



CITY OF TRINIDAD
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad,
Colorado, will be held on Tuesday, February 18, 2014 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**, Regular Meeting of February 4, 2014
- 3) **PUBLIC HEARING**
 - a) Transfer of ownership of a retail liquor store license filed by Elizabeth Jameson d/b/a Drop City Liquor at 155 Elm Street (formerly Johnny M. & Elizabeth A. Jameson d/b/a Drop City Liquor)
- 4) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 5) **COUNCIL REPORTS**
- 6) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 7) **UNFINISHED BUSINESS**
 - a) Public hearing for consideration of an ordinance adjusting the City of Trinidad landfill fees
 - i) Second reading of an ordinance adjusting the City of Trinidad landfill fees
 - b) Public hearing for consideration of an ordinance revising the City's water rate schedule and the City's plant investment fees
 - i) Second reading of an ordinance revising the City's water rate schedule and the City's plant investment fees
 - c) Public hearing for consideration of an ordinance adjusting the City's rates for sewer service
 - i) Second reading of an ordinance adjusting the City's rates for sewer service
- 8) **MISCELLANEOUS BUSINESS**
 - a) Special event permit request by Trinidad & Las Animas County Chamber of Commerce at 150 E. Main Street for March 8, 2014 (A. R. Mitchell Museum for the Philanthropy Fair & Community Celebration)
 - b) Retail liquor store license renewal request by RJ Sales, Inc. d/b/a RJ's Discount Liquor at 2132 Freedom Road
 - c) Tastings permit renewal request by Opera House Wine & Spirits, LLC d/b/a Tire Shop Wine & Spirits at 601 W. Main Street
 - d) New hotel and restaurant liquor license application filed by Ristras Restaurant & Cantina, LLC at 516 E. Elm Street
 - e) Resolution supporting application to the Great Outdoors Colorado Paths to Parks Land Acquisition Grant Program to obtain funding to acquire approximately one hundred fifty (150) acres of land along the Purgatoire River between the City of Trinidad and Trinidad Lake State Park for the purpose of establishing the Old Sopris Trail
 - f) Authorize execution of a letter of support for the Fishing is Fun Program Grant for Purgatoire River Reach 5 Habitat Improvement Project

8) **MISCELLANEOUS BUSINESS (cont.)**

- g) Resolution supporting application to the Great Outdoors Colorado Local Government Park, Outdoor Recreation and Environmental Education Grant Program to obtain funding to make renovations and additions to Central Park
- h) Resolution adopting the City of Trinidad Old Sopris Trail Master Plan
- i) Consideration of Addendum to Contract with Black & Veatch for the Engineering Design of the Water Treatment Plant Improvements
- j) First reading of an ordinance repealing and re-enacting Section 9-4 of the Trinidad City Code for the purpose of prohibiting the issuance of a business license to any person seeking to carry on or engage in any business within the corporate limits of the City of Trinidad that is in violation of any law of the State of Colorado, and setting a hearing date for consideration of said ordinance
- k) First reading of an ordinance establishing regulations and licensing requirements for medical marijuana businesses, and setting a hearing date for consideration of said ordinance

9) **BILLS**

- 10) **PAYROLL**, February 1, 2014 through February 14, 2014 and February 15, 2014 through February 28, 2014

11) **ADJOURNMENT**

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, February 4, 2014, at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

The pledge of allegiance was recited.

APPROVAL OF THE MINUTES. Regular Meeting and Special Meeting of January 21, 2014 & Special Meeting of January 30, 2014. A motion to approve the minutes as presented was made by Councilmember Bolton and seconded by Councilmember Miles. The motion carried unanimously upon roll call vote.

