

City of Santa Fe, New Mexico

memo

DATE: April 2, 2015

TO: Mayor Gonzales & City Councilors

VIA: Brian K. Snyder by yym
Brian K. Snyder, City Manager

FROM: Yolanda Y. Vigil
Yolanda Y. Vigil, City Clerk

ITEM & ISSUE

Request from Lovefest Productions for a waiver of the 300 foot location restriction and approval to allow the dispensing/consumption of alcoholic beverages at El Museo Cultural de Santa Fe, 555 Camino de la Familia. This location is within 300 feet of Tierra Encantada Charter School @ Alvord, 551 Alarid Street.

BACKGROUND AND SUMMARY

Pursuant to §60-6B-10 NMSA 1978, a request from Lovefest Productions for a waiver of the 300 foot location restriction has been submitted to allow the dispensing/consumption of alcoholic beverages for a Celebration of Life of Kenny "Canuto" Delgado. This event will be held on April 18, 2015 from 4:00 p.m. to 10:00 p.m.

Attached are letters from Director Daniel P. Benavidez, Tierra Encantada Charter School @ Alvord, and Carl Gruenler, Santa Fe Public Schools, stating that they will refrain from issuing a decision regarding opposition or non-opposition to this request.

ACTION REQUESTED

I hereby request that the City Council indicate its decision on the request for a waiver of the 300 foot location restriction to allow the dispensing/consumption of alcoholic beverages on April 18, 2015 from 4:00 p.m. to 10:00 p.m. at at El Museo Cultural de Santa Fe, 555 Camino de la Familia.

Attachments: Letter / Applicant
Letter / Tierra Encantada Charter School @ Alvord
Letter / Santa Fe Public Schools
Special Dispenser Application
§60-6B-10 NMSA 1978

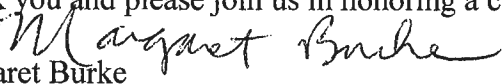
March 27, 2015

Mayor and Governing Body
City of Santa Fe
Santa Fe, New Mexico

There will be a Celebration of Life for our beloved Santa Fe community member and cultural icon, Kenny “Canuto” Delgado on Saturday, April 18, 2015 from 4 pm to 10 pm at El Museo Cultural in the Railyard.

We are requesting to have alcohol: beer, wine, and marguerita’s as part of a celebration of Art, Music, and New Mexican food.

Thank you and please join us in honoring a cultural legacy of our city.


Margaret Burke
Lovefest Productions



Tierra Encantada

CHARTER SCHOOL@ALVORD



We are a Dual Language/Project Based/College Preparatory School

Daniel P. Benavidez, Director
dbenavidez@tecsalvord.org

Casey J. Benavidez, Assistant Director
cbenavidez@tecsalvord.org

Steve Alarid, Business Manager
salarid@tecsalvord.org

To Whom It May Concern,

My name is Daniel P. Benavidez and I am the Director of Tierra Encantada Charter School at Alvord. I am writing to certify that Tierra Encantada Charter School has no objection for the Celebration of Life of Canuto Delgado to serve alcohol. We understand that the event will only be on Saturday, April 18th, from 4 to 10 pm at the Museo de Cultural.

Thanks,

Daniel P. Benavidez
Director





March 26, 2015

Margaret Burke

RE: Celebration of Life for Canuto Delgado

To Whom It May Concern:

Thank you for your request of March 25, 2015 regarding the event to be held at the El Museo de Cultural (located near Tierra Encantada Charter School), Santa Fe, New Mexico on Saturday, April 18, 2015 from 4:00 pm – 10:00 pm. Below are excerpts from the Santa Fe Public School District Board of Education Policy 623 “Certain Special Events within 300 Feet of District” adopted on December 18, 2012.

In accordance with the School Alcohol-Free Zone Act and NMAC 60-6B-10, the Santa Fe School District promotes and encourages an alcohol-free environment for District students and the District community, on school property, and within 300 feet of District property related to the functions of public schools.

The District will refrain from issuing a decision regarding opposition or non-opposition to the City of Santa Fe regarding special events where liquor will be sold consumed within 300 feet of school district property and instead will refer the City of Santa Fe to this policy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl Gruenler', is written over a faint, circular official stamp.

Carl Gruenler
Deputy Superintendent for Business Operations
Santa Fe Public Schools

c: Joel Boyd, Superintendent

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

Fee Per day: X \$50.00 Public Event

 \$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) 22 Shadow Camp dba Cowgirl BBQ Owner Name 22 Shadow Camp Local Option District Santa Fe
 Mailing Address 319 S Guadalupe St City, State & Zip Santa Fe, NM 87501
 Contact Telephone # 982-2565 Fax # 982-4047 Email Address cowgirlbbq@comcast.net Liquor License # 2508

EVENT INFORMATION

Circle those that apply - All Age Event - Beer Garden - Indoor/Outdoor Event Begin Time 4:30 End Time 11p
 Description and Name of Event Waxst Beard Stamps Memorial Date(s) of Event 04/18/15 Alcohol Service Begin Time 4:00 End Time 10p
 Physical Address of Event and Name of Building or Business 575 Camino de la Comitia Number of Persons expected to Drink
 Description of Security Cowgirl licensed security Number of Security 3 Security Contact Name Nicholas Balles Contact Telephone # 982-2565

SPONSOR INFORMATION

Sponsor of Event Lovefest Productions Contact Name Margaret Burke Contact Telephone # 982-9553

BUILDING/PROPERTY OWNER APPROVAL

Name (print) MARTHA MATEO Signature MATEO Telephone # 505-992-0596 Date 07/15

LICENSE HOLDER & SERVER CERTIFICATION: I, BARRY SECULAR (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) BARRY SECULAR Signature Barry Secular Date 3/30/15

All profits derived from the sale of liquor will go only to the licensee.

