



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 4Ordinance/Resolution# 17-044For 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 THE GAME SPORTS BAR & GRILL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA DURING SALSA FEST TO BE HELD AT THE PLAZA AND ON MAIN STREET ON SEPTEMBER 30, OCTOBER 1 AND 2, 2016.

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:

The Blue Zia Creative Group is sponsoring Salsa Fest, to be held at the Plaza and on Main Street between Las Cruces Avenue and Griggs Avenue on September 30, October 1 and 2, 2016. The Game Sports Bar & Grill ("The Game") is requesting approval to sell alcoholic beverages for consumption within a restricted and secured area during the event.

Approval by the City Council is required prior to the submission of the Special Dispenser Permit Applications 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 The Game to provide alcoholic beverage sales and service on September 30 and October 1 from 5:00 p.m. to 11:00 p.m. and on October 2 from 12:00 p.m. to 6:00 p.m.

The authorization of the Special Dispenser Permit Applications 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.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Special Dispenser Permit Application for September 30 and October 1, 2016.
3. Exhibit "B", Special Dispenser Permit Application for October 2, 2016.
4. Attachment "1", Map of event area on Main Street.
5. 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 Adjustmen 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 \$75.00 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 The Game, within a restricted and secured area, during Salsa Fest on September 30, October 1 and 2, 2016. Approval will allow Alcohol and Gaming to continue with the permitting process.
2. Vote "No"; this will mean that The Game may not sell alcoholic beverages for consumption during Salsa Fest on September 30, October 1 and 2, 2016. The Alcohol and Gaming Director may issue the Special Dispenser Permits 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 for consumption during Salsa Fest.

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®

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 THE GAME SPORTS BAR & GRILL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA DURING SALSA FEST TO BE HELD AT THE PLAZA AND ON MAIN STREET ON SEPTEMBER 30, OCTOBER 1 AND 2, 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	<i>[Signature]</i>	541-2100	8/24/2016
Management & Budget Manager	<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	

RESOLUTION NO. 17-044

A RESOLUTION AUTHORIZING THE GAME SPORTS BAR & GRILL TO CONTINUE WITH THE PERMITTING PROCESS TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A RESTRICTED AND SECURED AREA DURING SALSA FEST TO BE HELD AT THE PLAZA AND ON MAIN STREET ON SEPTEMBER 30, OCTOBER 1 AND 2, 2016.

The City Council is informed that:

WHEREAS, the Blue Zia Creative Group is sponsoring Salsa Fest, to be held at the Plaza and on Main Street, between Las Cruces Avenue and Griggs Avenue, on September 30, October 1 and 2, 2016; and

WHEREAS, The Game Sports Bar & Grill ("The Game") requests 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 Special Dispenser Permit Applications 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 The Game to sell alcoholic beverages for consumption within a restricted and secured area during Salsa Fest on September 30 and October 1, 2016 from 5:00 p.m. to 11:00 p.m. and on October 2, 2016 from 12:00 p.m. to 6:00 p.m.; and

WHEREAS, approval of the Special Dispenser 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 The Game is hereby authorized to continue with the permitting process for the Special Dispenser Permit Applications, attached hereto as Exhibits "A" and "B", to allow alcoholic beverages to be sold for consumption within a restricted and secured area on September 30, October 1 and 20, 2016, during Salsa Fest.

(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

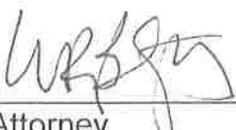
(SEAL)

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
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12)

Fee Per day: \$50.00 Public Celebration

\$25.00 Private Event (Catered) (all fees are non refundable)

A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

Business Name (DBA) THE GAME SPORTS BARS GRILL Owner Name MARCI DICKERSON Local Option District LAS CRUCES
Street Address 2605 S ESPINA Mailing Address P.O. Box 161 FERRAZES NM 88033
City, State & Zip LAS CRUCES, NM 88005 Telephone # (575) 644-0778 Fax # (575) 526-0580
Liquor License # 2733