PUBLIC HEARING. Appeal from a decision of the Planning, Zoning, and Variance Commission filed by Lex and Alyce Vollmer, Application #2013-15, request for variance to place an accessory structure with a 4/12 roof-pitch and to exceed the allowable square footage of accessory structures, located at 203 E. North Avenue. Mayor Reorda declared the public hearing open. Lex Vollmer, 203 E. North Avenue, addressed Council and provided them with exhibits. He pointed to the first page which was a list of variances over the past four years, 29 approved and three denied. Mr. Vollmer said he is one of the three denied. One other that was denied was for a tool shed that was to be placed in a power easement and the other was a carport that would have taken up 100% of that person's property. He said he thinks the Planning, Zoning and Variance Commission erroneously did not apply the law and the same standards with all applicants, as they had two other applicants seeking the same variance under the same conditions. Mr. Vollmer told Council that initially he had applied for three variance requests, requesting placement of a manufactured shed with less than a 6/12 roof pitch in his five foot residential setback and to exceed the allowable square footage of auxiliary structure located at 203 E. North Avenue. He said he was denied based on his failure to meet the five criteria under Section 14-118 of the City's Code. However, he stated that Geraldine and Orlando Coca on September 10, 2013, came before the Planning & Zoning Commission with the same three variance requests for placement of a manufactured shed at 1101 Stonewall Avenue and were granted all three variances in less than nine minutes. They were also never asked about the five criteria, 14-118, or any hardship. He referred Council to the next page of his exhibit which were the minutes of the Orlando Coca hearing. He read from the minutes that "Commissioner Winter stated with the placement of the building and the slope, the water would run down and be no problem." "Commissioner Eberhart stated the improvements Orlando Coca did to his property were great and sometimes the Commission often gets too picky." Mr. Vollmer said this was all based on exactly the same things that he wanted. He reiterated that Mr. Coca's variances were granted in nine minutes. The following page he pointed to was the copy from the Planning Department okaying his variances. The next page is his building permit. Following that were pictures of his property with the structure itself. It is a metal building with a metal roof. It matches his house with the red roof. He said his variance request compared to Mr. Coca's request was like for like. It had the same zoning and existing properties. Mr. Coca's property is considered an oversized property whereby he has 0.949 acres, the existing land use is residential and the surrounding land use is also residential. The zoning is ELDR, (Established) Low Density Residential at 1101 Stonewall Avenue. Mr. Vollmer compared that he is at 203 E. North Avenue and has an oversized lot, at 1.3 acres or 60,113 square feet. The existing land use is residential and the surrounding land use is also residential. His property is likewise zoned ELDR, Low Density Residential. He said he was told if he gave up one of his variances, the two feet into the five-foot setback, the other variances would be miniscule. He said he is only over by 1,000 square feet. Mr. Coca is over by about 84 square feet, but it is about the same over the square footage. Mr. Vollmer continued that when he was denied at the first hearing he was asking to place the manufactured shed in the five foot residential setback with less than a 6/12 roof pitch and exceeding the allowable square footage. Mr. Vollmer said his hearing took 75 minutes whereas Mr. Coca's took nine minutes. During the hearing Diane Santistevan, the woman who owns the neighboring property, appeared in front of the Commission and said that on the side of his property there was a road and she had plans for a subdivision. Mr. Vollmer said he researched everything with the Planning Department and learned that all she had was an eight-year old proposal that was never completed and never had a platted road. There was never anything built in there. He reiterated that she showed the Planning Commission an eight-year old proposal which included City View Height 3. She put in a curb cut to put the road down the side of the property and it never was approved. Rosita Avenue stops almost sixty feet on the other side of his property. He showed Council two pictures at 203 E. North Avenue, one from 1980 and the other from 1948. In 1980 Rosita and Camillus were not even there yet. The map in 1948 showed a whole lot where all of the subdivisions were there. He pointed to where his property is and said it shows San Pedro and Camillus. Those roads were deeded rights-of-way in 1906. Rosita never was a deeded right-of-way. He added that the proposal was eight years old but Ms. Santistevan didn't even own the property until 2013. She claimed to have approved plans. It was an as-built that she did and she wanted to have the road go there. Eight years have gone by and the Planning Director assured him that road couldn't be located there now. It is not a platted road. She purchased bulk land. She wanted the variances denied stating that the road was there and there was going to be a sidewalk there and her concern was that his building would shed water and snow onto the sidewalk, being two feet closer, which would put people in danger and come back on her. He pointed out that once a development is done it becomes City sidewalk, no longer hers. There's a five-foot differential from his fence and her property. There's no way she could have a sidewalk there without filling the whole 2.5 acres five foot, or digging down and taking all of it out. Mr. Vollmer said everything she was saying during that hearing was false. Commissioners Leone and George both said it was a road because they have seen it on maps. Commissioner Winter asked him about the water shed during the Planning Commission hearing. Mr. Vollmer said he told him that the natural water shed comes from the back and runs to the front, exactly like Mr. Coca's property. At the Orlando Coca hearing Building Inspector Chris Kelley assured Commissioner Leone that a 4/12 roof pitch met all of the snow and wind loads. Commissioner Leone asked Planning Director Fineberg if in the future there's a road there if we can't have this building there because it will interfere with the sidewalk. He again

