



CITY OF TRINIDAD
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad,
Colorado, will be held on Tuesday, February 19, 2013 at 7:00 P.M.
in City Council Chambers at City Hall

The following items are on file for consideration of Council:

- 1) **ROLL CALL**
- 2) **APPROVAL OF MINUTES**, Special Meeting of February 5, 2013, Regular Meeting of February 5, 2013 and Special Meeting of February 8, 2013
- 3) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 4) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 5) **COMMITTEE REPORTS**
- 6) **UNFINISHED BUSINESS**
- 7) **MISCELLANEOUS BUSINESS**
 - a) 3.2% Beer Retail License (Off-Premises) renewal request by Walmart Stores, Inc. d/b/a Walmart #962 at 2921 Toupal Drive
 - b) Tastings permit renewal request by Opera House Wine & Spirits, LLC d/b/a Tire Shop Wine & Spirits at 601 W. Main Street
 - c) Special event permit request by Trinidad State Junior College Educational Foundation, Scott Gymnasium, 600 Prospect Street, for March 9, 2013
 - d) Retail liquor store license renewal request by Luis A. Lopez II d/b/a Santa Fe Trail Hops & Vines at 1530 Santa Fe Trail Drive
 - e) Consent and confirmation of City Manager Acre's designation of an Acting City Manager
 - f) Authorize Mayor's execution of a letter of support for the "Fishing is Fun" grant application by the City of Trinidad
 - g) Authorize Mayor's execution of a letter of support for a Colorado Department of Public Health & Environment Recycling Resources Economic Opportunity Fund Grants Program application
 - h) Consideration of proposed dates of active suspension to be served by Mantelli Partnership d/b/a Mantelli's at 137 W. Main Street
- 8) **BILLS**
- 9) **PAYROLL**, February 2, 2013 through February 15, 2013
- 10) **ADJOURNMENT**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Audra Garrett, City Clerk, 135 N. Animas Street, Phone (719) 846-9843, or FAX (719) 846-4140. At least a 48 hour advance notice prior to the scheduled meeting would be appreciated so that arrangements can be made to locate the requested auxiliary aid(s).

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, February 5, 2013 at 6:30 p.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Tuesday, February 5, 2013 at 6:30 p.m. in the Council Chambers at City Hall

The following item is on file for consideration of City Council:

- 1) Executive session – For the purpose of determining positions relative to matters that may be subject o negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) – City Manager Contract negotiations
- 2) Consideration of approval of City Manager contract with John Thomas Acre

Mayor Baca Gonzalez noted the inadvertent omission of the Special Meeting agenda in Council packets.

The meeting was called to order at 6:37 p.m.

Roll call was taken.

There were present:	Mayor	Baca Gonzalez, presiding
	Councilmembers	Bolton, Mattie, Miles, Shew, Velasquez
Also present:	Acting City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett
Absent:	Councilmember	Bonato

The pledge of allegiance was recited.

Executive session – For the purpose of determining positions relative to matters that may be subject o negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) – City Manager Contract negotiations. A motion to enter into executive session for the stated purpose was made by Councilmember Shew. Councilmember Miles seconded the motion which carried by a unanimous roll call vote. The executive session ensued at 6:38 p.m. and was recorded electronically pursuant to the Colorado law.

Councilmember Bonato entered the special meeting at approximately 6:42 p.m.

At 7:20 p.m. Council recessed the executive session until their regular meeting was concluded. At approximately 8:10 p.m., the executive session resumed and concluded thereafter at 9:09 p.m.

Consideration of approval of City Manager contract with John Thomas Acre. No action was taken on this item.

There being no further business, Councilmember Velasquez moved to conclude the special meeting and Councilmember Shew seconded the motion. The motion carried unanimously upon roll call vote and the meeting adjourned.

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, February 5, 2013 at 7:21 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Baca Gonzalez, presiding
	Councilmembers	Bolton, Bonato, Mattie, Miles, Shew, Velasquez
Also present:	Acting City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

The pledge of allegiance was recited.

APPROVAL OF THE MINUTES. Regular Meeting of January 15, 2013 & Special Meeting of January 22, 29, and February 1, 2013. A motion to approve the minutes as presented was made by Councilmember Bolton and seconded by Councilmember Bonato. The motion carried by a unanimous roll call vote.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. Jenny Vincent addressed Council. She thanked Council for letting her speak and for their service to the City of Trinidad. She said she was addressing them for herself as well as others in attendance tonight. Ms. Vincent told Council that she served as the Assistant Business Office Director at Mt. San Rafael Hospital from April, 2011, until November 1, 2012. Also during her employment she said she served as Interim Business Office Director for over four months. She clarified that she and the other people present are not there as disgruntled former or current hospital employees, but rather they were there as very concerned citizens to ask questions that the hospital owes the community answers to. It is no secret to many in the community and probably to Council members that the hospital has serious issues. Ms. Vincent said she would touch on just a few of the concerns they have and it is only the tip of the iceberg. More questions and information will be forthcoming in the near future. Mt. San Rafael Hospital is a very critical part of the community and a very important element in any further business growth. During the past few years the hospital's financial situation continues to deteriorate. Physicians come and go at a rapid rate – six just in the past two years. It is very troubling to see the trend continue. Ms. Vincent said that QHR has managed the hospital for several years and the hospital stated that when they once again renewed the relationship with QHR at the beginning of 2012, it would be on a limited basis only and QHR would no longer employ the CEO and CFO of the hospital. Since that time the hospital's board of directors hired Bob Quist as CEO, who was a former QHR employee. Then they placed Tim Howard who was a current QHR employee as Interim CFO. Mr. Howard served as Interim CFO for one year with Mt. San Rafael Hospital. Most recently they hired David Rollins who was also a QHR employee. Ms. Vincent continued that it is very disturbing to her and many others that after losing \$171,066 in 2010, \$1,147,624 in 2011 and over \$1.1 million by September of 2012 that the hospital would choose to remain with QHR for a management company. QHR has a history of lawsuits by other hospitals due to financial losses, fraud, etc. She said she was providing copies of information regarding the same as well as documentation to support the other information she was providing. She questioned why the hospital would continue to work with QHR after the large losses it has sustained. They should have ended any relationship with QHR long ago. She also asked why they are now employing a CEO and CFO who are connected to QHR when it was specifically stated they would not. Ms. Vincent opined that the board members either don't care or are ignorant to what is going on at the hospital. She said they all feel the board members should be elected and not appointed. They also feel the board members and hospital administration need to explain to the citizens and hospital employees how they let the hospital get in this position. She further opined that it may be helpful to have an outside audit done. Other hospitals that QHR worked with were more significantly in debt than what was reported due to QHR's mismanagement. Ms. Vincent said having worked in the business office she knows Mt. San Rafael Hospital was averaging \$2 million in revenues per month. The financial problems at the hospital have a lot to do with the spending – not the revenue, which she said was brought to their attention many times. The hospital is paying outrageous salaries to certain employees and making purchases for items they don't have the money to pay for. Another issue she said is the community perception of the hospital. Many people have experienced poor service and substandard care and have thus chosen to go elsewhere. Ms. Vincent said she came here from the mid-west two years ago. She said they knew no one when they came and she accepted the position at the hospital. From their neighbors to the friends they have met she said there is a common thing they say – they go anywhere but Mt. San Rafael Hospital – which is sad because it is a nice hospital and sad because it has gotten in that position. Many people are tired of establishing with a new Primary Care Physician. Some patients have had to do this four times in less than two years. Even more unfortunate is despite the patients' patience with this unacceptable process, their physicians are made to leave or forced to leave. The issue of the hospital's inability to retain physicians is very troubling. Just recently she said the hospital let Dr. Leo Lopez go. Bob Quist stated to Dr. Lopez they needed more internal medicine doctors and not pediatricians. This made no sense since Dr. Lopez is not only board certified in pediatrics but also in internal medicine. He was the only one in the hospital board certified in both specialties. Ms. Vincent said she strongly suspects that Dr. Lopez is being let go because he too brought his concerns to the hospital's administration. It is very troubling to see a great doctor leaving while they choose to retain certain physicians who provide substandard medical care or have had sanctions from the Medical Board of Colorado. She exemplified that Dr. Porterfield is the family practice physician who currently serves as the medical staff liaison to the hospital board. Dr. Porterfield has had past problems with substance abuse with marijuana, cocaine and alcohol, which is stipulated in a Board order. He had lied to the Idaho Medical Board during his license application and has had to surrender his license to practice there. She said she would provide proof to Council that Dr. Porterfield is actually on probation with the Colorado Medical Board due to his past substance abuse. Per Dr. Porterfield's probation, one of the many stipulations is that he cannot take call in the hospital. What this means is that he should not be taking care of patients in the hospital during his probationary period. The hospital administration and worksite monitor, who she assumes is another physician employed at Mt. San Rafael, are aware of this probation yet have knowingly allowed him to take call at the hospital since approximately one week after he was employed. She said she will show that stipulation from the Colorado Medical Board, and the call schedules illustrating that one day after the stipulation was signed is when he began taking call. Why does our hospital have this physician employed and why is he on the hospital board? Why would a doctor with this history be hired and what would citizens of the community do if

they knew the facts? This is all public information on the DORA website. She continued that this negligent action on the part of the administration emphasizes the fact that they don't care for the safety of this community's citizens. They are willing to place the lives of the citizens in the hands of someone who might still be under the influence of illicit substances. Ms. Vincent said another physician of concern is Dr. Ronald Dalton. This physician has been advertised by the hospital as someone who knows cardiology. In a recent article published in the Chronicle News he was described as the one responsible for running the hospital's cardiac or heart programs. She said the facts are that he was trained as an internist in pediatrician, but he never passed the certification exam for internal medicine, meaning he's not officially an adult doctor – he's certified in pediatrics. Obviously, he's not a cardiologist, yet he's the chief medical officer over the cardiac stress lab and being paid over \$400,000 per year – almost twice what other doctors are being paid. EKG and stress test results are being read by Dr. Dalton. She reiterated that he has no certification in internal medicine and no cardiology fellowship training. Ms. Vincent said they have more concerns regarding this that will be discussed at a later date and reiterated that neither she nor anyone with her is a disgruntled former employee. She said she brought concerns to administration while she was an employee and even told them if she lost her job for telling the truth, so be it. Some of the concerns she brought to administration while employed she said included possible fraud and HIPAA violations, as well as other issues. She said she was targeted many times for telling the truth and even told administration that they doesn't seem to want to deal with the truth. She opined that is why the hospital is in the condition that it is. That's why the public is fed up. They all feel that enough is enough and something needs to change in order for our hospital to survive and for the public to feel like they can once again count on Mt. San Rafael Hospital to provide quality care and earn the trust of the community. It is essential that Trinidad can offer great health care to the community to bring other businesses here, to bring teachers here to our schools and so our citizens don't have to travel outside of Trinidad for their healthcare needs. Ms. Vincent provided copies of the documentation to the City Clerk to provide to the City Council. She pointed out that even on Mt. San Rafael's website today it states 'we are a stable organization that is financially sound.' She opined that to not be an accurate depiction of what's going on. Mayor Baca Gonzalez told Ms. Vincent that the City Council and City has no direct control over Mt. San Rafael Hospital. Ms. Vincent said she felt it important because it does affect the City and its citizens. Mayor Baca Gonzalez agreed and added that it affects the City's ability to attract and retain economic development. Councilmember Mattie asked Ms. Vincent her expectations of Council. Ms. Vincent said she wanted to bring it to Council's attention, reiterating that she will have a target on her back. But she said she is not saying anything that's not the truth. She added that while she was employed there she had been disciplined for telling the truth. She reiterated that she is not from here and is appalled at things she saw. Originally she thought citizens were being harsh on the hospital but having been on the inside she said she understands their frustrations and concerns. Upon inquiry she reiterated that she was there from April 2, 2011 until she was laid off on November 1, 2012.