LICENSE HOLDER INFORMATION

Description of Event SALSA TEST Date(s) of Event 9/30 & 10/1 Begin Time 5PM End Time 11PM
Physical Address of Event DOWNTOWN PLAZA MANSUET Number of Persons expected 500
Description of Security SECURITY CONCERNS Number of Security personnel to be at this function 7
Security Contact Name MIKE GONZALES Telephone # (575) 642-1555

EVENT INFORMATION

Sponsor of Event BLUE ZIA CREATIVE GROUP Contact Name CHRISTINA BELEN Signature Christina Belen Telephone # 575-642-5591

SPONSOR INFORMATION

Name (print) David Dallahon Signature [Signature] Telephone # 515-541-2076 Date _____
Interim City Manager

BUILDING OWNER APPROVAL

LICENSE HOLDER & SERVER CERTIFICATION: I, MARCI DICKERSON (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that 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) MARCI DICKERSON Signature [Signature] Date 8/18/16
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. (seal)

Subscribed and Sworn before me this 18 day of August, 2016 Notary Public Renee Mae Wiegand Exp. May 4, 2019

NOTARY INFORMATION

Print Name David Dallahon Title Interim City Manager Signature _____ Date _____
Permit Number _____

LOCAL GOVERNING BODY APPROVAL

ALCOHOL & GAMING DIVISION USE ONLY
Attachments: 1) Floor plan 2) Fees (listed on top of page) 3) Server information list

Approved by: _____

ALCOHOL & GAMING DIVISION
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12)

Fee Per day: \$50.00 Public Celebration

\$25.00 Private Event (Catered) (all fees are non refundable)

A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

LICENSE HOLDER INFORMATION
Business Name (DBA) THE GAME PROPS BARS GRILL Owner Name MARCI DICKERSON Local Option District LAS CRUCES
Street Address 2605 S ESPINA Mailing Address P.O. Box 161 FERRAZES NM 88033
City, State & Zip LAS CRUCES, NM 88005 Telephone # (575) 644-0778 Fax # (575) 526-0880
Liquor License # 2733

EVENT INFORMATION
Description of Event SALSA FEST Date(s) of Event 10/2 Begin Time 12PM End Time 6PM
Physical Address of Event DOWNTOWN PLAZA, MAZUS Number of Persons expected 300
Description of Security SECURITY CONCEPTS Number of Security personnel to be at this function 45
Security Contact Name MIKE GONZALES Telephone # (575) 692-1555

SPONSOR INFORMATION
Sponsor of Event BLU ZIA CREATIVE GROUP Contact Name CHRISTINA BELKOW Signature Christina Belkow Telephone # 575-642-5591

BUILDING OWNER APPROVAL
Name (print) David Dallahon Signature _____ Telephone # 575-541-2076 Date _____
Interim City Manager

LICENSE HOLDER & SERVER CERTIFICATION: I, MARCI DICKERSON (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that 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 services of alcoholic beverages are server certified and that they are my employees and that ALL the information in this application is true and correct.