stated that it has been eight years since anything was done there and said it is not fair to hold his life up for something she may never do. He concluded that he feels the Planning Commission really didn't treat him fairly. Mayor Reorda asked the purpose of the proposed building. Mr. Vollmer answered that it is an auxiliary building to keep equipment out of the weather. He said it is another like for like with respect to Mr. Coca's property in that he put up a privacy fence around his house, just as Mr. Vollmer has. They both have garages, gated entry ways, and they both the auxiliary buildings. He said the situations are so like for like that you could white out the names and not be able to know the difference in the applications. He showed pictures of the neighborhood and said that Diane Santistevan stated that the reason all of her modular homes in the development have less than a 6/12 roof pitch is because she had a blanket variance. He asked if she can have that, why can't he? He reiterated that the Building Inspector says it meets the wind and snow loads. Planning Director Fineberg asked Ms. Santistevan to present the blanket variance, the plans, and the permits but she couldn't. The pictures he showed he said were all taken in the neighborhood and their addresses are on them. All of them have less than a 5/12 roof pitch. One of her big objections was that the building was going to have a metal roof. In a two-block area there are 21 metal roofs in his neighborhood. One of Ms. Santistevan's other objections was that she said the building didn't conform with the neighborhood. He pointed to her subdivision, the second street up in that neighborhood is M & M Towing which is a metal building. That's what you can see from the middle of her subdivision. It is a metal building, so it does conform; there are metal buildings in the neighborhood with metal roofs. There's also one in Mr. Coca's neighborhood. Mr. Vollmer said he's spent months waiting and didn't feel that the Planning Commission did him a square deal. He added that he's incurred costs. He requested Council to consider allowing his original request to encroach on the setback as well. It will cost him \$3,000.00 to move the driveway, fence and garden walls. He said he did it to be a good neighbor but Ms. Santistevan only gave lies and deceit through this whole thing. He pointed to Orlando Coca in his accompaniment and reiterated that Mr. Coca has the same building that he wants. He said he doesn't know why Mr. Coca got preferential treatment over him. Councilmember Mattie asked Mr. Vollmer to place one of the pictures within the map he provided in his exhibit for a clearer visual. Mr. Vollmer told Council that Commissioner Glenn Davis asked Planning Director Louis Fineberg if there's anything in the City's code that deals with a property over 12,000 square feet. There is nothing in the code that deals with a property over 12,000 square feet. He said since his property is 60,113 square feet, being 1,000 feet over for his building is miniscule. Councilmember Miles stated that as she understands it there are three issues - the setback, the roof pitch and the overage. She asked if he is willing to go the five foot back. Mr. Vollmer said he's asking for the original three foot setback; it would save him \$3,000.00. If that can't happen he said he would take the two. Councilmember Miles asked regarding the overage, if he's saying it is very minor. Mr. Vollmer said it is approximately 1,000 square feet. Councilmember Miles said the Planning Commission minutes talk about with this 1,500 square foot structure, the overage would come to 4,500 square foot. Mr. Vollmer corrected that to be the total, but he gets 75% overage. He would be 1,000 square foot over the allowable square footage for the auxiliary building with the house factored. Councilmember Miles asked how much outside of the guidelines he was requesting. Mr. Vollmer answered that he's requesting 1,000 square foot on his 60,113 square foot property. Mr. Coca was 84 square foot on his 0.49 acre property. Councilmember Miles asked if he's saying that his 1,000 square foot request is proportionally equal to Mr. Coca's overage. Mr. Vollmer answered affirmatively. Councilmember Miles asked if anyone oppose Mr. Coca's variance request. Mr. Vollmer said no one did. Councilmember Miles pointed out that the Coca request wasn't controversial. Mr. Vollmer said he proved without a doubt that the road Ms. Santistevan referred to doesn't exist, never did exist and never will exist. He said when he tried to nicely explain that he was told that wasn't why he was there, but it was why he was there. This was her whole premise. She was going to have a sidewalk up on a five-foot cliff and a 60 foot road. She came to him and said she would have started her subdivision but they shut down the government and it stopped her. City Attorney Downs asked if he's correct in that Mr. Vollmer originally submitted a variance applicant and it was turned down and then he re-submitted this application. Mr. Vollmer said that is correct. He was going to come to a hearing after he was first denied, but was advised by the Planner and other people to take out the setback request and they could 99% guarantee him that he would get the other two variances. City Attorney Downs confirmed that he did in fact withdraw the setback variance request. Mr. Vollmer said that was Ms. Santistevan's big deal. City Attorney Downs clarified for Council that there are two variances they are considering, the oversized structure and the roof pitch. He said he is not here to support or oppose the appeal. There are five criteria in the code that the Planning, Zoning and Variance Commission need to consider for granting of variances. He asked Mr. Vollmer if it is fair to say that he feels he met those five criteria for the two variances. Mr. Vollmer responded affirmatively, adding that Mr. Coca has the same thing he does. If Mr. Coca met the criteria, so should he. City Attorney Downs confirmed with Mr. Coca that his address is 1101 Stonewall. He asked if it is fair to say that the photo shows the property the way it looks now, more developed. Mr. Vollmer said yes, he has fixed a lot up. City Attorney Downs asked if there are many other residents in the area. Mr. Vollmer said it is developed. There is City View Heights 1, 2, 3, 4 and 5. She's looking at doing 6. This neighborhood is just like Mr. Coca's neighborhood. Mayor Reorda asked Mr. Vollmer if his property is in Ms. Santistevan's development. Mr. Vollmer said Ms. Santistevan worked for the developer of City View Heights. City View Heights 1, 2, 3 and 5 are built; 4 and 6 are not. He said he is next to 6. She has no development. She bought the property on a tax sale - ten lots and interest in two additional lots for \$1,000.00. She just took possession in 2013. Councilmember Bolton asked Mr. Vollmer to clarify that his lot is not part of City View Heights; it is adjacent to it. Mr. Vollmer said that is correct. His lot is next to the development. Mayor Reorda asked Planning Director Fineberg why one hearing took nine minutes and the other 90 days. He asked him to explain what transpired when Mr. Vollmer re-applied removing one of the variance requests. Planning Director Fineberg said after Mr. Vollmer's first request for three variances it seemed clear that the setback variance request was the major issue. He said he recommended to Mr. Vollmer that he withdraw the setback variance request and move the structure out of the setback. He said he then felt Mr. Vollmer had a good chance to be approved for the other two variances based on the Planning Commission's prior actions. City Attorney Downs asked if Ms. Santistevan's development was ever approved. Planning Director Fineberg said that the subdivision received preliminary approval. In order to become a reality it needed to have final approval within one year, which it did not and was not therefore recorded. He confirmed the original proposal was received about eight years ago. City View Heights has different phases. Several phases were built and several were not. This was one that seemed to have been started but never finished. He added that he told the Commission the subdivision adjacent to Mr. Vollmer's property shouldn't be a consideration in their decision on Mr. Vollmer's variance requests. It's not a road; there's nothing that says the right-of-way was ever platted. Councilmember Miles asked if she's correct that without a platted road the setback issue doesn't exist. Planning Director Fineberg answered that it does exist. Every structure in a residential zone has to be a certain distance from the property line. Councilmember Miles asked the significance of the road being platted. Planning Director Fineberg said one of Ms. Santistevan's arguments was that ice could fall off the building to the sidewalk that would be located next to the road if the building is allowed to be placed in the setback which would present a danger. But, one can't assume there will be a sidewalk there. A person can't be held to a