Era McCarthy addressed Council regarding Mt. San Rafael Hospital. She told Council that she has no inside information and the reason she was addressing Council is because Council is their voice. Ms. McCarthy said she has two babies who she takes to Pueblo for medical care. She said she has always gone to Pueblo because everyone told them when they located here that the medical care was so bad. When she was six months pregnant with her son she was involved in a terrible car accident and she couldn't drink or eat. The emergency room couldn't do an ultrasound because she didn't have enough fluids but they couldn't keep her from vomiting and kept trying to give her pills to stop the vomiting for about four hours. She then went to Pueblo where she was given an IV and she and the baby were fine. She went into premature labor and had to go on medication. At that point she vowed to never go back to Mt. San Rafael Hospital. She said she has a newborn son who had a horrible growth out of his belly button. She said they talked to Dr. Lopez who was the only doctor willing to see them right away and without doing the paperwork first just to make sure her son was okay. Her son was taken good care of and it ended up not urgent. Ms. McCarthy said he has been an amazing doctor and not just for her but also for six other families that she is aware of. She said if Dr. Lopez is available and there's an emergency with a child he will treat that child right away. She added that she can't imagine him doing anything that would have caused him to lose his job. All he cares about is his patients and he loves Trinidad and told her he planned on spending a long time here. She said they and others are back to Pueblo now and it is scary with a newborn who can't talk to make that hour and one-half drive. She said she has complete faith in Council in whatever they decide to do. In other places she said she understands that the hospital board is elected and that makes sense. Councilmember Mattie asked if they have spoken to anyone else. Ms. McCarthy said she went to the hospital board. They cited economic reasons. She said if he relocated within driving distance she will keep him for their doctor. Councilmember Mattie asked if she spoke to the County Commissioners. Ms. McCarthy said she has not. She doesn't normally do this but feels it is such a loss for the community. She praised Dr. Lopez's entire family and stated how they love it here. Councilmember Shew recalled another instance when Dr. Carlisle was released. He said Council understands but it is difficult because of how the board is appointed. Ms. McCarthy suggested maybe that could be changed. Councilmember Bonato confirmed that the board has always appointed and verified that they haven't yet spoken to the County Commissioners. Ms. McCarthy said they haven't spoken to the Commissioners and she hadn't planned on speaking tonight but found the situation so sad. Councilmember Bonato said he agrees on a lot of things and knows the hospital is an important asset that is County owned. Everyone needs to voice their opinions to keep the hospital because it affects everyone – City, County, the college, the nursing home, etc. He urged Ms. Vincent and Ms. McCarthy to voice their opinions to the County Commissioners. Perhaps thereafter the City and County can meet regarding the subject. He added that we have to support the hospital and recruit doctors. Ms. McCarthy expressed her appreciation for Council listening. Councilmember Bonato said that he had an MRI at Mt. San Rafael Hospital this morning and was treated very well and had good service. Ms. McCarthy concluded that her husband pointed out that for growth you have to have families and children. If there is no place to take our children (for medical care) how can we grow?

REPORT BY CITY MANAGER. Finance Director. Acting City Manager Acre told Council that the vacancy announcement for the Finance Director position closed last Thursday. Three additional applications were received for a total of 16; however one has been retained by Las Animas County. He said that he and Rose Blatnik will review the applications and interview in the next couple of weeks. The timing will still work well with Ms. Blatnik as she is closing out 2012 and she is willing to help with interviews as well.

Southern District Counties CCI Meeting. Acting City Manager Acre advised Council that he will be attending the Southern District Counties CCI Meeting with County Administrator Leeann Fabec on Friday to talk to CDOT about transportation issues in the area and the proposed resolution to provide greater funding to areas with higher traffic volume.

Coal Bed Methane-Produced Water. Acting City Manager Acre informed Council of a meeting today held at the County Commissioner's Chambers regarding coal bed methane-produced water. He offered to provide the information to

Council. He explained that he had hoped to be able to tie a meeting together with the County in the morning and the Council later that same day but was not able to. The presenters however are willing to come back to provide a presentation to Council at a future work session.

Trinidad Correctional Facility. Acting City Manager Acre noted that there was an article in the newspaper regarding the State looking at potentially reducing prisons. He said he received an e-mail from County Administrator Fabec that was forwarded to Council about a meeting tomorrow at 1:00 p.m. at the County Commissioners' Chambers to discuss that issue. He encouraged Council members to attend. He said he and the Mayor will be late to the meeting because they have a lunch meeting with Colonel Jones from Fort Carson. Councilmember Bolton advised that she had a prior commitment and hoped other Council members could attend. Council members Mattie, Bonato and Miles stated their intent to attend.

CCI Meeting. Acting City Manager Acre reported that a CCI meeting will be held on Thursday in Denver and Public Works Director Jeff Hill will be attending it. He said he can call in to the meeting with County Administrator Leeann Fabec.

Retreat. Acting City Manager Acre told Council that he has a draft agenda and questions for the retreat that he will be getting out to them in the next few days.

Public Works Director. Councilmember Mattie commented that he is happy to see Acting City Manager Acre working with County Administrator Leeann Fabec and building bridges with the County. He asked what is being done to replace PWD Jeff Hill. Acting City Manager Acre said that he has put some feelers out and will be having a discussion with Utilities Supt. Jim Fernandez. He said he wants to get it advertised and in the meantime will be serving as Acting Public Works Director. He noted that he will be relying on other staff to step up and thinks we will not need to hire an interim. Jeff Hill has been very professional about keeping him up to date and up to speed on projects.

REPORT BY CITY ATTORNEY. City Attorney Downs advised that he had nothing to report at this time.

COMMITTEE REPORTS. None.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. Retail liquor store license renewal request by RJ Sales, Inc. d/b/a RJ's Discount Liquor at 2132 Freedom Road. Rianna Rivera presented herself on behalf of the renewal application. She said everything is going great and she appreciated Council letting her start a business here. A motion to approve the license renewal was made by Councilmember Bolton and it was seconded by Councilmember Miles. The motion carried by a unanimous roll call vote.

Appointments to the Parks & Recreation Advisory Committee. Councilmember Mattie moved for the appointment of Greg Calvert and Pat Patrick to the Parks & Recreation Advisory Committee. The motion was seconded by Councilmember Shew. City Clerk Garrett advised that in response to Councilmember Mattie's question from work session, the Parks & Recreation Advisory Committee members' terms are coincident with City Councilmember terms. Roll call was taken on the motion and carried unanimously.

Appointments to the Tourism Board. A motion to accept both applicants, Scott Candland and Cheryl Clark, for re-appoint to the Tourism Board was made by Councilmember Mattie and seconded by Councilmember Bolton. The motion carried by a unanimous roll call vote.

Appointments to the Board of Appeals. Councilmember Bolton made a motion to re-appoint Sam Coker and Wayne Pritchard to the Board of Appeals. Councilmember Velasquez seconded the motion. Roll call was taken on the motion and carried unanimously.

Appointment to the Housing Authority Board. Mayor Baca Gonzalez advised that the appointments to this board are made at the recommendation of the Mayor and approved by Council. She stated that she was pleased to recommend Helen Veltri as her selection to occupy the vacancy, and reminded that she was introduced at the preceding work session. A motion to appoint Helen Veltri to the Housing Authority Board was made by Councilmember Miles and seconded by Councilmember Bonato. The motion carried unanimously.

Consideration of bid results for the purchase of aluminum sulfate for the City of Trinidad Water Treatment Plant. Mayor Baca Gonzalez reminded that at the prior work session staff recommended approval of the low bid received from DCP Industries in the amount of \$32,634. A motion to approve the low bid as recommended was made by Councilmember Bolton. Councilmember Shew seconded the motion which carried by a unanimous roll call vote.

BILLS. Councilmember Bolton questioned why payments to the Chronicle News are for things several months past. Acting City Manager Acre advised that he will get an answer and provide it to all Council members. A motion to approve payment of the bills as presented was made by Councilmember Mattie. The motion was seconded by Councilmember Shew. Roll call was taken on the motion to approve the bills and it carried unanimously.

PAYROLL, January 19, 2013 through February 1, 2013. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Bonato. The motion carried unanimously.

ADJOURNMENT. There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Bonato and seconded by Councilmember Bolton. The meeting was adjourned by unanimous voice vote of Council at 8:00 p.m.

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk

The City Council of the City of Trinidad, Colorado met in Special Session on Friday, February 8, 2013 at 11:00 a.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Friday, February 8, 2013 at 11:00 a.m. in the Council Chambers at City Hall

The following items are on file for consideration of City Council:

- 1) Executive session – For the purpose of determining positions relative to matters that may be subject o negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) – City Manager Contract negotiations
- 2) Consideration of approval of City Manager contract with John Thomas Acre

The meeting was called to order at 11:00 a.m.

Roll call was taken.

There were present:	Mayor	Baca Gonzalez, presiding
	Councilmembers	Bolton, Bonato, Miles, Shew, Velasquez
Also present:	Acting City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett
Absent:	Councilmember	Mattie

The pledge of allegiance was recited.

Executive session – For the purpose of determining positions relative to matters that may be subject o negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) – City Manager Contract negotiations. A motion to enter into executive session for the stated purpose was made by Councilmember Velasquez. Councilmember Shew seconded the motion which carried by a unanimous roll call vote. The executive session ensued at 11:01 a.m. and was recorded electronically pursuant to the Colorado law. Upon conclusion of executive session at 11:45 a.m., the special meeting resumed.

Consideration of approval of City Manager contract with John Thomas Acre. A motion to approve the City Manager contract with John Thomas Acre was made by Councilmember Bolton and seconded by Councilmember Shew. The motion carried by a unanimous roll call vote of Council members present. City Manager Acre thanked Council and said he really looks forward to working with them.

There being no further business, Councilmember Shew moved to conclude the special meeting and Councilmember Velasquez seconded the motion. The motion carried unanimously upon roll call vote and the meeting adjourned.

ATTEST:

AUDRA GARRETT, City Clerk

BERNADETTE BACA GONZALEZ,
Mayor



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 6

SUBJECT: 3.2% Beer Retail License (Off-Premises) renewal request by Walmart Stores, Inc. d/b/a Walmart #962 at 2921 Toupal Drive

PRESENTER: Audra Garrett, City Clerk

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of 3.2% Beer License

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The renewal application is in order.
- Departmental reports from the Fire Department and Building Inspector indicate a remodel is being undertaken. Police Department reports two calls for service.
- Disclosure statements provided by Councilmember Miles and Councilmember Velasquez are attached.
- Appropriate renewal fees have been paid.

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

WALMART #962
 702 SW 8TH STDEPT 8916
 BENTONVILLE AR 72716-6209

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name WAL MART STORES INC		DBA WALMART #962		
Liquor License # 09495180009	License Type 3.2% Beer Off Premises (city)	Sales Tax License # 09495180009	Expiration Date 4/22/2013	Due Date 3/8/2013
Street Address 2921 TOUPAL DR TRINIDAD CO 81082				Phone Number (719) 846 4477
Mailing Address 702 SW 8TH STDEPT 8916 BENTONVILLE AR 72716-6209				
Operating Manager Robert J Jones	Date of Birth	Home Address	Phone Number	

- Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease Feb 1st 2017
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

AFFIRMATION & CONSENT
 I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Amy Thrasher	Title Assistant Secretary
Signature <i>Amy Thrasher</i>	Date 1/23/2013

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY
 The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For Trinidad	Date
Signature	Title Mayor
	Attest

2892	Supercenter	Parker	CO	March-09	\$0.00	Sale to Minor	5 days suspension (2 additional days held in abeyance for 1 yr period)
966	Supercenter	Cortez	CO	December-03	\$200.00	Sale to Minor	
966	Supercenter	Cortez	CO	December-04	0.00	Sale to Minor	15 day suspension with 8 days held in abeyance
953	Supercenter	Loveland	CO	March-09		Failure to change agent	5 day suspension, 5 days in abeyance
953	Supercenter	Loveland	CO	March-11		Failure to change agent	3-day suspension 7 days in abeyance
3227	Supercenter	Cotrez	CO	April-00	\$0.00	Sale to Minor	
4599	Supercenter	Timmath	CO	June-11	\$371.25	Sale to Minor	
5232	Supercenter	Rifle	CO	June-11	\$313.35	Sale to Minor	5-day suspension 10 days abeyance
966	Supercenter	Cotrez	CO	June-03	\$0.00	Sale to Minor	
5033	Wal-Mart	Aorora	CO	June-09	\$200.00	Sale to Minor	
5051	Wal-Mart	Brighton	CO	February-12	\$582	Sale to Minor	
924	Supercenter	Sterling	CO	May-10	\$0.00	Sale to Minor	20 day suspension 11 active, 9days in abeyance
3484	Supercenter	Westminster	CO	5/7/2012	\$0.00	Sale to Minor	
1252	Supercenter	Highlands Ranch	CO	5/18/2012	\$0.00	Sale to Minor	
3313	Supercenter	Centennial	CO	6/1/2012	\$0.00	Sale to Minor	
1095	Supercenter	Glenwood Springs	CO.	7/12/2012	\$0.00	sales to minor	
2125	Supercenter	Lakewood	CO	10/3/2012	\$0.00	sales to minor	
1273	Supercenter	Fountain	CO	10/17/2012	\$0.00	sales to minor	

