company Owner Name High Desert Brewing Co., Inc. Liquor License # 6801
Mailing Address 1201 W Hadley Avenue City, State & Zip Las Cruces, NM 88005
Contact Telephone # 575-525-6752 Fax # 575-647-8033 Email Address hdhc.lcnm@gmail.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
Saturday

Description and Name of Event Blazin Brewfest Date(s) of Event May 07, 2016 Alcohol Service Begin Time 4:00 pm End Time 9:00 pm
Physical Address of Event & Name of Building or Business 211 Main St, Downtown Mall, Las Cruces, NM Number of Persons expected to Drink 1000
Description of Security Security Concepts Number of Security 10 Security Contact Name Mike Gonzales Contact Telephone # 575-526-4151

SPONSOR INFORMATION

Sponsor of Event NM Brewers Guild Contact Name John Gozigan Contact Telephone # 505-660-7423

BUILDING/PROPERTY OWNER APPROVAL

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

LICENSE HOLDER & SERVER CERTIFICATION: I, Donna L Almarez (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) Donna L Almarez Signature [Signature] Date 16 Feb 2016
All profits derived from the sale of liquor will go only to the licensee.

NOTARY INFORMATION

Subscribed and Sworn before me this 16th day of February, 2014 Notary Public Ryazgia Date 18 2014

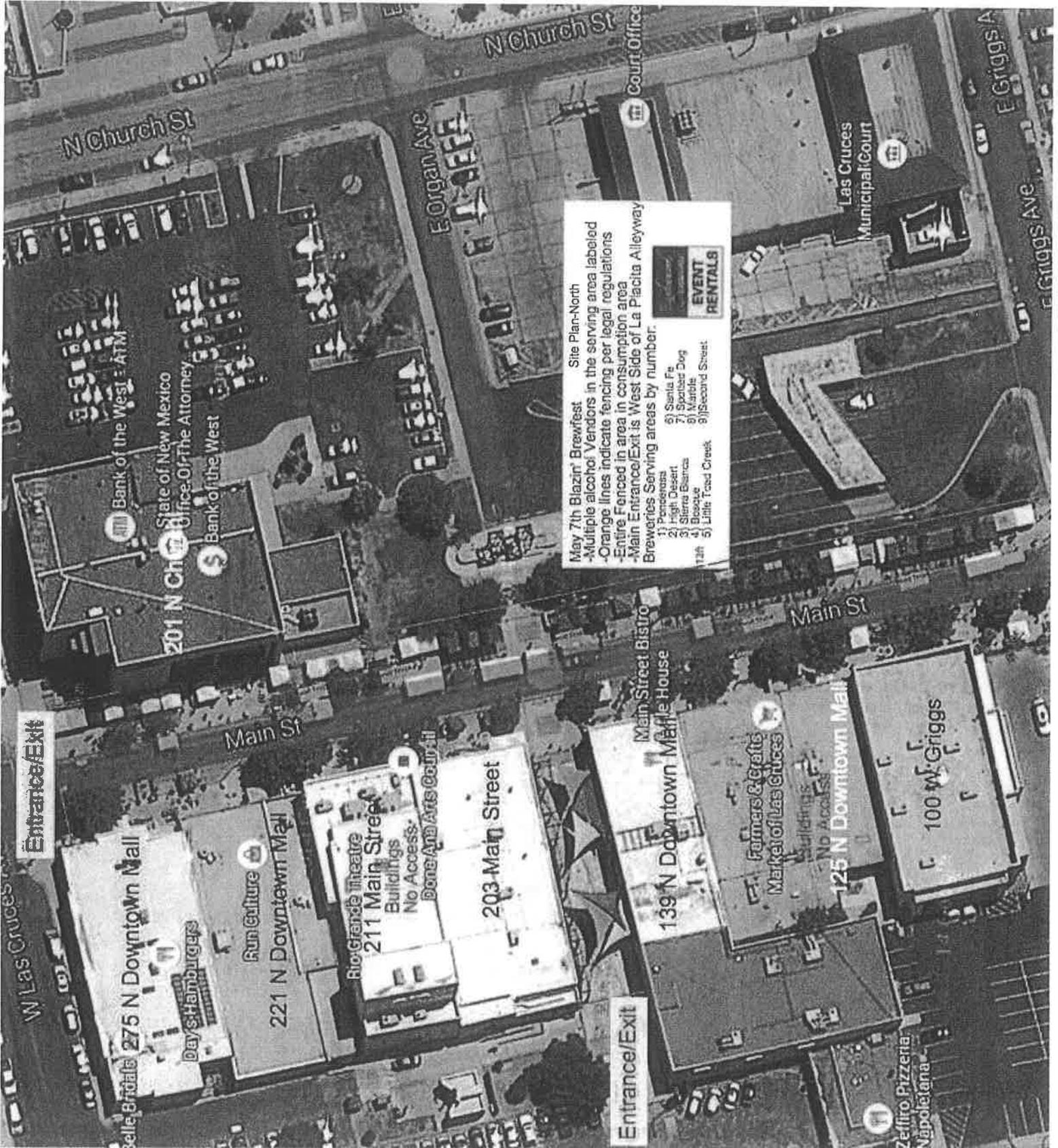


LOCAL GOVERNING BODY APPROVAL

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



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) Penoneros 6) Santa Fe
 2) High Desert 7) Spunk Dog
 3) Sierra Blanca 8) Vindale
 4) Boogie 9) Second Street
 5) Little Todd Creek