standard for something that may be in the future. He said he didn't feel that was fair to the applicant. Mayor Reorda asked his recommendation. Councilmember Mattie asked if he understood correctly that Mr. Vollmer withdrew his original request to be more compliant with the requirements. Planning Director Fineberg said that was correct. Mayor Reorda reiterated that he was told there was a 90% chance it would pass. Planning Director Fineberg said he felt that was the major issue. He added that the criteria that need to be addressed set an extremely high standard if they are followed to the letter. He said he believes virtually no variances would be approved. One question is whether the hardship is created by the applicant. That sets a high standard, but there is a subjective element to them. Based on previous decisions, he didn't like there was anything extraordinary with Mr. Vollmer's request. If you follow the letter of the questions/criteria, he said he believes the Planning Commission made the right decision. Mayor Reorda suggested the fact that Mr. Coca was approved has something to do with it. Planning Director Fineberg answered that he could only speculate. Councilmember Miles opined that it seems it is easier to follow the letter of the law when no one is opposing it – there's no hardship. She asked what the hardship is. In reading the minutes all she saw was something about impeding views. Planning Director Fineberg said that may have been one of Ms. Santistevan's complaints. Hardship in the sense of a variance refers to an unusual circumstance on one's property that sets it apart from other properties, like an irregularly shaped lot. Councilmember Miles confirmed the hardship is to the applicant. Planning Director Fineberg said one of the other criteria states that it needs to be the minimal variance to achieve what's desired. In the case of Mr. Vollmer's setback, he has a very large property. He could put the structure five feet away from the property line. He can move it, so he should. Councilmember Miles asked if the overage is an issue in Planning Director Fineberg's mind. He answered that there's a requirement in the Code that says you can't have a total square footage of accessory structures that exceeds 75% of the square footage of the main structure. He explained the reason that exists is to avoid too much impervious surface on a lot that would create runoff problems. He added that he thinks it is intended for 6,000 square foot lots. In the case of a 1.38 acre lot it is less relevant. Through discussion, it was determined that the overage of the proposed structure will be roughly two times what the Code allows. Councilmember Miles said that Mr. Vollmer claimed his overage is comparable to that of Mr. Coca's. Planning Director Fineberg said it is in terms of percentage. However, that's not how the code reads. Councilmember Miles commented that two times the amount allowed seems like a lot. Planning Director Fineberg said when you consider the size of the property he didn't think it was excessive, but he needs a variance. Councilmember Mattie asked if anyone from the Planning Commission was present to speak. Planning Commission Chairman Glenn Davis was present in the audience. He said he was happy to answer questions but was not there to give testimony and not prepared to do so. Mayor Reorda opined that the fact that Planning Director Fineberg told Mr. Vollmer that his chances of getting the second variance was 90% suggests his opinion that Mr. Vollmer has a good case. City Attorney Downs made Council aware of the fact that they have up to 30 days to render their decision. Councilmember Bolton, after confirming that the balance of Council was ready to render a decision, stated that after reviewing the materials provided, it appears that the Planning, Zoning and Variance Commission set a precedent in allowing a similar variance on Stonewall Avenue, and moved to approve Mr. Vollmer's application, reversing the decision of the Planning Commission of December 10, 2013. The motion was seconded by Councilmember Miles and carried unanimously excepting Councilmember Bonato who abstained from the vote.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. Cathleen Roth addressed Council regarding the zoning code and law enforcement. Ms. Roth said she moved to the Trinidad area roughly 13 years ago. Small-town living seemed attractive to her to raise her daughter on her own. She continued that she has worked hard to build a life here and has had to deal with some unfavorable situations over the years. However she said nothing compared to the one in depth and severity to the one she faced from last fall to the new year. She explained that someone set up residence behind her house in a camper belonging to an out-of-state property owner who grew up on her street. There are no utility services on the property which legally prevents anyone from living there. Numerous attempts to involve the various entities such as City planning, building, management, law enforcement and code enforcement didn't yield any results. City officials were well of the zoning and code violations on the property itself, as well as criminal violations including trespassing and theft. Ms. Roth said she become increasingly more concerned about what seemed like a thin level of protection for citizen's property as well as for their safety and welfare. After exhausting multiple efforts to achieve some resolution, she said she contacted the Mayor who didn't hesitate to take action. The matter was resolved within a few days. This was not solely her problem; it was a community problem. She asked how many more citizens were victimized and damaged by a lack of response. Ask yourself if you would like this type of activity to occur outside the bedroom window of your daughter, granddaughter, sister or niece, mother or grandmother. How can we make Trinidad a town of choice where those who are willing to invest hundreds of thousands of dollars may not have their assets and wellbeing protected? People are obligated to do their job. This was criminal activity at the felony level that continued because people failed to do their job. The agencies involved need to take a more determined approach. Interagency cooperation must supersede interagency pass-the-buck mentality. Thorough and professional intervention would have prevented a long standing history of on-going predatory and criminal types of practices. Complacency and apathy, circumventing responsibility and not following proper protocol on the part of City officials are not acceptable traits to hard-working, taxpaying citizens. Ms. Roth said she is eternally grateful to Mayor Reorda – until he was approached, no one else seemed to care. If not for him this might still be going on. Councilmember Miles said she was approached on this subject about three weeks ago. She said she talked to City Manager Acre and asked him to look into it, expressing how threatened Ms. Roth felt. She asked what happened. City Manager Acre said Planning Director Fineberg may have to fill in the gaps. The City doesn't have records that date back as far as she says she initially complained. He said he thinks staff acted pretty quickly. Mayor Reorda said it was five months later and Ms. Roth followed protocol. She contacted all of those people, prior to contacting him. The police didn't make a record of it. The Code Enforcement Officer told Planning Director Fineberg he had to write a letter to the police department so they could take it to the property owner. In less than five days everything was resolved. Councilmember Miles said she reported the matter one day after she spoke to Ms. Roth to City Manager Acre. Ms. Roth was supposed to make an appointment to see City Manager Acre. She asked if she had. She noted that she asked City Manager Acre to make this a priority to listen to her given the severity of the injustice. Ms. Roth said she did talk to City Manager Acre. Initially when she called he was out of town and she approached the Councilmember Miles thereafter and then the Mayor after that. Councilmember Miles asked if she approached the City Manager. City Manager Acre said the first time he heard from Ms. Roth was the same night he heard from the Mayor. Councilmember Torres asked what approach the police took on this five months ago. Ms. Roth said she called the police and had two officers come to the property who confirmed and substantiated that there was trespassing and theft. There was no police report generated and no citation issued. She said she went back to talk to the Chief of Police to follow up and find out why this was continuing. She said she first called the City in the fall to ask about someone setting up residence in a camper to confirm it wasn't legal. She said she had no results with the first two to three people she pursued in

order to get this resolved. Councilmember Torres asked how many times she contacted the police. Ms. Roth said she called when she knew they could follow the tracks in the snow that led to her daughter's bedroom where they were taking water. Councilmember Bolton said she learned of this last week and was sorry Ms. Roth had to suffer unnecessarily for so long. Ms. Roth said she had to work hard to be comfortable on her own and taking care of her daughter. The course of events changed this. Mayor Reorda stated he called Planning Director Fineberg to ask where the letter was and was told he couldn't talk to him; he had to ask permission from the City Manager to talk to him. Planning Director Fineberg said the Mayor called him yelling at him. Mayor Reorda asked what happened to the letter. Asst. Planner Karen Wolf answered that it was sent. Planning Director Fineberg added that the Planning Department was notified two days before of the Mayor's call to him. They didn't know five months before and they acted very quickly. Councilmember Bonato asked if the problem has been resolved. Ms. Roth said it was resolved as far as the removal of the problem, but is not quite over.

Tom Murphy signed in to speak but said he wished to pass to the next regular meeting.

