



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 4Ordinance/Resolution# 17-070For Meeting of _____
(Ordinance First Reading Date)For Meeting of October 17, 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 AT A KICKBALL TOURNEY TO BE HELD ON OCTOBER 29, 2016 AT 1601 EAST HADLEY AVENUE.

PURPOSE(S) OF ACTION:

To authorize a permitting process to continue.

COUNCIL DISTRICT: 3		
<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 Las Cruces Chamber of Commerce is sponsoring a Kickball Tourney ("Tourney") to be held on October 29, 2016 on City property at 1601 East Hadley Avenue. The Chamber would like to provide an option for the purchase and consumption of alcoholic beverages within a restricted and secured area during the Tourney. The Game Sports Bar & Grill ("The Game"), Dispenser Liquor License No. 2733, has submitted a Special Dispenser Permit Application ("Permit Application") to sell and serve alcoholic beverages between 12:00 p.m. and 10:00 p.m. on October 29, 2016.

The Alcohol and Gaming Division of the New Mexico Regulation and Licensing Department ("Alcohol and Gaming") requires an alcoholic beverage license holder, in this case The Game, to submit a Permit Application to use its Dispenser Liquor 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 The Game sends it to Alcohol and Gaming for review and final approval.

In addition to the Permit Application, Alcohol and Gaming requires a detailed site plan showing the restricted and secured location of alcoholic beverage sales and consumption including the number and placement of security personnel, serving areas, entrances, exits, and the dimensions of the

(Continue on additional sheets as required)

service area. Finally, Alcohol and Gaming requires a list of employees who are licensed servers for The Game who may sell and serve the alcoholic beverages.

The authorization of the 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.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Special Dispenser Permit Application.
3. Attachment "1", Photograph of Ronald T. Galla T-Ball Complex with service area marked.
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 <u>FY17</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

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the sale of alcoholic beverages by The Game for consumption within a restricted and secured area at 1601 East Hadley Avenue between 12:00 p.m. and

(Continue on additional sheets as required)

10:00 p.m. on October 29, 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 at 1601 East Hadley Avenue on October 29, 2016. The Alcohol and Gaming Director may issue the Special Dispenser 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 The Game during 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



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COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of October 17, 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 AT A KICKBALL TOURNEY TO BE HELD ON OCTOBER 29, 2016 AT 1601 EAST HADLEY AVENUE.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Nevica Campbell</i>	541-2128	9/14/2016
Department Director	<i>W.B. [Signature]</i>	541-2128	15 Sept 2016
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>Armando [Signature]</i>	541-2100 541-2107	9/16/16 9/16/16
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	9/29/16
City Attorney	<i>W.B. [Signature]</i>	541-2128	15 Sept 2016
City Clerk	<i>[Signature]</i>	541-2115	10-7-16

RESOLUTION NO. 17-070

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 AT A KICKBALL TOURNEY TO BE HELD ON OCTOBER 29, 2016 AT 1601 EAST HADLEY AVENUE.

The City Council is informed that:

WHEREAS, the Las Cruces Chamber of Commerce is sponsoring a Kickball Tourney ("Tourney") on October 29, 2016; and

WHEREAS, The Game Sports Bar & Grill ("The Game") has requested approval to sell alcoholic beverages for consumption within a restricted and secured area at 1601 East Hadley Avenue during the Tourney; and

WHEREAS, approval by the Las Cruces City Council is required prior to submission of the Special Dispenser Permit Application ("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 The Game to sell alcoholic beverages for consumption within a restricted and secured area between 12:00 p.m. and 10:00 p.m. on October 29, 2016; and

WHEREAS, approval of the 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 The Game is hereby authorized to continue with the permitting process for

the Permit Application, attached hereto as Exhibit "A" and made a part hereof, to allow alcoholic beverages to be sold for consumption within a restricted and secured area at 1601 East Hadley between 12:00 p.m. and 10:00 p.m. on October 29, 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
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12)

Fee Per day: \$29.00 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 SPOTS BAR & GRILL Owner Name MARCE DICKERSON Local Option District LAS GRILLES
Street Address 2605 S ESTINA Mailing Address P.O. Box 161 FRERAZES NY 89033
City, State & Zip LAS VEGAS, NV 89005 Telephone # (575) 644-0738 Fax # (575) 526-0880
Liquor License # 2735

EVENT INFORMATION
Description of Event FOOTBALL TOWN Date(s) of Event 10/29 Begin Time 12 PM End Time 10 PM
Physical Address of Event 1001 HADIST AVE Number of Persons expected 300
Description of Security SECURITY CONCEPTS Number of Security personnel to be at this function 5
Security Contact Name MIKE GONZALES Telephone # (575) 642-1555

SPONSOR INFORMATION
Sponsor of Event L.C. Chamber of Commerce Contact Name [Signature] Telephone # 885-541-2214
BUILDING OWNER APPROVAL

Name (print) David Dollahan, AICP Signature [Signature] Telephone # 515-541-2076 Date _____
License Holder & Server Certification: MARCE 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) MARCE DICKERSON Signature (Licensee Only) [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 Information [Signature] Exp. May 4, 2019
LOCAL GOVERNING BODY APPROVAL

Print Name David Dollahan, AICP Title Interim City Mgr Signature _____ Date _____
ALCOHOL & GAMING DIVISION USE ONLY
Approved by: _____ Date _____ Permit Number _____
Attachments: 1) Floor plan 2) Fees (listed on top of page) 3) Server information list



NAME	#	EXPIRATION DATE
David R. Selzer	288988	4/27/19
Tyler B. Allred	262976	8/27/16
Sarah C. Holguin	185405	4/27/19
George R. Kelly II	120810	4/27/19