STORE #	TYPE	CITY	STATE	DATE	FINE AMOUNT	REASON FOR CITATION	Disposition
2125	Supercenter	Lakewood	CO	February-06	\$389.79	Sale to Minor	
869	Supercenter	Alamosa	CO	April-06	\$0.00	Sale to Minor	10 day suspension taken 8-1-06 through 8-10-06
5051	Supercenter	Greely	CO	January-07	\$200.00	Sale to minor	In lieu of 5 day suspension
1019	Wal-Mart	Canyon City	CO	March-07	\$0.00	Sale to minor	3 day suspension
5033	Supercenter	Fort Morgan	CO	January-08	\$200.00	sale to minor	5 day suspension held in abeyance for 1 yr
5033	Supercenter	Ft Morgan	CO	January-08	2 day suspension with 5 days held in abeyance	Sale to minor	No fine offered, just suspension
1384	Supercenter	La Junta	CO	January-08	\$200.00	Sale to minor	
3227	Supercenter	Monument	CO	October-08	\$200 + 2 day suspension	sale to minor	in lieu of 7 day suspension (2 days served plus fine of \$200 and 5 days in abeyance)
3227	Supercenter	Monument	CO	October-08	\$200 and a 2 day suspension	Sale to minor	5 days suspension held in abeyance
3227	Supercenter	Monument	CO	October-08	\$200 and 7 day suspension	Sale to Minor	5 days held in abeyance
924	Supercenter	Sterling	CO	June-97	\$0.00	Sale to Minor	
924	Supercenter	Sterling	CO	March-09	\$200.00	Sale to Minor	in lieu of 2 day suspension
2892	Supercenter	Parker	CO	December-00		Sale to Minor	
2892	Supercenter	Parker	CO	May-12	\$0.00	Sale to Minor	
2270	Supercenter	Durango	CO	June	\$116.40	Sale to Minor	
2892	Supercenter	Parker	CO	August-12	\$0.00	Sale to Minor	5 day suspension

Supercenter	3582	1575 SPACE CENTER DR	COLORADO SPRINGS	CO	80915
Supercenter	3805	19600 E US HIGHWAY 24	WOODLAND PARK	CO	80863
Supercenter	3824	7155 SHERIDAN BLVD	WESTMINSTER	CO	80003
Supercenter	3867	200 W 136TH AVE	WESTMINSTER	CO	80234
Supercenter	4284	440 WADSWORTH BLVD	LAKEWOOD	CO	80226
Supercenter	4288	4651 W 121ST AVE	BROOMFIELD	CO	80020
Supercenter	4335	11550 MERIDIAN MARKET VW	FALCON	CO	80831
Supercenter	4377	2000 W VICTORY WAY	CRAIG	CO	81625
Supercenter	4567	7101 E 128TH AVE	BRIGHTON	CO	80602
Supercenter	4599	4500 WEITZEL ST	TIMNATH	CO	80547
Supercenter	4639	2100 LEGACY CIR	ELIZABETH	CO	80107
Supercenter	5033	1300 BARLOW RD	FORT MORGAN	CO	80701
Supercenter	5051	920 47TH AVE	GREELEY	CO	80634
Supercenter	5099	2545 RIMROCK AVE	GRAND JUNCTION	CO	81505
Supercenter	5123	5550 E WOODMEN RD	COLORADO SPRINGS	CO	80920
Supercenter	5137	6101 S AURORA PKWY	AURORA	CO	80016
Supercenter	5232	1000 AIRPORT RD	RIFLE	CO	81650
Supercenter	5334	3301 TOWER RD	AURORA	CO	80011
Supercenter	5341	500 SUMMIT BLVD	BROOMFIELD	CO	80021
Supercenter	5370	2514 MAIN ST	LONGMONT	CO	80504
Supercenter	5458	37 STAFFORD LN	DELTA	CO	81416
Sam's Club	6219	1850 E. WOODMAN RD	COLORADO SPRINGS	CO	80920
Sam's Club	6630	7370 W.N 52ND AVE.	ARVADA	CO	80002
Market	3020	14605 W 64th Ave	ARVADA	CO	80004
Market	3126	16746 E Smoky Hill Rd	CENTENNIAL	CO	80015
Market	3128	142 S parker Rd	DENVER	CO	80231

Store Type	Store #	Store Address	Store City	State	Zip
Supercenter	842	4200 DILLON DR	PUEBLO	CO	81008
Supercenter	869	3333 CLARK ST	ALAMOSA	CO	81101
Supercenter	905	2285 KEN PRATT BLVD	LONGMONT	CO	80501
Supercenter	921	7865 W US HIGHWAY 50	SALIDA	CO	81201
Supercenter	924	1510 W MAIN ST	STERLING	CO	80751
Supercenter	953	1325 DENVER AVE	LOVELAND	CO	80537
Supercenter	962	2921 TOUPAL DR	TRINIDAD	CO	81082
Supercenter	966	1835 E MAIN ST	CORTEZ	CO	81321
Supercenter	980	3103 S 23RD AVE	GREELEY	CO	80631
Supercenter	984	133 SAM WALTON LANE	CASTLE ROCK	CO	80104
Wal-Mart	986	840 SUMMIT BLVD.	FRISCO	CO	80443
Supercenter	1001	4080 W NORTHERN AVE	PUEBLO	CO	81005
Supercenter	1008	250 W 65TH ST	LOVELAND	CO	80538
Supercenter	1019	3105 E US HIGHWAY 50	CANON CITY	CO	81212
Supercenter	1045	745 US HIGHWAY 287	LAFAYETTE	CO	80026
Supercenter	1058	16750 S TOWNSEND AVE	MONTROSE	CO	81401
Wal-Mart	1095	3010 BLAKE AVE	GLENWOOD SPRINGS	CO	81601
Supercenter	1199	171 YODER AVENUE	AVON	CO	81620
Supercenter	1200	3201 E PLATTE AVE	COLORADO SPRINGS	CO	80909
Supercenter	1231	9901 GRANT ST	THORNTON	CO	80229
Supercenter	1252	6675 BUSINESS CENTER DR	HIGHLANDS RANCH	CO	80130
Supercenter	1273	6310 S US HIGHWAY 85-87	FOUNTAIN	CO	80817
Supercenter	1280	2881 NORTH AVE	GRAND JUNCTION	CO	81501
Wal-Mart	1308	7700 W QUINCY AVE	LITTLETON	CO	80123
Supercenter	1384	6 CONLEY RD	LA JUNTA	CO	81050
Supercenter	1434	707 S 8TH ST	COLORADO SPRINGS	CO	80905
Wal-Mart	1492	14000 E EXPOSITION AVE	AURORA	CO	80012
Wal-Mart	1550	900 N MAIN ST	GUNNISON	CO	81230
Supercenter	1659	60 W BROMLEY LN	BRIGHTON	CO	80601
Supercenter	1689	5650 S CHAMBERS RD	AURORA	CO	80015
Wal-Mart	1808	1805 CENTRAL PARK DRIVE	STEAMBOAT SPRINGS	CO	80487
Supercenter	1896	8250 RAZORBACK RD	COLORADO SPRINGS	CO	80920
Supercenter	2125	7455 W COLFAX AVE	LAKEWOOD	CO	80214
Supercenter	2223	9499 SHERIDAN BLVD	WESTMINSTER	CO	80031
Supercenter	2270	1155 S CAMINO DEL RIO	DURANGO	CO	81303
Supercenter	2293	952 SWEDE GULCH RD	EVERGREEN	CO	80439
Supercenter	2672	1432 E OLIVE ST	LAMAR	CO	81052
Supercenter	2729	1250 E MAGNOLIA ST	FORT COLLINS	CO	80524
Wal-Mart	2751	601 ENGLEWOOD PKWY	ENGLEWOOD	CO	80110
Supercenter	2752	5990 DAHLIA ST	COMMERCE CITY	CO	80022
Supercenter	2892	11101 S PARKER RD	PARKER	CO	80134
Supercenter	3227	16218 JACKSON CREEK PKWY	MONUMENT	CO	80132
Supercenter	3313	10900 E BRIARWOOD AVE	CENTENNIAL	CO	80112
Supercenter	3382	78 N MCCULLOCH BLVD	PUEBLO WEST	CO	81007
Supercenter	3533	7800 SMITH RD	DENVER	CO	80207
Supercenter	3566	9400 E HAMPDEN AVE	DENVER	CO	80231

3.2 Beer	09-49518-0068	9/8/2012	El Paso County	3 2 BEER
3.2 Beer	09-49518-0088	8/22/2012	Teller County	3 2 BEER
3.2 Beer	09-49518-0091	4/3/2013	Adams County	3 2 BEER
3.2 Beer	09-49518-0086	12/6/2012	Adams County	3 2 BEER
3.2 Beer	09-49518-0085	1/15/2013	Jefferson County	3 2 BEER
3.2 Beer	09-49518-0096	5/13/2013	Adams County	3 2 BEER
3.2 Beer	09-49518-0087	6/24/2013	El Paso County	4 2 BEER
3.2 Beer	09-49518-0090	10/24/2012	Moffat County	3 2 BEER
3.2 Beer	09-49518-0097	5/10/2013	Adams County	3 2 BEER
3.2 Beer	09-49518-0092	4/21/2013	Larimer County	3 2 BEER
3.2 Beer	09-49518-0093	7/14/2012	Elbert County	4 2 BEER
3.2 Beer	09-49518-0067	11/24/2012	Morgan County	3 2 BEER
3.2 Beer	09-49518-0069	3/20/2013	Weld County	3 2 BEER
3.2 Beer	09-49518-0073	9/30/2012	Mesa County	3 2 BEER
3.2 Beer	09-49518-0075	12/22/2012	El Paso County	3 2 BEER
3.2 Beer	09-49518-0079	10/25/2012	Arapahoe County	3 2 BEER
3.2 Beer	09-49518-0072	9/18/2012	Garfield County	3 2 BEER
3.2 Beer	09-49518-0081	9/28/2012	Adams County	3 2 BEER
3.2 Beer	09-49518-0077	6/23/2012	Broomfield County	3 2 BEER
3.2 Beer	09-49518-0083	2/28/2013	Boulder County	3 2 BEER
3.2 Beer	09-49518-0078	8/24/2012	Delta County	3 2 BEER
3.2 Beer	12-33986-0011	10/18/2012	El Paso County	3 2 BEER
Beer/Wine/Liquor	12-33986-0008	3/9/2013	Jefferson County	BEER WINE LIQUOR
3.2 Beer	09-49518-0102	5/1/2013	Adams County	3 2 BEER
3.2 Beer	09-49518-0101	4/19/2013	Arapahoe County	3 2 BEER
3.2 Beer	09-49518-1000	4/29/2013	Arapahoe County	3 2 BEER