Dan Ruscetti, who also signed in, asked to be heard after the first reading of the tipping fee ordinance.

Tom Poss addressed Council. He said he has a lot of things to complain about and he wants people to know who he is. He reminded that he ran for City Council and lost. Mr. Poss stated that there is corruption in the City and a lot of things going on. He said he feels like he lost the election because people don't know him. He continued that he went to school here, the 7th and 8th grade and then graduated high school here. He played sports. Mr. Poss said he considers this his home town. He left after high school for 48 years and he named a number of jobs he held in that time. He said he wanted to come back to Trinidad to retire and die here. The population was 11,000 when he left, but it was way down when he came back. He tried to move last year because he got sick of Trinidad because of how it was being run, and he's still planning on moving unless things get better here. Mr. Poss said he has a daughter on the National Honor Society in Hoehne and a son in the ninth grade who will be in the National Honor Society in the tenth grade. There were two houses for sale in Allendale when he moved here. Now there are a lot of them for sale. He said he works at Walmart twelve hours per week and talks to people. Over one year ago people were asked about Council. Sixty-nine percent said to get rid of the bums. He said he doesn't understand the people of Trinidad. There's one person on Council who had an agenda because her building was pink. The incumbents were re-elected. Anthony Mattie is smart. Bernadette Baca Gonzalez didn't listen to him much. He said there's many things he wants to do for the City before he moves and he will bring one up at a time from here on out, so they will see him at the Council meetings. Councilmember Torres said her pink building is not why she ran. She said she has a 25-year vested interest in Trinidad and has three businesses in the community. She concluded that she employs a number of people and pays taxes in the community.

City Manager Acre pointed out that the public hearing for the landfill fees will be at the next reading and Council shouldn't take comments after first reading this evening. Dan Ruscetti addressed Council and identified himself as the owner of Rightway Disposal, and said he was addressing them concerning the raising of all of the fees as a citizen and long-time resident and business owner. Mr. Ruscetti told Council it is the wrong time to raise rates. He said he knows the City is broke and needs to do it, but business owners can't pay the fees right now. Residents are dumping their trash in business owners' containers. At a previous work session City Manager Acre said he was proposing a 25% increase to the landfill fees. He said his understanding is that it is up to 50% now. As a business owner he said he doesn't know what's going on. He reiterated that he thinks now is probably not a good time. Trash removal is not a necessity. People will throw it in someone else's dumpster or in a ditch. Regarding giving citations, he said we all know how that works in Trinidad. The trash will end up at the landfill one way or another, either the City or County will be taking it there. He pointed out that there was one other solid waste disposal company in attendance and reiterated that it is just a bad time right now. He concluded that he will be at the next meeting.

COUNCIL REPORTS. Councilmember Mattie reported that he attended the Council of Governments Board meeting on January 23rd and was elected Chairman. He commented on the ArtoCade bowling fundraiser coming up.

Councilmember Fletcher said the Library Advisory Board hasn't yet been formed. She advised that she went to her first ARPA meeting in La Junta with Councilmember Miles and City Manager Acre and she's beginning to learn.

Councilmember Bolton reported that she and Mayor Reorda went to Pueblo a week and one half ago and joined in a rally to support the Southwest Chief. She said there will be hearing before the legislature with regard to that Bill later this month which she plans to attend and speak at. She said the hearing is on February 12th.

Councilmember Miles reported that at the ARPA meeting they worked on making long-range plans for power purchases.

Council members Torres and Bonato and Mayor Reorda had nothing to report.

REPORTS BY CITY MANAGER. North Lake Dam Project. City Manager Acre reminded Council that questions were raised last meeting about the North Lake Dam Project. He said the original bid was in the amount of \$972,417.67. An additional \$272,000 was requested by the contractor and in August, 2012, approved by City Council related to the delay in the start of the project. There was one change order in the amount of \$9,352.94 because the City requested to have installed some gate tower stairs and additional outlet pipe given what they found on the site. Another change order was requested for alternate pipe that resulted in no cost impact, just a time impact. Completion is anticipated by June of this year. He last updated Council on the status of the project on December 17, 2013. At that time the contractor was working on the some of the punch list that had been identified, which included grouting and rip rap that they cannot work on at this time. A temporary staff gage was put in place. The permanent gage has been ordered and should be installed in March or April. This spring they will do the grouted rip rap work and final site clean up as well as the re-vegetation and seeding and final survey. They are working on the gravel on the dam road. He said his understanding that that there needs to be some additional gravel brought in and the road sloped properly and a bollard installed to prevent unauthorized access to the site. He said he's having discussions with the City's engineering consultant and will be meeting with the contractor and consultant to close up the project. The City is still considering liquidated damages.

Travel schedule. City Manager Acre told Council that he will be in Denver with the Mayor and Councilmember Bolton on February 12th to testify (at the State Capital regarding the Southwest Chief) and then they will all be at the CML Legislative Workshop on February 13th. He noted that there's a newly-elected official's workshop on February 24th.

North Lake Dam. Councilmember Fletcher asked if the dam is working now. City Manager Acre said it is. If we can get the staff gage installed we are having discussions with the State Engineering about lifting the restriction. He's indicated that they'd be willing to look at partially lifting the restriction. We need to get the grouted rip rap in place. What is there now is some erosion control to protect the work. The City can't collect water now anyway because there is no runoff. We have to work with the State Engineering on that. Despite the weather and the contractor being slow he said he thinks we are moving down the right path. Councilmember Fletcher asked if it is not finished because it looks like it is. City Manager Acre said the contractor has pulled out the site trailer for now and it is anticipated to be fully complete by June. Regarding the loss of one of the men working on the project, City Manager Acre said the City sent its condolences. OSHA investigated the accident, but he said he hasn't seen the report. The proper protocol was followed. Councilmember Mattie recalled the water level being reduced for the construction work. He asked if it can be reversed. City Manager Acre answered that after we get the staff gage installed he talked to the state engineer to see if we can increase the level and get the spring runoff. Councilmember Mattie reminded that several meetings ago he suggested a spreadsheet be created listing all of the City projects showing their progress. He said it could be put on the City's website. He concluded that it is important to him to see it. City Manager Acre said he hadn't forgotten the request.