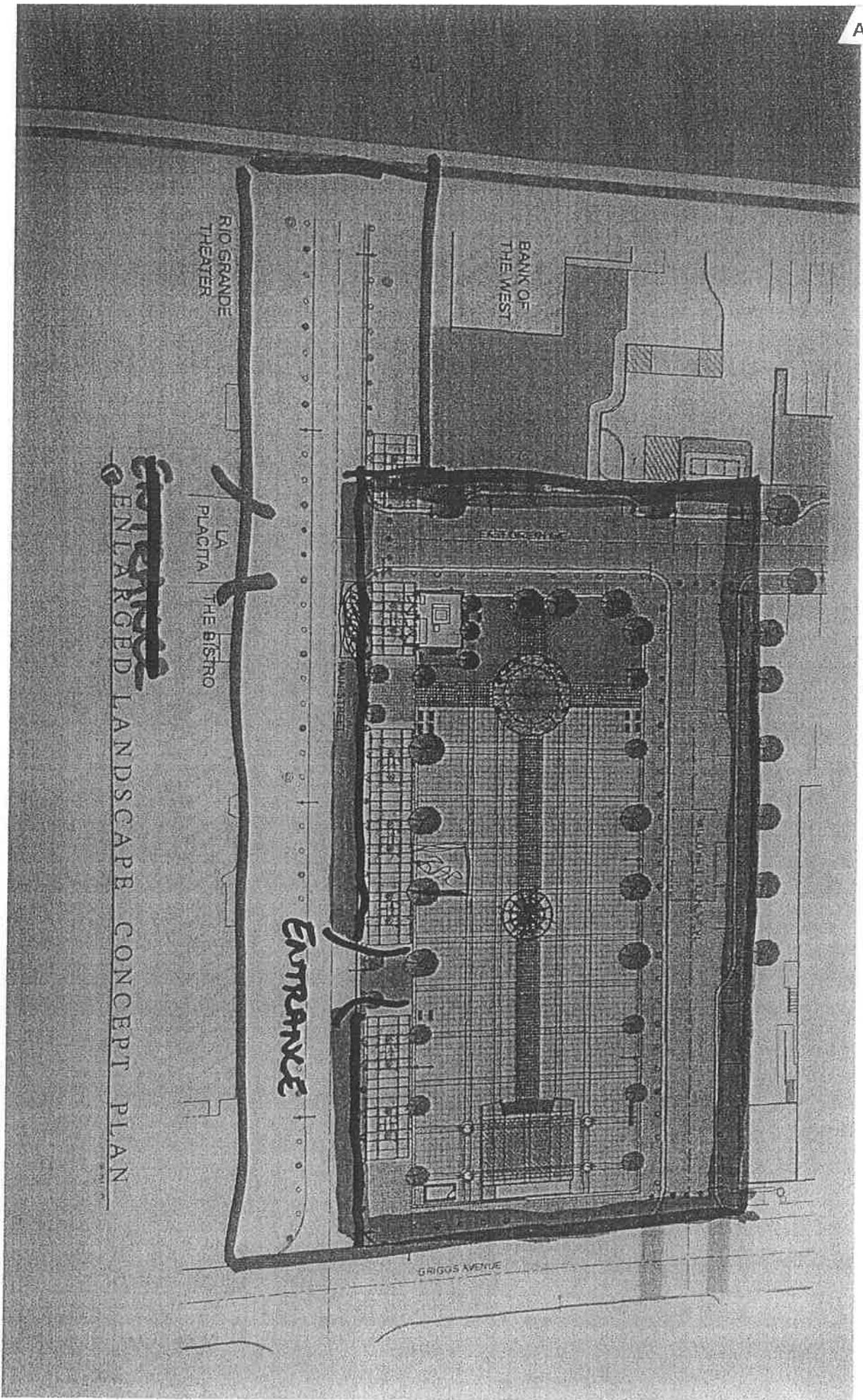
NOTE: List of servers including name, server permit # and server expiration date must be attached to permit application. Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) MARCI DICKERSON Signature [Signature] Telephone (Licensee Only) _____ Date 8/18/16
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. (seal)

Subscribed and Sworn before me this 18 day of August, 2016 Notary Public Danna Mae Wojcik Exp. May 4, 2019

LOCAL GOVERNING BODY APPROVAL
Print Name David Dallahon Title Interim City Mgr. Signature _____ Date _____
Permit Number _____

ALCOHOL & GAMING DIVISION USE ONLY
Approved by: _____ Date _____
Attachments: 1) Floor plan 2) Fees (listed on top of page) 3) Server information list



~~Site Plan~~
ENLARGED LANDSCAPE CONCEPT PLAN

NAME	#	EXP DATE	DOB
David R Selzer	288988	6/26/16 4/27/19	11
Raymond P. Davis Stuvia	244856	7/28/15	
Tyler B Allred	262976	8/27/16	
Chris Richard Field	288987	6/26/16	
Sarah C Holguin	185405	6/26/16 4/27/19	
GEORGE R KELLY II	170810	4/27/19	