State Lic. Type	State Lic. #	Exp. Date	County	City Lic. Type
3.2 Beer	09-49518-0055	8/26/2012	Pueblo County	3 2 BEER
3.2 Beer	09-49518-0002	4/18/2013	Alamosa County	3 2 BEER
3.2 Beer	09-49518-0003	12/20/2013	Boulder County	3 2 BEER
3.2 Beer	09-49518-0005	9/1/2012	Chaffee County	3 2 BEER
3.2 Beer	09-49518-0007	7/10/2013	Logan County	3 2 BEER
3.2 Beer	09-49518-0009	3/25/2013	Larimer County	3 2 BEER
3.2 Beer	09-49518-0008	4/22/2013	Las Animas County	3 2 BEER
3.2 Beer	09-4918-0011	1/11/2013	Montezuma County	3 2 BEER
3.2 Beer	09-49518-0010	8/14/2012	Weld County	3 2 BEER
3.2 Beer	09-49518-0010	1/11/2013	Douglas County	3 2 BEER
3.2 Beer	09-49518-0012	5/12/2013	Summit County	3 2 BEER
3.2 Beer	09-49518-0013	6/19/2013	Pueblo County	3 2 BEER
3.2 Beer	09-49518-0089	8/27/2012	Larimer County	3 2 BEER
3.2 Beer	09-49518-0015	5/18/2013	Fremont County	3 2 BEER
3.2 Beer	09-49518-0016	8/26/2012	Boulder County	3 2 BEER
3.2 Beer	09-49518-0017	10/15/2012	Montrose County	3 2 BEER
3.2 Beer	09-49518-0018	9/16/2012	Garfield County	3 2 BEER
3.2 Beer	09-49518-0019	5/4/2013	Eagle County	3 2 BEER
3.2 Beer	09-49518-0021	4/15/2013	El Paso County	3 2 BEER
3.2 Beer	09-49518-0022	11/17/2012	Adams County	3 2 BEER
3.2 Beer	09-49518-0047	5/1/2013	Douglas County	3.2 BEER
3.2 Beer	09-49518-0024	6/8/2013	El Paso County	3 2 BEER
3.2 Beer	09-49518-0025	9/11/2012	Mesa County	3 2 BEER
3.2 Beer	09-49518-0094	12/17/2012	Denver County	4 2 BEER
3.2 Beer	09-49518-0029	3/29/2013	Otero County	3 2 BEER
3.2 Beer	09-49518-0049	6/9/2013	El Paso County	3 2 BEER
3.2 Beer	09-49518-0030	9/7/2012	Arapahoe County	3 2 BEER
3.2 Beer	09-49518-0031	7/27/2012	Gunnison County	3 2 BEER
3.2 Beer	09-49518-0032	5/2/2013	Adams County	3 2 BEER
3.2 Beer	09-49518-0064	12/16/2012	Arapahoe County	3 2 BEER
3.2 Beer	09-49518-0035	9/17/2012	Routt County	3 2 BEER
3.2 Beer	09-49518-0037	2/4/2013	El Paso County	3 2 BEER
3.2 Beer	09-49518-0038	2/21/2013	Jefferson County	3 2 BEER
3.2 Beer	09-49518-0046	9/21/2012	Jefferson County	3 2 BEER
3.2 Beer	09-49518-0051	6/28/2012	La Plata County	3 2 BEER
3.2 Beer	09-49518-0048	10/3/2012	Jefferson County	4 2 BEER
3.2 Beer	09-49518-0054	9/29/2012	Prowers County	3 2 BEER
3.2 Beer	09-49518-0059	10/17/2012	Larimer County	3 2 BEER
3.2 Beer	09-49518-0058	12/2/2012	Arapahoe County	3 2 BEER
3.2 Beer	09-4951-0056	10/6/2012	Adams County	3 2 BEER
3.2 Beer	09-49518-0057	9/12/2012	Douglas County	3 2 BEER
3.2 Beer	09-49518-0084	8/7/2012	El Paso County	3 2 BEER
3.2 Beer	09-49518-0080	1/6/2013	Arapahoe County	3 2 BEER
3.2 Beer	09-49518-0082	1/22/2013	Pueblo County	4 2 BEER
3.2 Beer	09-49518-0062	1/22/2013	Denver County	5 2 BEER
3.2 Beer	09-49518-0061	8/20/2012	Arapahoe County	3 2 BEER

716560	9/6/2012	71-0415188
09-49518-0088	8/22/2012	71-0415188
2805501	4/3/2013	71-0415188
2687301	12/6/2012	71-0415188
09-49518-0085	1/15/2012	71-0415188
28-2010	5/13/2013	71-0415188
n/a	6/24/2013	71-0415188
09-49518-0090	10/24/2012	71-0415188
BE-0047	5/10/2013	71-0415188
none	4/21/2013	71-0415188
09-49518-0093	7/14/2013	71-0415188
2010-19	11/22/2011	71-0415188
state lic#09-49518-0069	3/20/2013	71-0415188
5020316	9/30/2012	71-0415188
708427	12/22/2012	71-0415188
141243	10/25/2012	71-0415188
26-10	8/2/2012	71-0415188
146049	9/28/2012	71-0415188
49-2010	6/23/2012	71-0415188
09-49518-0083	2/28/2013	71-0415188
none	8/24/2012	71-0415188
N/A	10/8/2012	71-0794414
14781	3/9/2013	71-0794414
15139	5/1/2013	71-0415188
N/A	4/19/2013	71-0415188
09-49518-0000	4/29/2013	71-0415188

City Lic.#	City Exp.Date	FEIN #
09-49518-55P	8/26/2012	71-0415188
n/a	4/18/2013	71-0415188
09-49518-0098	12/20/2013	71-0415188
09-49518-0003	9/1/2012	71-0415188
1099	7/10/2013	71-0415188
n/a	3/25/2013	71-0415188
0239	4/22/2013	71-0415188
6095	1/11/2013	71-0415188
09-49518-0011	8/14/2012	71-0415188
09495180010	1/11/2013	71-0415188
n/a	5/12/2013	71-0415188
09-49518-13P	6/19/2013	71-0415188
n/a	8/27/2012	71-0415188
09-49518-0015	5/18/2013	71-0415188
09-49518-0016	8/23/2012	71-0415188
1050	10/15/2012	71-0415188
none	9/16/2012	71-0415188
2065	5/4/2013	71-0415188
654	4/15/2013	71-0415188
BE-0039	11/17/2012	71-0415188
882	5/12/2012	71-0415188
10-764	6/8/2013	71-0415188
5020317	9/11/2012	71-0415188
102651	12/17/2012	71-0415188
n/a	3/29/2013	71-0415188
1568	6/9/2013	71-0415188
168133	9/7/2012	71-0415188
10-40	7/27/2012	71-0415188
622	5/2/2013	71-0415188
130419	12/16/2012	71-0415188
2010-56	9/18/2012	71-0415188
700806	2/4/2013	71-0415188
09-49518-0038	2/21/2013	71-0415188
1623301	9/21/2012	71-0415188
10678	6/28/2012	71-0415188
2639	10/2/2012	71-0415188
3059	9/29/2012	71-0415188
09-49518-0059	10/17/2012	71-0415188
177857	12/2/2012	71-0415188
11907	10/6/2012	71-0415188
305	9/12/2012	71-0415188
09-49518-0084	8/7/2012	71-0415188
01062012	1/6/2013	71-0415188
2800	1/22/2013	71-0415188
100735	1/22/2013	71-0415188
129991	8/20/2012	71-0415188

1/29/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Walmart Stores, Inc.

dba: Walmart #962

Address: 2921 Toupal Drive

Type of License: 3.2% Beer Off Premises

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 19, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

ok

Remodeling store

1-30-13

Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2013

1/29/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Walmart Stores, Inc.

dba: Walmart #962

Address: 2921 Toupal Drive

Type of License: 3.2% Beer Off Premises

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 19, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Renodal in process

1-30-13
Date

R. S. Kelley
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2013

1/29/2013

**DEPARTMENTAL INSPECTION REPORT
3.2 % BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE**

Applicant's Name: Wal-Mart Stores, Inc.

DBA: Wal-Mart Supercenter #962

Business Address: 2921 Toupal Drive

Type of License: 3.2% Off-Premises

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: February 19, 2013, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

<u>Date</u>	<u>Sequence Number</u>	<u>Call Type</u>	<u>Case Number</u>
6/25/2012	TPD201209390	Drunks	No report

A male party was walking around the store drinking a beer

6/19/2012	TPD201209028	Drunks	No report
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A male party identified as Elias Mendoza was riding one of the wheelchairs. He was yelling at other customers and tried to run some of the over with the wheelchair. He was intoxicated. An ambulance responded and transported him to the hospital.

2-11-13
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2013

CAD Abstract

Number of Responses : 1

Sequence Number: TPD201209390

Call Answered 06/25/2012 22:03:15	Call Code DRUNKS	Case Number
Created 06/25/2012 22:03:03	Dispatched 06/25/2012 22:03:09	Completed 06/25/2012 22:08:56
		Disposed 06/26/2012 03:50:43

<u>Response Information</u>	
Response Type :	DRUNKS
Reason for Stop :	
Stop Statute :	
Primary Resource :	T116
Primary Trooper :	GILLIS-TODD,MEGAN
Response Origin :	CAD
Disposition Codes :	CC

<u>Incident Information</u>		Validated Address :: No Value
Common Place :	Zone :	
House Number :	City :	
Street Name :	State:	
Suffix :	ZIP Code :	
Street Type :	X Coordinate	
Cross Streets:	Y Coordinate	
Free Format Address :	2921 TOUPAL	

Location History

<u>Date/Time</u>	<u>Address</u>	<u>Dispatcher / Position</u>
06/25/2012 22:03:03	2921 TOUPAL	SCHLENSKER,MANDI / POSITION:

Resource Activity Statuses

<u>Date/Time</u>	<u>Unit ID</u>	<u>Status</u>	<u>Dispatcher / Position</u>
06/25/2012 22:03:09	T116	DP	SCHLENSKER,MANDI / POSITION2
06/25/2012 22:03:10	T116	EN	SCHLENSKER,MANDI / POSITION2
06/25/2012 22:03:56	T116	AR	SCHLENSKER,MANDI / POSITION2
06/25/2012 22:08:56	T116	CL	SCHLENSKER,MANDI / POSITION2

Incident Notes

<u>Date/Time</u>	<u>Note</u>	<u>Dispatcher / Position</u>
06/25/2012 22:03:52	107-STATES THAT THERE IS A MALE PT IN ILSE 2 THAT IS WALKING AROUND DRINKING A BEER	SCHLENSKER / POSITION2

CAD Abstract

Number of Responses : 1

Sequence Number: TPD201209028

Call Answered 06/19/2012 21:24:22	Call Code DRUNKS	Case Number
Created 06/19/2012 21:21:40	Dispatched 06/19/2012 21:22:29	Completed 06/19/2012 21:52:36
		Disposed 06/20/2012 03:29:58

Response Information	
Response Type :	DRUNKS
Reason for Stop :	
Stop Statute :	
Primary Resource :	T116
Primary Trooper :	GILLIS-TODD,MEGAN
Response Origin :	CAD
Disposition Codes :	CC

Incident Information		Validated Address : : True
Common Place :	Zone :	
House Number : 2921	City :	
Street Name : TOUPAL	State:	
Suffix :	ZIP Code :	
Street Type : DR	X Coordinate 3284807.6404370400	
Cross Streets:	Y Coordinate 1173318.0712049201	
Free Format Address : 2921 TOUPAL DR		

Location History

<u>Date/Time</u>	<u>Address</u>	<u>Dispatcher / Position</u>
06/19/2012 21:21:40	2921 TOUPAL DR	SCHLENSKER,MANDI / POSITION:

Person 1 of 1

Last Name : MENDOZA	First Name : ELIAS JOSEPH	Middle Name : ELIAS JOSEPH
Suffix :	DOB : 	SOC :
Involvement : DRIVER	DL State : CO	DL Number :
Perceived Race :	Perceived Gender :	Address :
Race :	Gender :	Phone :
Notes :		

Resource Activity Statuses

<u>Date/Time</u>	<u>Unit ID</u>	<u>Status</u>	<u>Dispatcher / Position</u>
06/19/2012 21:38:43	T108	DP	RIVAS,AMANDA / POSITION1
06/19/2012 21:38:45	T108	AR	RIVAS,AMANDA / POSITION1
06/19/2012 21:52:35	T108	CL	RIVAS,AMANDA / POSITION1
06/19/2012 21:24:19	T112	DP	SCHLENSKER,MANDI / POSITION2
06/19/2012 21:24:20	T112	AR	SCHLENSKER,MANDI / POSITION2
06/19/2012 21:24:24	T112	EN	SCHLENSKER,MANDI / POSITION2
06/19/2012 21:25:19	T112	CL	RIVAS,AMANDA / POSITION1
06/19/2012 21:38:42	T112	DP	RIVAS,AMANDA / POSITION1
06/19/2012 21:38:46	T112	EN	RIVAS,AMANDA / POSITION1
06/19/2012 21:38:48	T112	AR	RIVAS,AMANDA / POSITION1
06/19/2012 21:52:35	T112	CL	RIVAS,AMANDA / POSITION1
06/19/2012 21:22:28	T116	DP	RIVAS,AMANDA / POSITION1
06/19/2012 21:23:55	T116	AR	SCHLENSKER,MANDI / POSITION2
06/19/2012 21:52:35	T116	CL	RIVAS,AMANDA / POSITION1
06/19/2012 21:38:50	T124	DP	RIVAS,AMANDA / POSITION1
06/19/2012 21:38:52	T124	AR	RIVAS,AMANDA / POSITION1
06/19/2012 21:52:36	T124	CL	RIVAS,AMANDA / POSITION1

Incident Notes

<u>Date/Time</u>	<u>Note</u>	<u>Dispatcher / Position</u>
06/19/2012 21:22:15	RP STATES THAT THERE IS A DK MALE RIDING ONE OF THE WHEELCHAIRS AND IS YELLING AT OTHER CUSTOMERS AND TYRING TO RUN PEOPLE OVER	SCHLENSKER / POSITION2
06/19/2012 21:34:34	301 REQ MED ONLY	RIVAS / POSITION1
06/19/2012 21:46:44	108 PT EH BY MED FOR CL	RIVAS / POSITION1

DISCLOSURE STATEMENT

I, Linda Velasquez, hereby state and affirm that I am a member of Gino's Sports Bar, LLC, a Colorado limited liability company formed on September 9, 2011, whose principal office address is 310 Spruce Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Gino's Sports Bar, a tavern licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 991 E. Main Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 25% interest in Gino's Sports Bar, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.