NOTARY INFORMATION

Subscribed and Sworn before me this 30th day of March, 2015 Notary Public Tina Rodriguez Exp. June 19, 2017

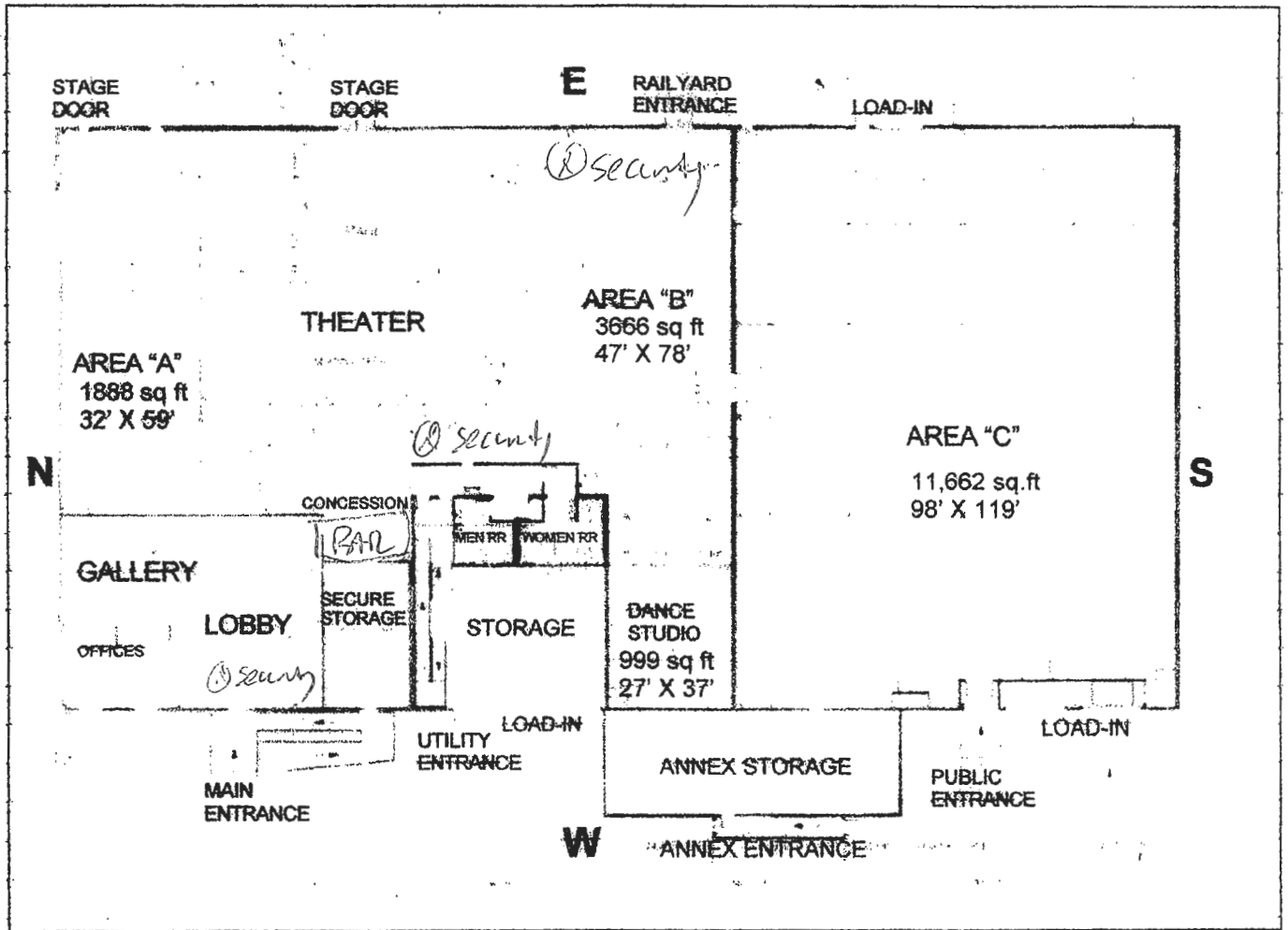
LOCAL GOVERNING BODY APPROVAL

Print Name _____ Title _____ Date _____ Signature _____ Phone _____ Fax _____

ALCOHOL & GAMING DIVISION USE ONLY

Approved by: _____ Date _____ Permit Number _____
 Attachments: 1) Floor plan - (Pictures) 2) Fees per day (listed on top of page) 3) Server information list

Addendum A FLOORPLAN



60-6B-10. Locations near church or school; restrictions on licensing.

No license shall be issued by the director for the sale of alcoholic beverages at a licensed premises where alcoholic beverages were not sold prior to July 1, 1981 that is within three hundred feet of any church or school. A license may be granted for a proposed licensed premises if the owner or lessee has, prior to establishment of a church or school located within three hundred feet of the proposed licensed premises, applied for, been granted and maintained a valid building permit for the construction or renovation of the proposed licensed premises and has filed on a form prescribed by the director a notice of intention to apply for transfer of a license to the proposed licensed premises. A license may be granted for a proposed licensed premises if a person has obtained a waiver from a local option district governing body for the proposed licensed premises. For the purposes of this section, all measurements taken in order to determine the location of licensed premises in relation to churches or schools shall be the straight line distance from the property line of the licensed premises to the property line of the church or school. This provision shall not apply to any church that has been designated as an historical site by the cultural properties review committee and which does not have a regular congregation.