

STAFF REPORT

Date: October 25, 2023

To: Mayor and City Council

Thru: Doug Thornley, City Manager

Subject: Staff Report (For Possible Action): Approval of a Nevada State Liquor Manufacturer's License Application for Kate MacDonald, Boyle MacDonald NV LLC dba Nevada Sunset Winery located at 415 East 4th Street, Suite B, Reno, Nevada and if approved, authorize the Mayor to sign the Nevada State Liquor License Application.

From: Lance Ferrato, Director of Business Licensing

Department: Business Licensing

Summary:

This application is for a Nevada state liquor manufacturer's license ("state license") to operate as a winemaker at 415 East 4th Street, Suite B, Reno, Nevada. Nevada Revised Statutes ("NRS") require Council to review applications submitted for state licenses that will operate within the City. Based upon a background investigation conducted by the Reno Police Department ("RPD"), Council must find satisfactory evidence that the applicant is of good moral character in order to approve.

Staff recommends that Council find satisfactory evidence that the applicant, Kate MacDonald is of good moral character and approve the state license application for Boyle MacDonald NV LLC dbas Nevada Sunset Winery ("Sunset") and authorize the Mayor to sign the application.

Previous Council Action: There is no recent Council action relevant to this item.

Background: Pursuant to NRS Chapter 369 entitled "Intoxicating Liquor: Licenses and Taxes," certain persons and businesses engaged in the importation of liquor, wholesale dealers of beer, wine and liquors, winemakers, instructional wine-making facilities, breweries, brew pubs, and craft distilleries are required to obtain a state license to engage in the activities listed involving intoxicating liquor. Prior to the revisions in SB 22 (2015 legislative session), state law required applications for state licenses to be submitted to the Board of County Commissioners in the county in which the applicant maintained their principal place of business.

SB 22 revised the provisions of NRS 369.190, governing the review and approval of the state license. The revisions in the bill now require an applicant whose principal place of business is located within an incorporated city to submit the state license application to the governing body

of the City instead of the Board of County Commissioners. The governing body shall approve or disapprove the application based on evidence that the applicant is of good moral character. The state license requirement is in addition to any licensing requirements in the municipal code of the local jurisdiction(s) in which the business is physically located.

Discussion: On July 24, 2023, staff received a state license application from Sunset to be licensed as a winemaker (Exhibit A). Additionally, Sunset submitted City applications for general and privileged business licenses to include alcoholic beverage manufacturer, on-premises wine and beer, and alcoholic beverage manufacturer's package alcohol.

NRS 369.190(3) and RMC sec. 5.07.055(c) specify that Council shall determine if there is "satisfactory evidence that the applicant is a person of good moral character" when reviewing and approving a state license application.

RPD completed the applicant's background investigation on August 23, 2023 and recommended approval for the alcoholic beverage manufacturer, on-premises wine and beer, and alcoholic beverage manufacturer's package alcohol licenses. Based on completion of the background investigation, staff has determined that the applicant is "of good moral character" and suitable to hold the state license under the provisions of NRS and RMC.

Financial Implications: No financial implications at this time.

Legal Implications: Legal review completed for compliance with City procedures and Nevada Law.

Recommendation: Staff recommends that Council find satisfactory evidence the applicant, Kate MacDonald, is of good moral character and approve the Nevada State Liquor Manufacturer's License for Boyle MacDonald NV LLC dbas Nevada Sunset Winery and authorize the Mayor to sign the application.

Proposed Motion: I move to approve staff recommendation.

Attachments:

Exhibit A - Nevada Sunset Winery Application

Notice of Waiver - Kate MacDonald