Linda Velasquez

12/4/12

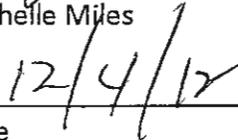
Date

DISCLOSURE STATEMENT

I, Michelle Miles, hereby state and affirm that I am a member of Opera House Wine & Spirits, LLC, a Colorado limited liability company formed on February 22, 2010, whose principal office address is 601 W. Main Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Tire Shop Wine & Spirits, a retail liquor store licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 601 W. Main Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 99% interest in Opera House Wine & Spirits, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.



Michelle Miles



Date



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 3

SUBJECT: Tastings permit renewal request by Opera House Wine & Spirits, LLC
d/b/a Tire Shop Wine & Spirits at 601 W. Main Street

PRESENTER: Audra Garrett, City Clerk

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of Tastings Permit

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The renewal application is in order.
- Departmental reports are done at the time of renewal (July, 2013).
- Disclosure statements provided by Councilmember Miles and Councilmember Velasquez are attached.
- Appropriate renewal fee has been paid.



City of Trinidad
135 North Animas, P.O. Box 880
Trinidad, CO 81082
719-846-9843 719-846-4140 (fax)

City of Trinidad
 City Clerk's Office



- ❖ A TASTINGS PERMIT MAY BE ISSUED ONLY TO LICENSED RETAIL LIQUOR STORES AND LIQUOR LICENSED DRUGSTORES.
- ❖ ALL PROVISIONS OF THE COLORADO LIQUOR AND BEER CODE, THE ORDINANCES OF THE CITY OF TRINIDAD, AND LIQUOR AND BEER LICENSING BOARD RULES MUST BE FOLLOWED.

TASTINGS PERMIT APPLICATION

New Permit Application

Renewal Application

Permit Fee (annually): \$50.00

State License No. 42-82946

City License No. 905

The following must accompany the Tastings Permit Application:

- o \$50.00 Application Fee (payable to the City of Trinidad)
- o Completed Tastings Schedule
- o Written plan describing how the tastings event will be controlled and conducted in accordance with State Statutes and the City of Trinidad Municipal Code to include: 1) identification verification; 2) monitoring number of consumed samples by patrons; 3) indicate where the tastings will occur within the store; and 4) how unconsumed alcohol will be destroyed or removed from the premises.
- o List of individuals who will conduct tastings events and proof that these individuals have or will complete a server training program approved by the State Liquor Enforcement Division.

APPLICANT INFORMATION

1a. Name of Licensee: Opera House Wine & Spirits LLC

1b. Trade name of business (dba): DBA Tire Shop Wine & Spirits

1c. Address of business to be permitted (tasting must occur on the retail/drugstore licensed premises):
601 W. Main St.

1d. Mailing address: 601 W. Main Trinidad, Co. 81082

1e. Phone Number: 719-846-6200

OATH OF APPLICANT

I declare, under the penalty of perjury in the second degree, that this application and all attachments are true, correct and complete to the best of my knowledge, and I understand that any falsehood or omission will jeopardize this application and the city and State Liquor License currently issued to the above-named applicant, as such falsehood or omission within itself constitutes evidence regarding the character of the applicant.

Licensee Signature Carol Conetta Title Manager Date 2/7/13

PROPOSED SCHEDULE OF TASTINGS

Any deviation from the below listed dates/hours of tastings must be filed with the City Clerk's Office at least 30 days in advance of requested date/time change.

- Tastings may not exceed five (5) consecutive hours in duration per day.
- Tastings may occur only during the licensee's operating hours, but not before 11:00 a.m. or after 7:00 p.m.
- Tastings may only occur four (4) days in a week (Monday to the following Saturday).
- No more than 104 tasting days may be held per year.
- No more than four (4) individual samples (one ounce malt/vinous liquor may be served to a patron during a tasting day.
- Patrons may not leave the licensed premises with an unconsumed sample.
- All open and unconsumed samples must be destroyed immediately following completion of the tasting.

Tastings events will be conducted on the following days and hours:

	Date		From	To
1	Feb March	1	3 pm	7 pm
2		2		
3		8		
4		9		
5		15		
6		16		
7		22		
8		23		
9		29		
10	✓	30		
11	April	5		
12		6		
13		12		
14		13		
15		19		
16		20		
17		26		
18	✓	27		
19	May	3		
20		4	✓	✓

Tastings events will be conducted on the following days and hours:

	Date	From	To
21	May 10	3pm	7pm
22	11		
23	17		
24	18		
25	24		
26	25		
27	31		
28	June 1		
29	7		
30	8		
31	14		
32	15		
33	21		
34	22		
35	28		
36	29		
37	July 5		
38	6		
39	12		
40	13		
41	19		
42	20		
43	26		
44	27		
45	Aug 2		
46	3		
47	9		
48	10		
49	16		
50	17		
51	23	✓	✓

Tastings events will be conducted on the following days and hours:

	Date		From	To
52	August	24	3pm	7pm
53		30		
54		31		
55	Sept	6		
56		7		
57		13		
58		14		
59		20		
60		21		
61		27		
62		28		
63	Oct	4		
64		5		
65		11		
66		12		
67		18		
68		19		
69		25		
70		26		
71	Nov	1		
72		2		
73		8		
74		9		
75		15		
76		16		
77		22		
78		23		
79		29		
80		30		
81	Dec	6		
82		7		

Tastings events will be conducted on the following days and hours:

	Date	From	To
83	December 13	3pm	7pm
84	14		
85	20		
86	21		
87	27		
88	28		
89	Jan 3		
90	4		
91	10		
92	11		
93	17		
94	18		
95	24		
96	25		
97	31		
98	Feb 1		
99	7		
100	8		
101	14		
102	15		
103	21		
104	22		
105			
106			
107			
108			
109			
110			
111			
112			
113			

Copy of satisfactory completion/certificate of training for each individual conducting tastings (please attach copy)

State law requires tastings be conducted only by a person who has completed a server training program. In addition to satisfactory completion of the training program, the server must be a retail liquor store licensee or liquor licensed drugstore licensee, or an employee of a licensee, and may conduct tastings only on the licensee's licensed premises.

SERVER INFORMATION

Name of person (server) conducting the tastings: _____

Michelle Miles

Address of person (server) conducting the tastings: _____

219 S. Ash. Trinidad,

Phone number of person (server) conducting the tastings: _____

719-846-6200

SERVER INFORMATION

Name of person (server) conducting the tastings: _____

Carol Cometto

Address of person (server) conducting the tastings: _____

1620 San Luis Trinidad

Phone number of person (server) conducting the tastings: _____

719-859-1606

SERVER INFORMATION

Name of person (server) conducting the tastings: _____

Address of person (server) conducting the tastings: _____

Phone number of person (server) conducting the tastings: _____

SERVER INFORMATION

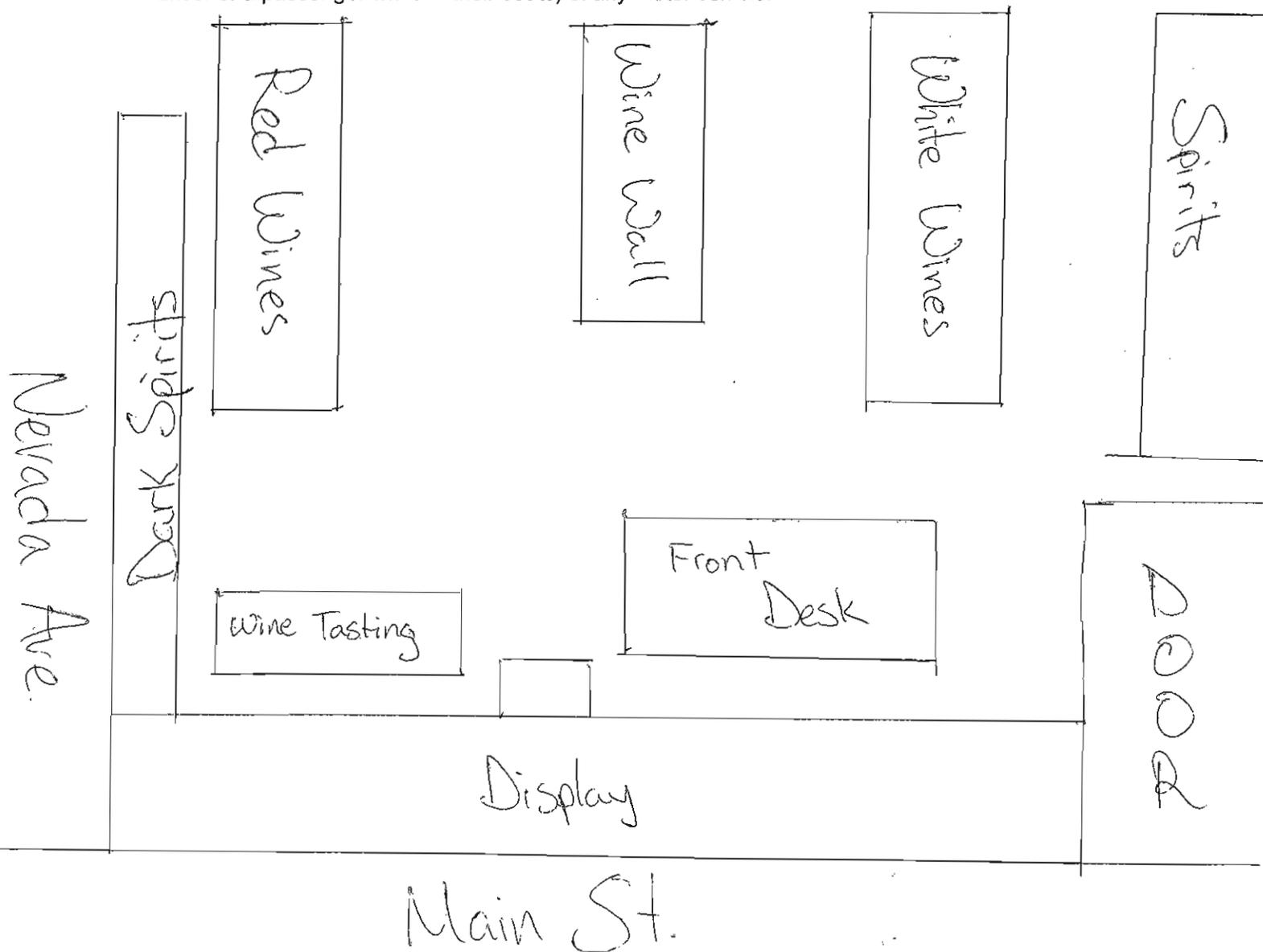
Name of person (server) conducting the tastings: _____

Address of person (server) conducting the tastings: _____

Phone number of person (server) conducting the tastings: _____

Written Plan For On-Premise Tastings

- 1) All patrons who appear to be aged 27 or younger will be asked to present valid government issued photo identification proving that they are at least 21 years of age.
- 2) The server, who will be TIPS certified, will keep track of the samples poured to ensure that no more than four 1 oz samples are consumed by each patron. A measuring device will be used for this purpose. Furthermore, no patron will be allowed to leave the premises with any unconsumed alcohol.
- 3) Tastings will occur at a table positioned in the Southwest corner of the store, facing the display islands for red wines.
- 4) Unconsumed alcohol will be poured down the drain or will be removed from the store by the store owner or an employee, but not in the passenger area (the area that seats the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seats) of any motor vehicle.