Entrance/Exit

275 N Downtown Mall

Day's Hamburgers

Run Culture

221 N Downtown Mall

Rio Grande Theatre

211 Main Street

Buildings No Access

Done Arts Council

203 Main Street

Entrance/Exit

Main Street Bistro

139 N Downtown Mall

Farmers & Crafts Market of Las Cruces

125 N Downtown Mall

100 W Griggs

Zefiro Pizzeria Napolitana

N Church St

N Church St

E Organ Ave

Court Office

Las Cruces Municipal Court

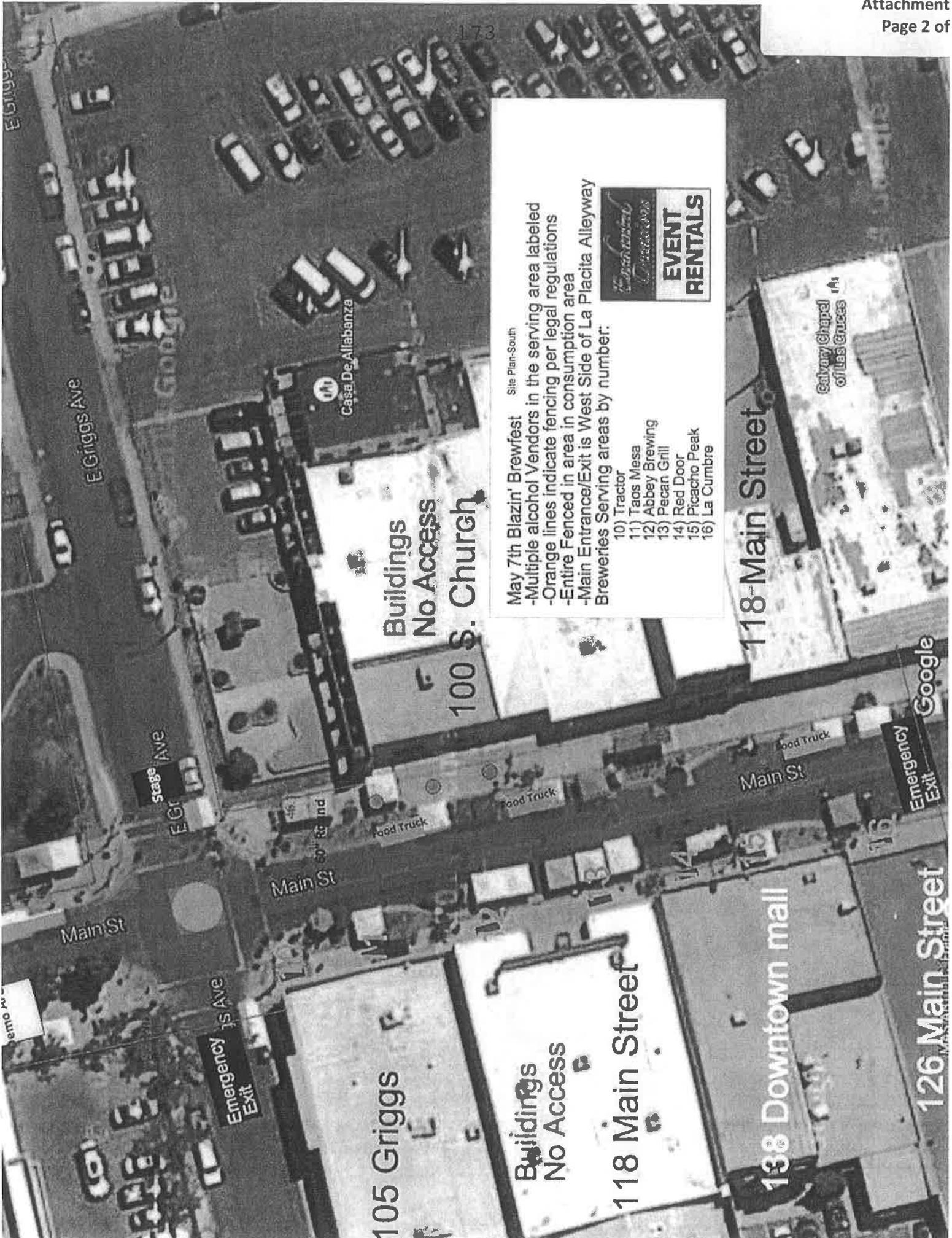
E Griggs Ave

E Griggs Ave

Main St

Main St

173



**Buildings
No Access
100 S. Church**

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

105 Griggs

**Buildings
No Access**

118 Main Street

138 Downtown mall

126 Main Street

118- Main Street

Galvany Chapel of Las Cruces

Casa De Allabanza

E Griggs Ave

Stage Ave

Main St

Main St

Food Truck

Food Truck

Food Truck

Emergency Exit

Google

Emergency Exit

Main St

16

14

13

12

11

10

9

8

7

6

5

4

3

2

1

emo

E Griggs

July 1, 2015-June 30, 2016

LIQUOR LICENSE NUMBER 6801		OWNER NAME High Desert Brewing Company		DBA NAME High Desert Brewing Company
Server Permit #	Last Name	First Name	HIRE DATE	SERVER EXPIRATION DATE
32589	Gosselin	Robert	1/13/1994	6/8/2016
49454	Alvarez	Donna	1/1/1997	6/1/2018
211210	Lowther	Matthew	4/21/2008	7/20/2016
230468	Obregon	Andres	6/1/2001	10/17/2017
304548	Williams	Taylor	4/18/2009	7/12/2017