Union. Mayor Reorda asked City Manager Acre to report on his meeting with the Union. City Manager Acre said he hasn't gotten back with them. However, he did send them the City's financial information. The local Union President has been out of town and recently returned. Mayor Reorda suggested they consider getting an outside auditor to look at the finances since there are discrepancies from Washington and the union. City Manager Acre said the City has an audit done every year. Mayor Reorda said he is suggesting an outsider. City Manager Acre said it can be done if that is Council's desire. Councilmember Mattie said his point is well made and taken but pointed out that it will involve an expense. Mayor Reorda asked Council to think about it. City Manager Acre said he'd look into it and get information and cost.

REPORTS BY CITY ATTORNEY. Medical Marijuana. City Attorney Acre pointed to the latest version of the medical marijuana draft ordinance along with a page from the Denver code regarding advertising and signage. Councilmember Miles asked the schedule going forward on medical marijuana. City Manager Acre said this draft can be put on the February 11th work session agenda and can then be taken for a first reading on February 18th.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. 3.2% Beer Retail License (Off-Premises) renewal request by Walmart Stores, Inc. d/b/a Walmart #962 at 2921 Toupal Drive. Local Manager Jimmy Windam addressed Council. He said he's been the Manager here for eight months and comes to Trinidad from Alabama. He added that it is a beautiful town. A motion to approve the license renewal was made by Councilmember Fletcher and was seconded by Councilmember Bolton. Upon roll call vote the motion carried unanimously.

Ad-hoc appointments (without voting rights) to the Arts and Cultural Advisory Commission. Councilmember Bolton moved for the ad-hoc appointments of Bruce Leonard and Vilas Tonape to the Arts and Cultural Advisory Commission without voting rights until such time that they attain the one-year residency requirement and then with full voting rights. The motion was seconded by Councilmember Fletcher. Roll call was taken on the motion which carried unanimously.

Appointments to the Tourism Board. Councilmember Fletcher confirmed that the restaurant category is still open. City Attorney Downs advised Council that Fred Vaugeois is with Southern Colorado Repertory Theatre (SCRT) which is a 501c3, not having ownership in the normal sense. Mr. Vaugeois says he is a part owner in Partners Contracting, Inc., a business on Main Street in Trinidad. City Attorney Downs said the business is what he considers to be a tourism-related business as they provide consulting for SCRT. He added that Partners Contracting, Inc. was incorporated on March 5, 2001 and is a Colorado corporation in good standing with the Colorado Secretary of State's office. He concluded that Mr. Vaugeois therefore meets the criteria necessary to fill an appointment on the Tourism Board under the current ordinance language. Councilmember Bolton confirmed that if appointed he would be the one and only member from outside of the City with a business in the City. Councilmember Mattie made a motion to appoint Pat Patrick, Susan Palmer and Fred Vaugeois to the Tourism Board. The motion was seconded by Councilmember Pat Fletcher and carried by a unanimous roll call vote.

Appointment to the Parks & Recreation Advisory Committee. Councilmember Bolton moved for the re-appointment of Diane Beach and Councilmember Miles seconded the motion. Upon roll call vote the motion carried unanimously.

Appointments to the Board of Building Code Appeals (1 permanent and 2 alternates). A motion to appoint Carl Goodall to the permanent position and Jim Dunford and Jerome Begley to the alternate seats was made by Councilmember Bolton and seconded by Councilmember Torres. Roll call was taken on the motion which carried unanimously.

Appointments to the Urban Renewal Authority. Councilmember Miles made a motion to appoint Cherie Kollander and David Barrack to the Urban Renewal Authority. Councilmember Bolton seconded the motion. The motion carried unanimously upon roll call vote. Councilmember Fletcher asked if she was correct in that Council decided that they can have members from outside of the City limits. City Manager Acre said they decided there could be two from outside the City with a business interest in the City.

Appointments as Council liaisons to various City boards and commissions. Councilmember Mattie recalled that the last time Council discussed this there were Council members who expressed interest in serving. He said he re-thought it after leaving the meeting and asked if it wouldn't be better to have the boards and commissions report to Council in total instead. Councilmember Bolton said they already have that requirement. Councilmember Mattie said he didn't understand the purpose of having liaisons. Councilmember Miles said as a liaison to Economic Development it is often helpful to have

the City's view aired at those meetings. She suggested they could do more reporting as liaisons during Council Reports. Councilmember Mattie asked if having Council members present is an encumbrance or hindrance to the meetings. Councilmember Bolton responded that she didn't think so. She said that the liaisons also help give guidance. She added that in her role as liaison to the Arts & Cultural Advisory Commission she doesn't report on their behalf. She pointed out that there would not be ad hoc members on the Arts Commission had she not been there with the suggestion. City Manager Acre said as a former board member with liaisons he found it very helpful. It was a better way of having Council involved. Councilmember Mattie moved to appoint Councilmember Torres as a liaison to the Tourism Board, Councilmember Fletcher as a liaison to the Library Advisory Board and Parks & Recreation Advisory Committee and Mayor Reorda as liaison to the City Tree Board. The motion was seconded by Councilmember Miles and carried unanimously upon a roll call voice vote.

Consideration of Memorandum of Understanding between the City and Colorado Department of Local Affairs regarding the Colorado Main Street Candidate Program for 2014. Councilmember Bolton moved for approval of the Memorandum of Understanding. The motion was seconded by Councilmember Fletcher. Roll call was taken on the motion, which carried unanimously.

Authorization to waive fees associated with the tavern applications only as it pertains to those licensees affected by a 2013 Liquor Enforcement Division directive. Mayor Reorda announced that the licensees affected were Mount Carmel Health, Wellness and Community Center and Southern Colorado Repertory Theatre. A motion to waive the fee was made by Councilmember Bonato. Councilmember Miles seconded the motion. Upon roll call vote, the motion carried unanimously.