DISCLOSURE STATEMENT

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Linda Velasquez

12/4/12

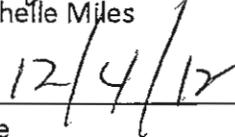
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Michelle Miles



Date



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 9

SUBJECT: Special event permit request by Trinidad State Junior College Educational Foundation, Scott Gymnasium, 600 Prospect Street, for March 9, 2013

PRESENTER: Audra Garrett, City Clerk

RECOMMENDED CITY COUNCIL ACTION: Consider approval of special event permit

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application is in order.
- Departmental reports from the Fire Department and Building Inspector indicate their approval. Police Department likewise recommends approval with adherence to the security plan.
- Disclosure statements provided by Councilmember Miles and Councilmember Velasquez are attached.
- Appropriate fees have been paid.

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

**IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT
 AND ONE OF THE FOLLOWING (See back for details.)**

- | | | |
|------------------------------------|--|---|
| <input type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input checked="" type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
 2110 MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
 2170 FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE Trinidad State Junior College Educational Foundation	State Sales Tax Number (Required) 06-01226-0000
--	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) 600 Prospect Street Trinidad, CO 81082	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) 600 Prospect Street Trinidad, CO 81082
---	---

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE Laura DeBella	[REDACTED]	[REDACTED], Trinidad, CO 81082	[REDACTED]
5. EVENT MANAGER Toni DeAngelis	[REDACTED]	[REDACTED] Trinidad, CO 81082	[REDACTED]

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____
---	--

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date	Date
Hours From	Hours From	Hours From	Hours From	Hours From
March 9, 2013				
From 4:30 p.m.	From .m.	From .m.	From .m.	From .m.
To 11:00 p.m.	To .m.	To .m.	To .m.	To .m.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE <i>Toni DeAngelis</i>	TITLE Executive Director	DATE 02/01/2013
------------------------------------	-----------------------------	--------------------

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY) Trinidad	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK (719) 846-9843
--	---	---

SIGNATURE	TITLE Mayor	DATE
-----------	----------------	------

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$.

A great place to start...



...or start over!

February 1, 2013

Colorado Department of Revenue
Liquor Enforcement Division
1375 Sherman Street
Denver, CO 80261

RE: Permission for Use of Premises and Security

To Whom It May Concern:

In reference to the Trinidad State Junior College Educational Foundation's request for a special events permit, this letter shall serve as notice that Trinidad State Junior College hereby gives permission for use of the Scott Gymnasium by the TSJC Educational Foundation for its upcoming social event on March 9, 2013. In addition, the College will work with its private vendor and/or the City of Trinidad for campus security for the above mentioned event.

Should you need further information, please contact me at 719-846-5541.

Sincerely,

A handwritten signature in cursive script that reads "Charles H. Bohlen".

Charles Bohlen
Interim President

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

TRINIDAD STATE JUNIOR COLLEGE EDUCATIONAL FOUNDATION

is a **Nonprofit Corporation** formed or registered on 01/12/1968 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871197913.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 01/30/2013 that have been posted, and by documents delivered to this office electronically through 02/01/2013 @ 08:56:13.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 02/01/2013 @ 08:56:13 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8450013.

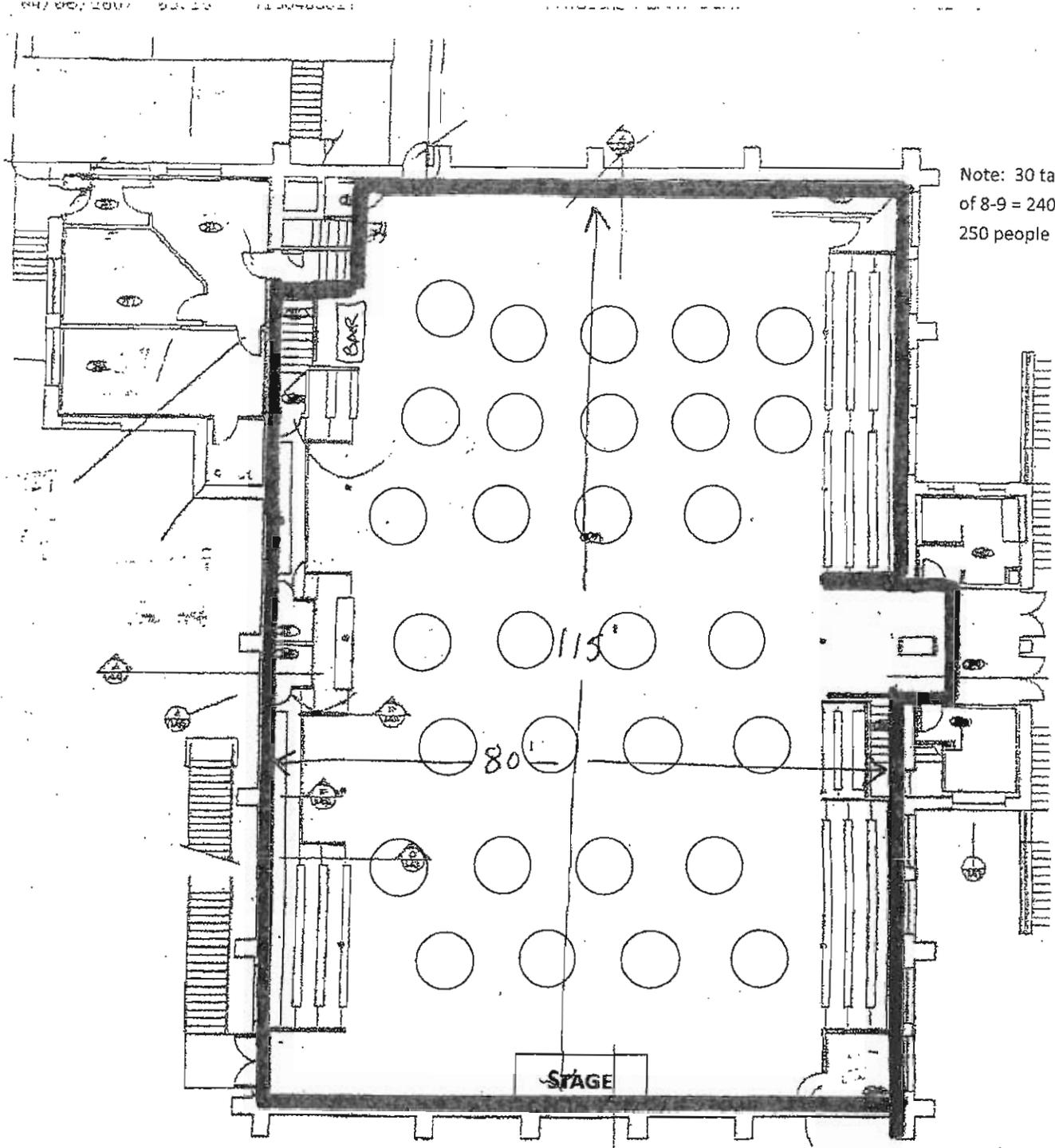


A handwritten signature in black ink, appearing to read "Scott Gessler", is written over a horizontal line.

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/bi-/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."



Note: 30 tables
of 8-9 = 240 to
250 people

SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



Higginbotham/Briggs & Assoc.
540 N Cascade Suite 300
Colorado Springs Co 80903.
(719) 473 7063
Scott Gymnasium Renovation T5JC

SCOTT GYMNASIUM
TRINIDAD STATE JUNIOR COLLEGE
TRINIDAD, COLORADO

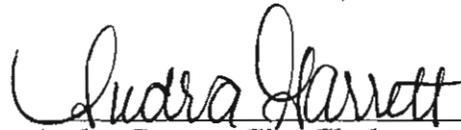
STATE OF COLORADO)
COUNTY OF LAS ANIMAS) SS
CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, and the ordinances of the City of Trinidad, Trinidad State Junior College Educational Foundation, 600 Prospect Street, Trinidad, Colorado, which business has applied for a Special Events Permit, to sell and dispense Malt, Vinous and Spirituous Liquors at 600 Prospect Street, Trinidad, Colorado, on March 9, 2013, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 4th day February, 2013.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 4th day of February, 2013.

CITY OF TRINIDAD, COLORADO



Audra Garrett, City Clerk

(SEAL)

2/4/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Trinidad State Junior College Educational Foundation

dba:

Address: 600 Prospect Street

Type of License: Special Event Permit – Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 19, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

Inspected OK

1-5-13
Date

Jeroy Xera
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2013

FIRE SAFETY PLAN
TSJC Educational Foundation
Fun & Friendraiser

Purpose:

To highlight both fire and safety plans in case of an emergency during the Special Event at Scott Gym on the TSJC Campus.

Preventive Measures:

A site plan and floor plan shall be submitted to the Fire Chief and the City Clerk.
The floor plan shall include:

- Exits
- Primary Evacuation Routes
- Location of Fire Extinguishers
- Occupancy Load (for inside building)

INSIDE THE BUILDING:

Fire Extinguishers shall be in place as required by NFPA 10 and the International Fire Codes as adopted by the City of Trinidad. Portable fire extinguishers shall be provided within a 50-foot travel distance.

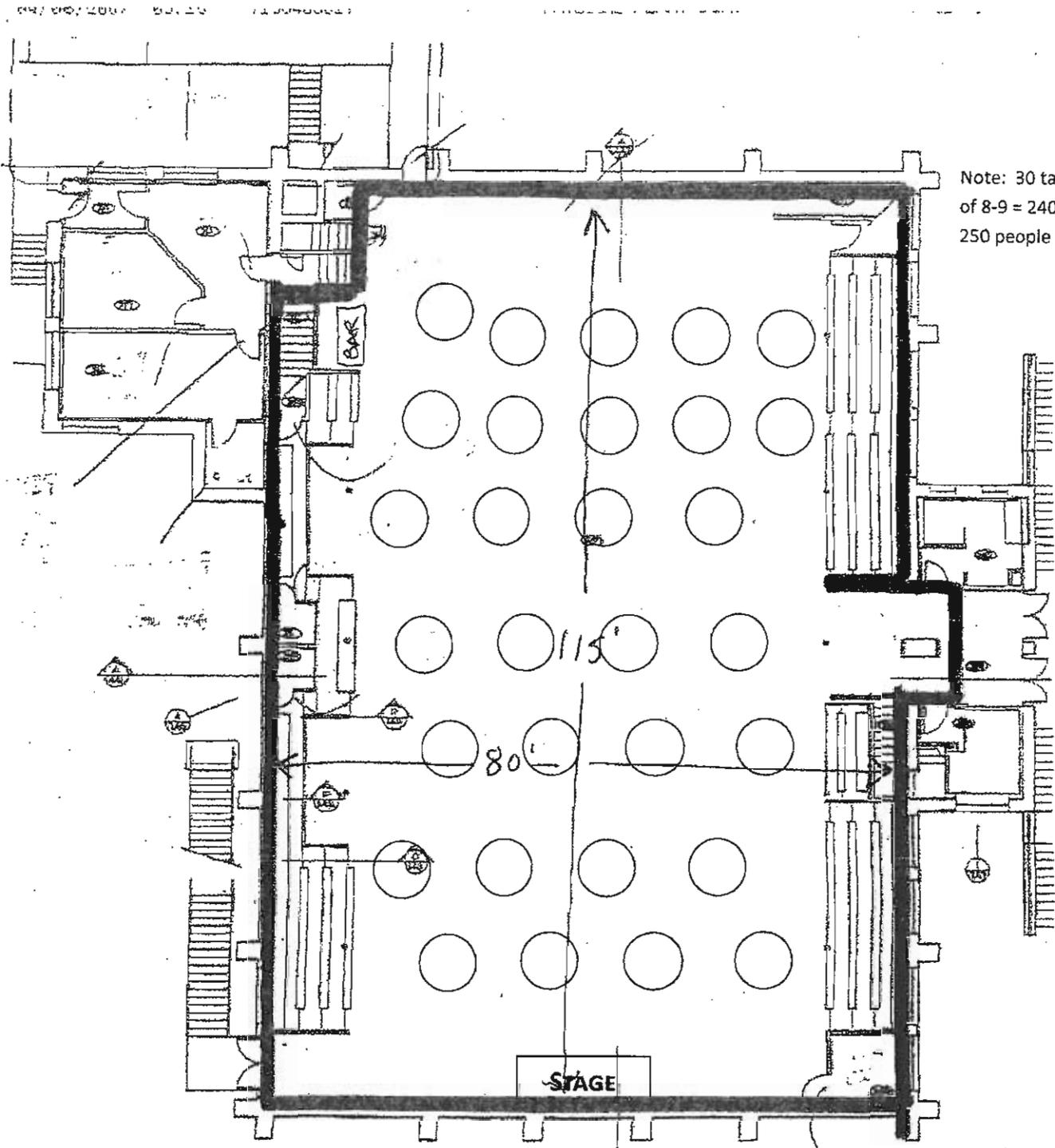
Exit routes shall be clearly marked. The means of egress, including exit discharge, shall be illuminated at all times the building served by the means of egress is occupied. The path of egress travel shall not be interrupted by any building element. Obstructions shall not be placed in the required width of means of egress.

