



14  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 2      Ordinance/Resolution# 17-042

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

For Meeting of September 19, 2016  
 (Adoption Date)

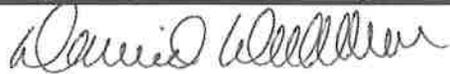
Please check box that applies to this item:

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 ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT THE SOUTHWEST ENVIRONMENTAL CENTER'S GALA FUNDRAISER TO BE HELD ON OCTOBER 15, 2016.

**PURPOSE(S) OF ACTION:**

To authorize a permitting process to continue.

<b>COUNCIL DISTRICT: 1</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>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The Southwest Environmental Center's Gala Fundraiser will be held on Main Street between Las Cruces Avenue and Griggs Avenue, on October 15, 2016. High Desert Brewing Company ("High Desert") is requesting approval to sell alcoholic beverages 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 High Desert to sell alcoholic beverages within the restricted and secured area between 6:00 p.m. and 10:00 p.m. on October 15, 2016.

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.
3. Attachment "1", Map of event area on Main Street.
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>1000-15315000-511300</u> in the amount of <u>\$25.00</u> for FY17.
	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 alcoholic beverages for consumption by High Desert, within a restricted and secured area on Main Street, during the Gala Fundraiser on October 15, 2016. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that High Desert may not serve alcoholic beverages during the event on October 15, 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 alcoholic beverages are 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 alcoholic beverages being sold by High Desert 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



# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

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

For Meeting of September 19, 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 ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT THE SOUTHWEST ENVIRONMENTAL CENTER'S GALA FUNDRAISER TO BE HELD ON OCTOBER 15, 2016.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Monica Campbell</i>	541-2128	8-22-16
Department Director	<i>[Signature]</i>	541-2128	23 Aug 2016
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i>	541-2100	8/24/2016
	<i>[Signature]</i>	541-2107	8/23/16
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	8/26/16
City Attorney	<i>[Signature]</i>	541-2128	23 Aug 2016
City Clerk	<i>[Signature]</i>	541-2115	9-9-16

RESOLUTION NO. 17-042

A RESOLUTION AUTHORIZING HIGH DESERT BREWING COMPANY TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA AT THE SOUTHWEST ENVIRONMENTAL CENTER'S GALA FUNDRAISER TO BE HELD ON OCTOBER 15, 2016.

The City Council is informed that:

**WHEREAS**, the Southwest Environmental Center's Gala Fundraiser will be held on October 15, 2016; and

**WHEREAS**, High Desert Brewing Company ("High Desert") has requested approval to sell alcoholic beverages for consumption within a restricted and secured area during the event; 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 High Desert to sell alcoholic beverages for consumption within a restricted and secured area during the event; 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 is hereby authorized to continue with the permitting process for

the Public Celebration Permit Application, attached hereto as Exhibit "A", to allow alcoholic beverages to be sold for consumption within a restricted and secured area on Main Street between 6:00 p.m. and 10:00 p.m. on Saturday, October 15, 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)

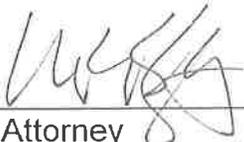
VOTE:

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  
(\$60-6A-11 / 60-6A-26.1 NMSA)

FEE PER DAY:  \$10.00, No. of Days: 1, ALL FEES ARE NON-REFUNDABLE Date Application Filed: \_\_\_\_\_  
A copy of all approved permits are sent to the Special Investigations Division of the Department of Public Safety, and DPS will request additional information, if needed.

LICENSE HOLDER INFORMATION: Liquor License # 6801 Clear of Citations/Holds:  Yes  No  
Local Option District (LOD): 08005

Business Name (DBA): High Desert Brewing Company Owner Name: High Desert Brewing Co., Inc  
Mailing Address: 1201 W Hadley Avenue City, State & Zip: Las Cruces, NM 88005  
Phone: 575-525-6752 Fax No.: 575-647-8022 Email Address: hdbc.lcnm@gmail.com

EVENT INFORMATION: \_\_\_\_\_ Saturday  
Description and Name of Event: SWEC Gala Fundraiser Date(s) /Duration of Event: Oct 15, 2016  
Physical Address of Event and Name of Building: 275 N Main St/ between Griggs & Las Cruces Avenue

Check all that apply:  Indoor Event Only  Outdoor Event Only  Beer Garden  All Ages Event/<sup>Wrist Bands and/or Stamps</sup>  
Celebration Type:  State Fair  County Fair  Community Fiesta  
 Cultural / Artistic Performance  Athletic

Time Event Begins: 6:00 pm Time Event Ends: 10:30 pm  
Total Number of Attendees Expected at Event: 250

Time Alcohol Service Begins: 6:00 pm Time Alcohol Service Ends: 10:00 pm  
Total Number of Attendees Expected to Consume Alcohol: 200

Security, Describe: Security Concepts Number of Security: 3  
Security Contact Name: Michael Contact Telephone # 575-526-4151  
**Note: Licensee's employee(s) assigned to work security, must work this exclusively and may not serve at the Event.**

SPONSOR INFORMATION: Sponsor of Event: Southwest Environmental Center  
Name of Contact: Kevin Bixby Phone: 575-522-5552

APPROVAL OF PROPERTY OWNER: Phone: 631-806-1394  
Print Name: William M Ross Signature: [Signature] Date: 8/19/16  
Name of Your Business: Building Owner

