

1 community to come together to enjoy a baseball game, would inspire our youth toward athletic
2 activity and at the same time support the local economy; and

3 **WHEREAS**, having a professional baseball team in Santa Fe would bring economic
4 development to Santa Fe because visitors to Santa Fe who support the out-of-town teams will follow
5 their teams to Santa Fe to watch a game, stay in area hotels, eat in area restaurants and shop in area
6 stores; and

7 **WHEREAS**, related businesses and jobs will likely develop, including souvenir production
8 and sales, which would also advertise Santa Fe; and

9 **WHEREAS**, the League relies on ticket sales, food and beverage sales and official League
10 paraphernalia sales to pay its players; and

11 **WHEREAS**, as a means of supporting a Santa Fe team, the League relies on beer sales at its
12 games and has requested that it be authorized to do so at Fort Marcy Ballpark; and

13 **WHEREAS**, Article 23-6 SFCC 1987 regulates the sale and consumption of alcoholic
14 beverages on City property; and

15 **WHEREAS**, on November 9, 2011 the Governing Body adopted Ordinance No. 2011-36
16 which amended Article 23-6 SFCC 1987; and

17 **WHEREAS**, such amendment permits the sale or consumption of alcoholic beverages at Fort
18 Marcy Ballpark in an area designated as a beer garden that shall be used for the sale and consumption
19 of only beer and only at professional baseball games; and

20 **WHEREAS**, the Governing Body desires to strictly regulate the placement and operation of
21 the beer garden at Fort Marcy Ballpark to ensure a safe environment for the attendees and for the
22 surrounding neighborhoods.

23 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
24 **CITY OF SANTA FE** that the Governing Body recognizes that having a professional baseball team
25 represent Santa Fe would bring our community together to support a Santa Fe baseball team, inspire

1 our youth toward athletic activity and our local economy; and would be an overall positive economic
2 development opportunity.

3 **BE IT FURTHER RESOLVED** that the Governing Body strongly encourages the League
4 to consider using the services of local Santa Fe businesses for all matters related to the professional
5 baseball team, which may include, but not be limited to the following:

- 6 • Advertising of the baseball team and the games;
- 7 • Coordinated promotional events highlighting local products and services;
- 8 • Uniform production;
- 9 • Team clothing and souvenir production and sales;
- 10 • Restaurants and overnight accommodations;
- 11 • Beer distribution and sales; and
- 12 • Food distribution and concession sales.

13 **BE IT FURTHER RESOLVED** that the City Manager is authorized to supervise and direct
14 the placement and operation of a beer garden at Fort Marcy Ballpark for the sale and consumption of
15 beer only and only at professional baseball games. The City Manager shall ensure that the following
16 directives are strictly adhered to, for the purpose of ensuring a safe environment for the attendees and
17 for surrounding neighborhoods:

- 18 1. The beer garden shall be located in a designated area of Fort Marcy Ballpark that is
19 comprised of no more than 25% of the area designated for ballpark seating.
- 20 2. There shall be a buffer around the beer garden that shall be a sufficient height to
21 prevent the circulation of alcohol outside of the beer garden. Additionally, there shall be an inner
22 buffer between the outer buffer and the beer garden seating that shall be a sufficient to manage
23 crowds in the beer garden.
- 24 3. There shall be restricted entry and exit to the beer garden with security officers
25 stationed at entries and exits.

1 4. No person under the age of twenty-one (21) shall be permitted in the beer garden.

2 5. Persons desiring to consume beer shall be required to wear a wristband that restricts
3 consumption to a maximum of three 12 ounce beers during the course of a professional baseball
4 game.

5 6. The sale of beer shall terminate at the end of sixth inning of the professional baseball
6 game.

7 7. All League baseball games shall begin no earlier than 6:00 P.M.

8 **BE IT FURTHER RESOLVED** that prior to the operation of the beer garden, the City
9 Manager shall ensure that the City has either applied for and obtained a governmental liquor license
10 from the New Mexico Regulation and Licensing Department, Alcohol and Gaming Division; or, in
11 the alternative, has contracted with a licensed alcohol vendor to operate the beer garden.

12 **BE IT FURTHER RESOLVED** that the City Manager will negotiate separate agreements
13 with the professional baseball league and any affiliated entities that will generate revenue from the
14 games such as food and beverage concessionaires and alcohol dispensers. Every agreement shall
15 include a clause that requires the contractor to pay the City for costs reasonably related to the
16 operation and use of Fort Marcy Ballpark for professional baseball games. The Governing Body has
17 an on-going interest regarding the use of Fort Marcy Baseball Park by the League; therefore, staff is
18 directed to assure that at all times the League is in compliance with City of Santa Fe ordinances,
19 resolutions and policies.

20 **BE IT FURTHER RESOLVED** that any unanticipated costs incurred by the City that are
21 related to the operation and use of Fort Marcy Ballpark for the League's professional baseball games shall
22 be paid and/or reimbursed to the City by the League.

23 **BE IT FURTHER RESOLVED** that the City Manager shall ensure that the City complies with
24 the directives of this resolution, and the laws of the City of Santa Fe and the State of New Mexico.

25 **BE IT FURTHER RESOLVED** that at the end of the 2012 League baseball season, staff is

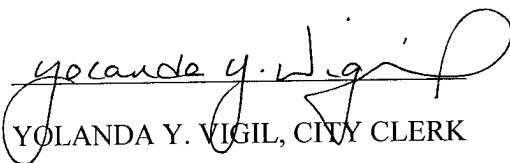
1 directed to give a full report, including a full economic impact statement, to the Governing Body
2 regarding the use of Fort Marcy Ballpark by the League for professional baseball games.

3 **PASSED, APPROVED, and ADOPTED** this 9th day of November, 2011.

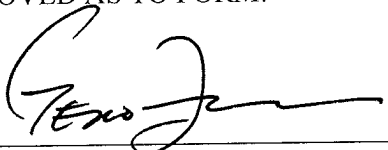
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6 DAVID COSS, MAYOR

7 ATTEST:

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9 _____
10 YOLANDA Y. VIGIL, CITY CLERK

11
12 APPROVED AS TO FORM:

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14 _____

15 GENO ZAMORA, CITY ATTORNEY