The occupancy load of the building as determined by the Trinidad Fire Department will be strictly adhered to by the TSJC Educational Foundation and the TSJC staff and security.

Security for this event will be the responsibility of the TSJC Campus Security with additional assistance as needed by the City of Trinidad Police Department. The Trinidad Fire Department will not be on site but will be readily available in case of an emergency.

Submitted By: Toni DeAngelis
Toni DeAngelis, Executive Director

Approved By: Leroy Perea
Leroy Perea, Fire Chief



Note: 30 tables
of 8-9 = 240 to
250 people

SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



Higginbotham/Briggs & Assoc.
340 N Cascade Suite 300
Colorado Springs Co 80903.
(719) 473 7063
Scott Gymnasium Renovation, T51C

SCOTT GYMNASIUM

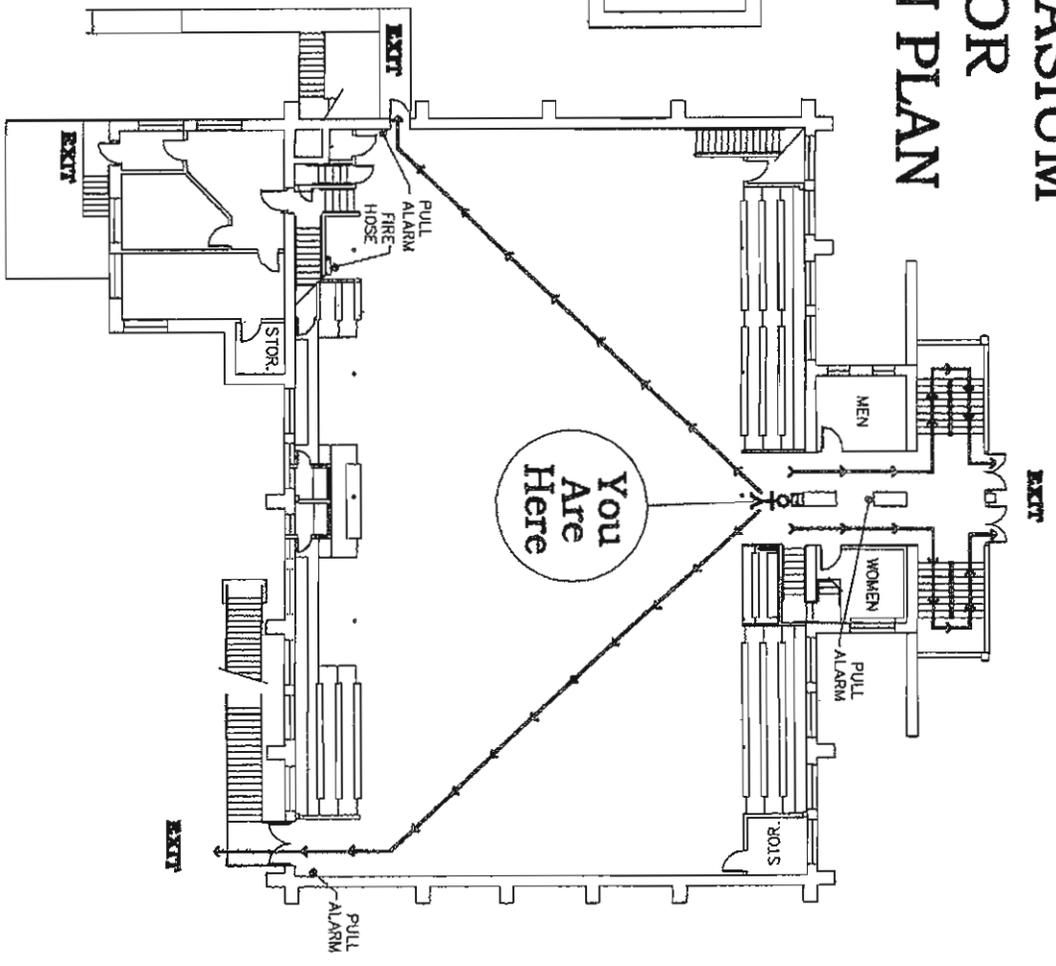
TRINIDAD STATE JUNIOR COLLEGE

TRINIDAD, COLORADO

SCOTT GYMNASIUM 2ND FLOOR EVACUATION PLAN

KEY

- FOLLOW EXIT ROUTE ARROWS
- FIRE EXTINGUISHER LOCATION
- PULL ALARM



2/4/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

2-5-13
1:30

Applicant: Trinidad State Junior College Educational Foundation

dba:

Address: 600 Prospect Street

Type of License: Special Event Permit – Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: February 19, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Approved

2-5-2013
Date

Chris S. Kelley
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2013

2/4/2013

**DEPARTMENTAL INSPECTION REPORT
3.2 % BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE**

Applicant's Name: Trinidad State Junior College Educational Foundation

DBA:

Business Address: 600 Prospect Street - Gymnasium

Type of License: Special Events Permit - Malt, Vinous and Spirituous

 Renewal Transfer Change of Location New X Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: February 19, 2013, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

Follow approved security plan. In addition, no one showing signs of intoxication may serve alcohol and servers must not consume alcohol.

2-14-13
Date

Charles J. DeLeon
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2013

Operations Plan
TSJC "Friends in Fun Fundraiser"

Date of Operation: March 9, 2013

Operational Period's: 1700-2300

Location of operation: TSJC Scott Gym

Operation Objectives: This is a fundraiser held by TSJC to raise funds for the TSJC Educational Foundation. During this event, a silent auction is held, along with guest speakers. A dinner will also be provided at a cost to the event guests. Alcoholic beverages will also be sold at this event. It is anticipated that approximately 200-250 guests will attend this event.

This event will be held on March 9, 2013 from 1700-2300 hours. It will be confined to the TSJC Scott gym.

Radio Frequency: TSJC Security will utilize cell phone communication for notification of TPD of any incident requiring the response of law enforcement to the event.

Handling of calls within operations area: Security for this event will be provided by the Trinidad State Junior College Security office. Two (2) security officers will be assigned to this event.

All calls for service will be handled by on duty police officers who will be summoned by TSJC Security officers.

Violation of Statute will be handled accordingly by TPD officers who will be contacted via police radio.

Personnel operating the bar will have received TIPS training. The BAR will require two (2) persons to operate the bar.

Personnel operating the bar should pay special attention to ensure that underage persons ARE NOT being served alcohol. Personnel will also ensure that overly intoxicated persons are not being served (As per CRS and Municipal Code). Any violations of the Colorado Beer and Alcohol Code and Trinidad Municipal Alcohol Code shall be immediately brought to the attention of security, who shall immediately notify TPD.

NO PERSON WHO IS NOT DESIGNATED AS A BAR EMPLOYEE WILL BE ALLOWED BEHIND THE BAR. Any unauthorized person found behind the bar will be removed from the Gym. Security will notify TPD for appropriate enforcement action. The event will have in place an accounting system for tracking all bar receipts and tip receipts. A "TIP" Jar will not be left where it can be accessed by unauthorized persons. TIP jars will be emptied and accounted for during normal cash drops.

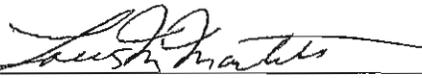
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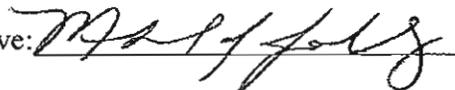
No person is allowed to bring alcoholic beverages into the gym area. No person is allowed to take alcoholic beverages out of the Gym area. Appropriate action will be taken for said violations.

Person(s) assigned to the BAR shall wear a distinctive colored shirt. This is so they can be easily identified as being authorized to work in the BAR area.

Operations area: The operations area of this event is defined as the confines of the main gym area of the TSJC Scott Gym. A TSJC Film crew will be on the upper level of the Gym. NO other persons will be allowed in this area. All access to these areas will be marked with signs and barricades to prevent access to the upper level of the gym. Access to the lower (locker room area) of the gym will also be marked with signage and barricade tape to prevent unauthorized access by guests.

A MAP is attached to this plan showing the location of the bar for this event.

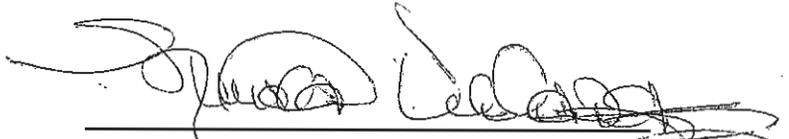
TSJC Representative:  Date: 2-12-2013

TSJC Representative:  Date: 2/12/13

TPD Approval: _____ Date: _____

DISCLOSURE STATEMENT

I, Linda Velasquez, hereby state and affirm that I am a member of Gino's Sports Bar, LLC, a Colorado limited liability company formed on September 9, 2011, whose principal office address is 310 Spruce Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Gino's Sports Bar, a tavern licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 991 E. Main Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 25% interest in Gino's Sports Bar, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.



Linda Velasquez

12/4/12

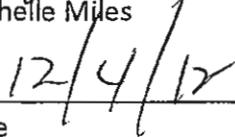
Date

DISCLOSURE STATEMENT

I, Michelle Miles, hereby state and affirm that I am a member of Opera House Wine & Spirits, LLC, a Colorado limited liability company formed on February 22, 2010, whose principal office address is 601 W. Main Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Tire Shop Wine & Spirits, a retail liquor store licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 601 W. Main Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 99% interest in Opera House Wine & Spirits, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.



Michelle Miles



Date



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 5

SUBJECT: Retail liquor store license renewal request by Luis A. Lopez II d/b/a Santa Fe Trail Hops & Vines at 1530 Santa Fe Trail Drive

PRESENTER: Audra Garrett, City Clerk

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of retail liquor store license

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The renewal application is in order.
- Departmental reports from the Fire Department and Building Inspector indicate their approval. Police Department reported no calls for service since their last renewal application was considered.
- Disclosure statements provided by Councilmember Miles and Councilmember Velasquez are attached.
- Appropriate fees have been paid.