LICENSE HOLDER & SERVER CERTIFICATION: I, Donna L Almarez (Licensee) hereby certify that this application is signed by Licensee or authorized person under this License, that Event is not within 300 feet 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 at the Event are currently Server Certified, that they are all my employees, and that ALL the information in this Application and the Attachments, is true and correct. Licensee Agrees that if any statements or representations herein are found to be false, the Director may refuse to issue additional permits. **Must sign before a Notary:**

Licensee Name: (print) Donna L Almarez Signature: [Signature] Date: 8-19-2016

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Dona Ana)

SUBSCRIBED AND SWORN TO before me this 19th day of August, 2016  
By: Donna L. Almarez Notary Public: [Signature] My Commission Expires: 2-2-20

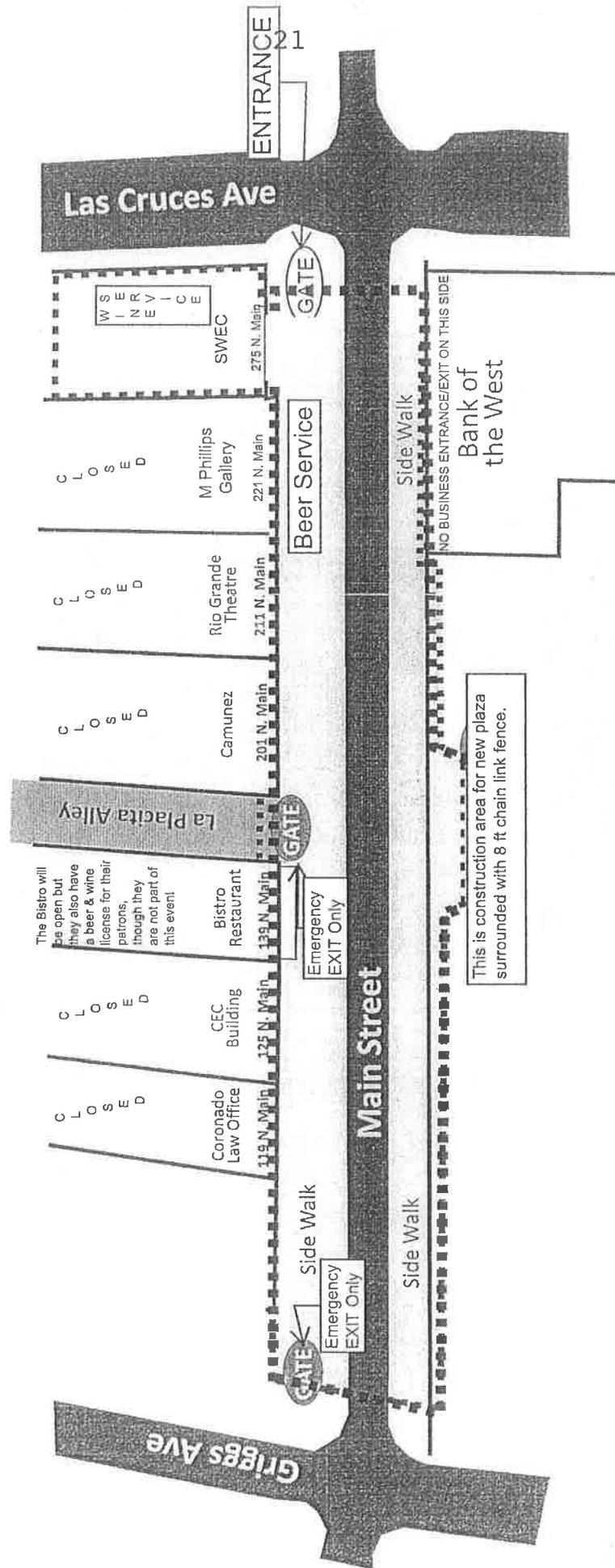
LOCAL GOVERNING BODY APPROVAL: Print Name: David Dollahon, AICP Title: Interim City Mgr.  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Phone: 575-541-2076 Fax: 575-541-2017

ALCOHOL & GAMING DIVISION USE ONLY:  
Application Must Include: Payment of Fees, per day (listed on top of page), Floor Plan - (w/photos) and Detailed Server List  
 Approved  Disapproved  
Processed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Assigned Permit Number: \_\_\_\_\_ Approved Permit Sent on: \_\_\_\_\_ By:  Email  Fax

# Beer & Wine Service Map

SouthWest Environmental Center Gala Fundraising Event

October 15, 2016 (Saturday)



Total fenced in beer serving area is approximately 13,285 sq ft  
 Total length=295'; Total width = 45'; Extra cut-out=10'  
 (Sidewalk = 12.5' on either side; Street = 20')

Street closed at Main St & Griggs Ave  
 Street closed at Main St & Las Cruces Ave  
 R2 Barriers at street closings  
 4 foot orange barrier fencing around all open areas and in front of street barriers.

Authorized personnel at all gates to ensure alcohol does not leave the enclosed area.

LIQUOR LICENSE NUMBER 6801		OV DBA NAME High Desert	High Desert Brewing Company
Server Permit #	Last Name	First Name	SERVER EXPIRATION DATE
49454	Alvarez	Donna	6/1/2018
181875	Cepeda	Cory	6/27/2019
184164	Mendez	Juan	9/3/2018
213777	Costilow	Lianne	8/19/2016
230468	Obregon	Andres	10/17/2017
304548	Williams	Taylor	7/12/2017
93042	Kindrick	Lawrence	5/2/2017
236149	Kindrick	Jill	10/18/2017