

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, APRIL 6, 2015**

ITEM 10

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 23-6.2 SFCC 1987 TO CHANGE THE LEVEL OF SECURITY REQUIRED FOR PROFESSIONAL BASEBALL GAMES AT FORT MARCY BALL PARK (COUNCILOR TRUJILLO) (KELLEY BRENNAN)

PUBLIC WORKS COMMITTEE ACTION: Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR RIVERA	X		

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Bill No. 2015-____
Security at Ft. Marcy

SPONSOR(S): Councilor Trujillo

SUMMARY: The proposed bill amending subsection 23-6.2 SFCC 1987 to change the level of security required for professional baseball games at Fort Marcy Ball Park.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: March 30, 2015

ATTACHMENTS: Bill
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2015-____

3 INTRODUCED BY:

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5 Councilor Ron Trujillo

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10 AN ORDINANCE

11 AMENDING SUBSECTION 23-6.2 SFCC 1987 TO CHANGE THE LEVEL OF SECURITY
12 REQUIRED FOR PROFESSIONAL BASEBALL GAMES AT FORT MARCY BALL PARK.

13
14 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

15 Section 1. Subsection 23-6.2 SFCC 1987 (being Ord. #2012-20, as amended) is
16 amended to read:

17 23-6.2 Permitted Locations for the Sale and Consumption of Alcohol on City
18 Property.

19 The sale or consumption of alcoholic beverages is permitted at the following locations on city
20 property:

21 A. The Santa Fe community convention center and adjacent outdoor spaces under the
22 center's control;

23 .B. That area of the Santa Fe municipal airport main terminal building and adjacent areas
24 operated as a restaurant; and

25 C. The Marty Sanchez Links do Santa Fe (golf course).

1 D. The area of the [~~Forty~~ Fort Marcy Ballpark designated for concessions and seating
2 shall be used for the sale and consumption of only beer and only at professional baseball games.

3 (1) A special dispenser permit shall be used to dispense alcohol. The alcohol dispenser
4 shall comply with all state and local laws and regulations for dispensing alcohol pursuant to the
5 special dispenser permit.

6 (a) Persons desiring to consume beer shall be required to wear a wristband that restricts
7 consumption to a maximum of three (3) twelve (12) ounce beers during the course of a professional
8 baseball game.

9 (i) The wristband shall be nontransferable and shall be issued to verify age and to
10 indicate the number of alcoholic beverages purchased.

11 (ii) The purchase of alcoholic beverages shall be limited to one (1) purchase per person
12 at one (1) time.

13 (iii) Twelve (12) ounce beverage containers shall be used for beer.

14 (iv) Alcoholic beverage containers shall be distinguishable from nonalcoholic beverage
15 containers.

16 (b) The sale of beer shall terminate at the end of sixth inning of the professional baseball
17 game.

18 (c) In addition to alcoholic beverages, food and non-alcoholic beverage drinks shall be
19 sold. Water shall be provided at no cost.

20 (d) A manager of the alcohol vendor shall be present at all times in the concession area.
21 A photograph of the manager and his or her name shall be posted at the point of sale of alcoholic
22 beverages. At all times, the manager shall wear a nametag that identifies him or her as the manager.

23 (e) Alcohol servers shall not drink alcohol during baseball games.

24 (f) The vendor shall place signs in the concession area and outside the concession area
25 that indicate the illegality of selling, serving and providing alcohol to minors and intoxicated persons.

1 (2) The event sponsor shall comply with the security provisions in Subsection 23-
2 6.3(A)(4) except that security guards shall possess at a minimum, a level one security guard license,
3 pursuant to the Private Investigations Act, Chapter 61, Article 27B NMSA 1978.

4 (~~2~~3) Any professional baseball league games subject to this section, shall not take
5 precedence over the scheduling of local youth baseball leagues using Fort Marcy Ballpark.

6 E. An area of the Railyard Park, designated as a beer garden and permitted in
7 accordance with all city and state requirements, may be used for the sale and consumption of beer and
8 wine, during the Bike and Brew Festival if a valid permit is acquired from the Santa Fe Railyard
9 Community Corporation. The event sponsor shall comply with the requirements of
10 23-6.3 SFCC 1987, except that the alcohol content, to allow for craft beer, may exceed five percent
11 (5%) alcohol. This section shall be reviewed by the governing body within one (1) year from the date
12 of adoption.

13 F. Buildings owned by another party located on land owned by the city.

14 G. On land or buildings owned by the city for which the city has entered into a lease
15 with another party for six (6) months or more except for the Railyard Park, Plaza and Alameda (as
16 defined in the Deed of Conservation Easement dated October 1, 2004) where alcohol is prohibited,
17 unless specifically permitted under Subsection 23-6.2 SFCC 1987.

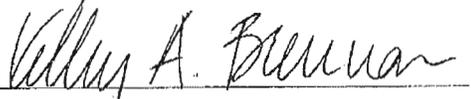
18 H. In or on railroad cars located on railroad tracks except as prohibited by state or
19 federal law.

20 All other applicable approvals required by state or city laws and regulations shall be obtained
21 prior to the sale or consumption of alcoholic beverages on the property described in this subsection
22 23-6.2.

23 **Section 2. Effective Date.** This Ordinance shall become effective immediately upon
24 adoption.

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1 APPROVED AS TO FORM:

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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M/Legislation/Bills 2015/Security at Ft. Marcy

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: _____

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AN ORDINANCE AMENDING SUBSECTION 23-6.2 SFCC 1987 TO CHANGE THE LEVEL OF SECURITY REQUIRED FOR PROFESSIONAL BASEBALL GAMES AT FORT MARCY BALL PARK.

Sponsor(s): Councilor Trujillo

Reviewing Department(s): City Attorney's Office

Persons Completing FIR: Rebecca Seligman / Roberta Brito Date: 3-30-15 Phone: 955-6501 / 955-6554

Reviewed by City Attorney: *Kathy A. Bluman* Date: 3/30/15
(Signature)

Reviewed by Finance Director: *J. Ruiz* Date: 3-31-2015
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

The purpose of this bill is to change the level of security required for professional baseball games at Fort Marcy Ball Park. The event sponsor shall comply with the security provisions in Subsection 23-6.3(A)(4) except that security guards shall possess at a minimum, a level one security guard license, pursuant to the Private Investigations Act, Chapter 61, Article 27B NMSA 1978.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate:
 - "A" if current budget and level of staffing will absorb the costs
 - "N" if new, additional, or increased budget or staffing will be required
- c. Indicate:
 - "R" – if recurring annual costs
 - "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 14/15	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected BU 22813

Personnel*	_____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	_____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	_____	_____	_____	\$ _____	_____	_____	_____	_____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

_____	_____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	_____	_____	\$ _____	_____	_____	_____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Not Applicable.

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None that staff is aware of.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The event sponsor would not be in compliance with the security provisions in Subsection 23-6.3(A)(4) that security guards shall possess at a minimum, a level one security guard license, pursuant to the Private Investigations Act, Chapter 61, Article 27B NMSA 1978.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

This bill would potentially make the security level compliant with the Private Investigations Act in state statute.

Form adopted: 01/12/05; revised 8/24/05; revised 4/17/08