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

SANTA FE TRAIL HOPS & VINES
 1530 SANTA FE TRAIL DR
 TRINIDAD CO 81082-3602

Fees Due	
Renewal Fee	\$227.50
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name LOPEZ LUIS A II		DBA SANTA FE TRAIL HOPS & VINES		
Liquor License # 42569490000	License Type Liquor Store (city)	Sales Tax License # 42569490000	Expiration Date 3/2/2013	Due Date 1/16/2013
Street Address 1530 SANTA FE TRAIL DR TRINIDAD CO 81082-3602				Phone Number (719) 846 7131
Mailing Address 1530 SANTA FE TRAIL DR TRINIDAD CO 81082-3602				
Operating Manager <i>Luis Lopez</i>	Date of Birth [REDACTED]	Home Address [REDACTED]		Phone Number [REDACTED]

1. Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *if rented, expiration date of lease March 2014
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

AFFIRMATION & CONSENT
 I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <i>Luis A Lopez II</i>	Title <i>Owner</i>
Signature <i>[Signature]</i>	Date <i>2-7-13</i>

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY
 The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For Trinidad	Date
Signature	Title Mayor
	Attest

2/8/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Luis A. Lopez, II

dba: Santa Fe Trail Hops & Vines

Address: 1530 Santa Fe Trail

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 19, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: minor violations - extinguishers

Recommend approval ->

Fire Dept will follow-up in 2 wks -

to insure compliance

2-14-13 _____

Date Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 14, 2013

2/8/13

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Luis A. Lopez, II

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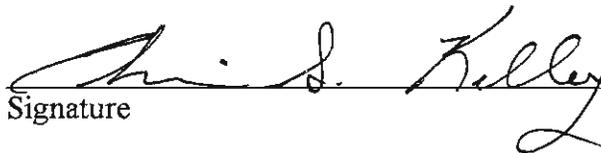
FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 19, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

2-13-2013
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 14, 2013

2/8/2013

**DEPARTMENTAL INSPECTION REPORT
3.2 % BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE**

Applicant's Name: Luis A. Lopez II

DBA: Santa Fe Trail Hops & Vines

Business Address: 1530 Santa Fe Trail

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: February 19, 2013, 7:00 p.m.

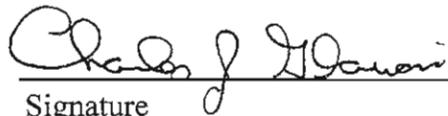
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

No records

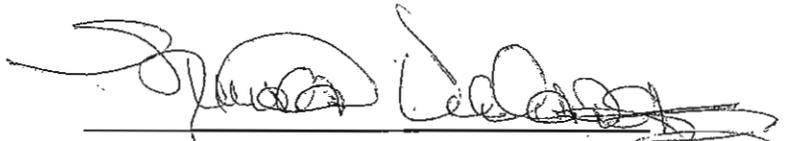
2-14-13
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 14, 2013

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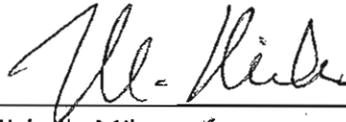
Linda Velasquez

12/4/12

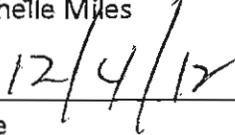
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Michelle Miles



Date



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Tom Acre, City Manager
DEPT. HEAD SIGNATURE: See attached memo
OF ATTACHMENTS: 1

SUBJECT: Consent and confirmation of City Manager Acre's designation of an Acting City Manager

PRESENTER:

RECOMMENDED CITY COUNCIL ACTION: Consider consent and confirmation of City Manager Acre's recommendation

SUMMARY STATEMENT: The City Manager has named two individuals to allow for continued staff development and to allow for some flexibility due to staff workloads and schedule. The City Manager will inform City Council and staff in advance who will be Acting City Manager as the need arises.

EXPENDITURE REQUIRED: No

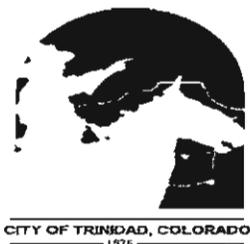
SOURCE OF FUNDS: N/A

POLICY ISSUE: This action by the City Manager and Council is required under Home Rule Charter Section 6.3.

ALTERNATIVE: City Council could provide direction that the City Manager name one individual to serve as Acting City Manager when required. If so desired, City Manager would name Planning Director Louis Fineberg.

BACKGROUND INFORMATION:

- Memo dated February 1, 2013 from City Manager Acre recommends appointment of Louis Fineberg, Planning Director, and Audra Garrett, City Clerk, as Acting City Manager pursuant to the requirement prescribed in Section 6.3 of the City of Trinidad Home Rule Charter.



City of Trinidad
Office of the City Manager
P.O. Box 880
Trinidad, Colorado 81082
Telephone (719) 846-9843
Fax (719) 846-4140
www.historictrinidad.com

MEMORANDUM

To: Mayor/City Council
From: Tom Acre, City Manager 
Date: February 1, 2013
Subject: Appointment of Acting City Manager

As prescribed by Chapter VI, Section 6.3 of our City Home Rule Charter, the City Manager is required to appoint who will be Acting city Manager in his/her temporary absence.

I propose to name Ms. Audra Garrett, City Clerk and Mr. Louis Fineberg, Planning Director as the individuals whom I will rely upon during any temporary absence or disability that would require an Acting City Manager be named.

I will alert City Council and Staff who is to perform that duty when it is needed. I am naming two so that I can give experience to multiple staff.

Thank you for your consideration.



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Louis Fineberg, Planning Dir.
DEPT. HEAD SIGNATURE: *[Handwritten Signature]*
OF ATTACHMENTS: 0

SUBJECT: Authorize Mayor’s execution of a letter of support for the “Fishing is Fun” grant application by the City of Trinidad

PRESENTER: Louis Fineberg, Planning Director

RECOMMENDED CITY COUNCIL ACTION: Authorize Mayor’s execution

SUMMARY STATEMENT: The grant is for funding for completion Reach 5 of the Purgatoire River Enhancement Project

EXPENDITURE REQUIRED: Yes, up to \$30,000 cash and/or in-kind

SOURCE OF FUNDS: Capital Improvements Fund

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The City of Trinidad in collaboration with Trout Unlimited will be implementing the project.
- The grant is through the Colorado Department of Parks and Wildlife.
- A \$6,900 in-kind contribution towards the City’s ‘up-to’ \$30,000 match is being made by the Purgatoire River Anglers’ Chapter Trout Unlimited.
- Additional funds towards the City’s match are being or will be solicited from Pioneer Natural Resources, Purgatoire River Water Conservancy District and possibly others.
- The Reach 5 of this project is adjacent to the Boulevard Addition Nature Park and will enhance access to the river and improve the fish hatchery and angler opportunities.
- The letter will be prepared and available at the meeting.

7g



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Louis Fineberg, Planning Dir.
DEPT. HEAD SIGNATURE: *Karen Casey*
OF ATTACHMENTS: 0 For L. Fineberg

SUBJECT: Authorize Mayor's execution of a letter of support for a Colorado Department of Public Health & Environment Recycling Resources Economic Opportunity Fund Grants Program application

PRESENTER: Louis Fineberg, Planning Director

RECOMMENDED CITY COUNCIL ACTION: Authorize Mayor's execution

SUMMARY STATEMENT: The grant is for funding Phase 1 of establishing a drop-off recycling facility

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Kelli VanMatre of Pur Recycling, Inc. wishes to apply for a CDPHE RREO grant to establish a privately-owned drop-off recycling facility located at Dochter Lumber, proximate to their water station.
- Alternatively, the City may pursue the grant. There would be no matching funds required.

7g



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 19, 2013
PREPARED BY: Les Downs, City Attorney
DEPT. HEAD SIGNATURE: *Les Downs*
OF ATTACHMENTS: 2

SUBJECT: Consideration of proposed dates of active suspension to be served by Mantelli Partnership d/b/a Mantelli's at 137 W. Main Street

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Consider proposed dates

SUMMARY STATEMENT: This item is a result of the Stipulation Agreement with Mantelli Partnership entered into on January 15, 2013

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The City Council as the local liquor licensing authority entered into a Stipulation agreement on January 15, 2013 (attached).
- A five-day active suspension was one of the agreed-to stipulations.
- The proposed dates are presented for Council's consideration by Ms. Pat Mantelli through her attorney, Rodolfo Reveles and the request was made within the 30 days of the signing of the Stipulation Agreement in substantial compliance with that stipulation.
- Please see the response to Stipulation Agreement #5 regarding the contribution to the City's non-profit fund.
- The first date being requested is February 24th. Therefore action should take place this meeting to either approve the proposed dates or deny the proposed dates and seek alternative dates.

Les Downs, City Attorney for
City of Trinidad as
Local Liquor Licensing Authority
135 North Animas
Trinidad, Colorado 81082
Ph: 719-846-9843 Fax: 719-846-4140

re: Mantelli Partnership 5 Day Liquor License Suspension and Charitable Donation

Mr Les Downs,

The stipulation entered into by Pat Mantelli on behalf of Mantelli Partnership dba Mantelli's, reads as follows

1. Mantelli's' agrees to and accepts a suspension of its liquor license for 5 days pursuant to the stipulation with the local liquor licensing board, the City of Trinidad. The City of Trinidad will approve the dates of closure . . .

Pat will begin her suspension on February 24th – February 28th subject to the City's approval. Please advise as Pat would like to get started on what is require of her a soon as possible.

The stipulation also reads:

4. Further, Mantelli's agrees that it will contribute \$1000.00 within 90 days of signing to a charity or non-profit designated by the City Council. The donation will be made to the City of Trinidad non-profit fund.

Pat is prepared to make that donation and to deliver that check to the City Clerk. She will execute a check to the City of Trinidad's Non-Profit fund.

Pat and I both thank you in advance for your time and attention to this matter.



Rodolfo Reveles, Attorney for License

Tuesday, February 12, 2013
Date

City of Trinidad as
Local Liquor Licensing Authority
135 North Animas
Trinidad, Colorado 81082
Ph: 719-846-9843 Fax: 719-846-4140

re: Stipulation to Renew Mantelli Partnership Tavern Liquor License and Offer to Resolve Liquor License Renewal

This confirms the agreement between Mantelli Partnership d/b/a Mantelli's and the City of Trinidad regarding an alleged liquor code violation by Mantelli's which holds a Tavern Liquor License at 137 West Main Street, Trinidad, Co. 81082.

The City of Trinidad alleges that Mantelli's violated Regulation 47-900, 1 CCR 203-2 by operating in a manner that adversely affected the public health, welfare, or safety of the immediate neighborhood in which the establishment is located, illustrated by a continuing pattern of criminal activity about or about July 29th, 2012 to August 15, 2012. The parties stipulate that the liquor license holder, without having actual knowledge, may be held to have had constructive knowledge of alleged drug activity because the holder's employee is alleged to have personally participated in several drug transactions. Such activity constitutes good cause, as that term is defined in C.R.S. § 12-47-103(9)(d), for suspension as permitted in C.R.S. § 12-47-601.

Mantelli's has received notice that a hearing will take place before the City Council on January 15th, 2013. Further Pat Mantelli on behalf of Mantelli Partnership d/b/a Mantelli's agrees to the City's proposal:

1. Mantelli's acknowledges and admits to the above referenced violation.
2. Mantelli's agrees to and accepts a suspension of its liquor license for 5 days pursuant to the stipulation with the local liquor licensing board, the City of Trinidad. The City of Trinidad will approve the dates of closure to be provided to the City by Mantelli's within 30 days of the signing of this agreement.
3. Mantelli's agrees to an additional 25 day suspension for the violation that occurred between July 29th, 2012 to August 15th, 2012.
4. Mantelli's agrees to accept the City of Trinidad's offer to hold the above-described 25 day suspension in abeyance until December 31st, 2013. The 25 day suspension may be imposed along with any other penalty that may result from any other liquor code violation that may occur until December 31st, 2013.
5. Further, Mantelli's agrees that it will contribute \$1000.00 within 90 days of signing to a charity or non-profit designated by the City Council. The donation will be made to the City of Trinidad non-profit fund.

January 14, 2013

Page 2

- 6. Mantelli's agrees not to request a liquor license transfer any sooner than December 31st, 2014.
- 7. Mantelli's vows to cooperate with the City to eliminate loitering in front of the bar acknowledging, that this space is public and the legal responsibility of the City.
- 8. Mantelli's understands that it is entitled to a hearing and representation of legal counsel, and that Mantelli's has made a fully informed waiver of its right to a hearing.
- 9. In exchange for and subject to the above the City Council of the City of Trinidad agrees to renew Mantelli's Tavern Retail Liquor License.

Bernadette Bucal Gonzalez
 Authorized Agent for City of Trinidad,
 Local Liquor Licensing Authority

1-15-2013
 Date

R Reveles

 Rodolfo Reveles, Attorney for License

Monday, , January 14, 2013
 Date

Pat Mantelli
 Pat Mantelli for Mantelli Partnership d/b/a Mantelli's

1-14-13
 Date

State of COLORADO)
)ss.
 County of LAS ANIMAS)

Subscribed and sworn to before me this 14th day of January, 2013, by

Pat Mantelli

WITNESS my hand and official seal.

My Commission expires: 9/6/14

Annette Girou
 Notary Public

(SEAL)