First reading of an ordinance adjusting the City of Trinidad landfill fees, and setting a hearing for consideration of said ordinance. The ordinance was introduced by Councilmember Bolton and then read aloud in its entirety. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on February 18, 2014, was made by Councilmember Bolton. The motion was seconded by Councilmember Mattie and carried unanimously upon roll call vote.

ORDINANCE NO.

AN ORDINANCE ADJUSTING THE CITY OF TRINIDAD LANDFILL FEES

First reading of an ordinance revising the City's water rate schedule and the City's plant investment fees, and setting a hearing for consideration of said ordinance. Councilmember Mattie introduced the ordinance which was then read aloud in its entirety. Mayor Reorda asked what happens if someone doesn't use that many gallons. City Manager Acre said he'd have to check but thought it was typically based on estimates. If they are way under it could be re-visited, but there would be a charge to un-tap and tap. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on February 18, 2014, was made by Councilmember Fletcher. The motion was seconded by Councilmember Torres. Councilmember Bolton recalled her suggesting at the work session that they make all Plant Investment Fees subject to negotiation. She asked if they were going to make that change or discuss it at the public hearing. City Manager Acre said he recalled that they would take care of that through creating formal incentives. Councilmember Bolton asked if it will be in a future ordinance. City Manager Acre said he thought it would be better in one ordinance rather than in individual ordinances. They could look at incentives for maintaining or recruiting businesses through sales tax, permit fees and tap fees. Roll call was taken and the motion carried unanimously.

ORDINANCE NO.

AN ORDINANCE REVISING THE CITY'S WATER RATE SCHEDULE AND THE CITY'S PLANT INVESTMENT FEES

First reading of an ordinance adjusting the City's rates for sewer service, and setting a hearing for consideration of said ordinance. The ordinance was introduced by Councilmember Fletcher and then read aloud. Councilmember Bonato asked how this affected people with septic systems. City Manager Acre answered that he didn't believe anyone on a septic system should be getting charged for sewer—just water. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on February 18, 2014, was made by Councilmember Bolton. The motion was seconded by Councilmember Miles and upon roll call vote carried unanimously.

ORDINANCE NO.

AN ORDINANCE ADJUSTING THE CITY'S RATES FOR SEWER SERVICE

BILLS. Mayor Reorda said he was handed something by a citizen regarding the purchase of auto parts. It was the bills from the newspaper showing amounts paid to the three auto parts stores ranging from \$400 to \$3,000. He asked if there was any way the City could equalize the amounts between the businesses and try to spread it out. City Manager Acre said that staff makes every attempt to share among all businesses in town. In each month there may be a discrepancy, however the following month the amounts are caught up. He added that they apply an economy of scale also to get the best deal. If they did not do so, they would not be good stewards of the taxpayers' money. Councilmember Bonato said the City has been pretty good at sharing in the past. Councilmember Fletcher asked about holiday compensation again. She said she understood it to be a one-time payment per year but it is on the report this month for \$48,000. City Manager Acre said that is on the payroll report. A motion to approve payment of the bills was made by Councilmember Bolton. The motion was seconded by Councilmember Bonato. Roll call was taken on the motion and it carried unanimously.

PAYROLL, January 18, 2014 through January 31, 2014. City Manager Acre re-addressed Councilmember Fletcher's question regarding holiday compensation. He explained that she is looking at the departmental total for the pay period rather than holiday compensation. He referred her to the top of the column to the 'total' heading. City Manager Acre said staff would change the report so that it is not confusing. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Bonato. Roll call was taken and the motion carried unanimously.

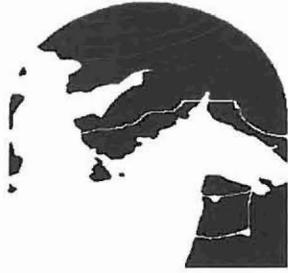
Mayor Reorda commented that in his travels around the City, Tara Marshall's name comes up often. He hears from people that she's never in her office. He suggested an article be written for the paper explaining what she does. She wears 14 hats but the people at the Welcome Center think she's not doing her job. They need to know what she's doing. Get it out. Councilmember Miles agreed. The question is do we need a full-time director at the Colorado Welcome Center. Mayor Reorda pointed out that the Welcome Center has an Assistant Director, although the position is currently vacant. Tara Marshall advised that applications will close on February 12th for the Assistant Director. She said she'd like to see what we get and that it is a matter of allocating that person's time more productively than it was previously done. She thought if we do so, we will be okay. She added that the Colorado Tourism office is happy with the way it is arranged now. This Welcome Center was ranked #1 the past two years. We need an Assistant Director available more on weekends. Councilmember Miles said she heard that this is the only Welcome Center without a full-time Director. Ms. Marshall said that Colorado Tourism has ten full-time directors; five of them wear different hats. She provided specific examples. Seven Centers have Assistant Directors who work 20 to 25 hours per week. She said she thinks this is a change to make our operation more in line with the State's program. Councilmember Mattie said there are unknowing complaints made sometimes. Council has a responsibility to listen to them and investigate. Councilmember Bolton asked what is wrong with the Trinidad sign. City Manager Acre said they are replacing the light bulbs and looking at doing LED lights. The Power & Light Department is gathering costs and we need to figure out who pays for it. Mayor Reorda commented that since the recent power interruptions a lot of lights are out on corners of the streets. City Manager Acre said San Isabel Electric learned that someone shot out insulators off of a pole which caused the outages. Councilmember Miles added that San Isabel Electric Association rates are going up 35% to 40% because of SB252 which requires coops to meet requirements of renewable energy.

ADJOURNMENT. There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Bolton and seconded by Councilmember Fletcher. The meeting was adjourned by unanimous voice vote of Council.

ATTEST:

JOSEPH A. REORDA, Mayor

AUDRA GARRETT, City Clerk



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS:

SUBJECT: Transfer of ownership of a retail liquor store licensed filed by Elizabeth Jameson d/b/a Drop City Liquor at 155 Elm Street (formerly Johnny M. & Elizabeth A. Jameson d/b/a Drop City Liquor)

PRESENTER: Elizabeth Jameson

RECOMMENDED CITY COUNCIL ACTION: Conduct the public hearing. The applicant is operating under a temporary permit.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is an application for a transfer of ownership of a retail liquor store license. The local liquor licensing authority's consideration is limited to 1) the age of the applicant; and 2) the moral character of the applicant.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application is complete and in order.
- Fingerprint results from CBI and FBI have been received.
- Disclosure statement is included for Councilmembers Miles.
- Appropriate fees have been paid.

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**COLORADO LIQUOR
 RETAIL LICENSE APPLICATION**

NEW LICENSE TRANSFER OF OWNERSHIP LICENSE RENEWAL

• ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
 • APPLICANT MUST CHECK THE APPROPRIATE BOX(ES)
 • LOCAL LICENSE FEE \$ _____
 • APPLICANT SHOULD OBTAIN A COPY OF THE COLORADO LIQUOR AND BEER CODE (Call 303-370-2165)

1. Applicant is applying as a
 Corporation
 Partnership (includes Limited Liability and Husband and Wife Partnerships)
 Individual
 Limited Liability Company
 Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation
 Elizabeth Jameson
 Fein Number **90-0768816**

2a. Trade Name of Establishment (DBA)
 Drop City Liquor-
 State Sales Tax No. **04299562-0000**
 Business Telephone **719-846-1370**

3. Address of Premises (specify exact location of premises)
 155 E. Elm St.

City Trinidad	County Las Animas	State CO	ZIP Code 81082
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4. Mailing Address (Number and Street) 155 E. Elm St.	City or Town Trinidad	State CO	ZIP Code 81082
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5. If the premises currently have a liquor or beer license, you MUST answer the following questions:

Present Trade Name of Establishment (DBA) Drop City Liquor	Present State License No.	Present Class of License	Present Expiration Date January 23, 2014
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LIAB	SECTION A	NONREFUNDABLE APPLICATION FEES	LIAB	SECTION B (CONT.)	LIQUOR LICENSE FEES
2300	<input type="checkbox"/>	Application Fee for New License	1985	<input type="checkbox"/>	Resort Complex License (City)
2302	<input type="checkbox"/>	Application Fee for New License - w/Concurrent Review	1986	<input type="checkbox"/>	Resort Complex License (County)
2310	<input checked="" type="checkbox"/>	Application Fee for Transfer	1988	<input type="checkbox"/>	Add Related Facility to Resort Complex ... \$ 75.00 X Total _____
			1990	<input type="checkbox"/>	Club License (City)
			1991	<input type="checkbox"/>	Club License (County)
			2010	<input type="checkbox"/>	Tavern License (City)
			2011	<input type="checkbox"/>	Tavern License (County)
			2012	<input type="checkbox"/>	Manager Registration - Tavern
			2020	<input type="checkbox"/>	Arts License (City)
			2021	<input type="checkbox"/>	Arts License (County)
			2030	<input type="checkbox"/>	Racetrack License (City)
			2031	<input type="checkbox"/>	Racetrack License (County)
			2040	<input type="checkbox"/>	Optional Premises License (City)
			2041	<input type="checkbox"/>	Optional Premises License (County)
			2045	<input type="checkbox"/>	Vintners Restaurant License (City)
			2046	<input type="checkbox"/>	Vintners Restaurant License (County)
			2220	<input type="checkbox"/>	Add Optional Premises to H & R
			2370	<input type="checkbox"/>	Master File Location Fee
			2375	<input type="checkbox"/>	Master File Background

LIAB	SECTION B	LIQUOR LICENSE FEES
1905	<input type="checkbox"/>	Retail Gaming Tavern License (City)
1906	<input type="checkbox"/>	Retail Gaming Tavern License (County)
1940	<input checked="" type="checkbox"/>	Retail Liquor Store License (City)
1941	<input type="checkbox"/>	Retail Liquor Store License (County)
1950	<input type="checkbox"/>	Liquor Licensed Drugstore (City)
1951	<input type="checkbox"/>	Liquor Licensed Drugstore (County)
1960	<input type="checkbox"/>	Beer and Wine License (City)
1961	<input type="checkbox"/>	Beer and Wine License (County)
1970	<input type="checkbox"/>	Hotel and Restaurant License (City)
1971	<input type="checkbox"/>	Hotel and Restaurant License (County)
1975	<input type="checkbox"/>	Brew Pub License (City)
1976	<input type="checkbox"/>	Brew Pub License (County)
1980	<input type="checkbox"/>	Hotel and Restaurant License w/opt premises (City)
1981	<input type="checkbox"/>	Hotel and Restaurant License w/opt premises (County)
1983	<input type="checkbox"/>	Manager Registration - H & R

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

LIABILITY INFORMATION					
County	City	Industry Type	License Account Number	Liability Date	License Issued Through (Expiration Date)
				FROM	TO
State -750 (999)	City 2180-100 (999)	County 2190-100 (999)	Managers Reg -750 (999)		
Cash Fund New License 2300-100 (999)			Cash Fund Transfer License 2310-100 (999)	TOTAL	
				\$	

6. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>								
7. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state); (a) been denied an alcohol beverage license? <input type="checkbox"/> <input checked="" type="checkbox"/> (b) had an alcohol beverage license suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/> (c) had interest in another entity that had an alcohol beverage license suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/> If you answered yes to 7a, b or c, explain in detail on a separate sheet.									
8. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes," explain in detail. <input type="checkbox"/> <input checked="" type="checkbox"/>									
9. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? <input type="checkbox"/> <input checked="" type="checkbox"/>									
10. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee. <input checked="" type="checkbox"/> <input type="checkbox"/>									
11. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement? <input checked="" type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____ <input checked="" type="checkbox"/> <input type="checkbox"/>									
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:									
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; height: 20px;">Landlord</td> <td style="width:33%;">Tenant</td> <td style="width:34%;">Expires</td> </tr> </table>	Landlord	Tenant	Expires						
Landlord	Tenant	Expires							
Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11". (Doesn't have to be to scale)									
12. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.									
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:35%;">NAME</th> <th style="width:20%;">DATE OF BIRTH</th> <th style="width:20%;">FEIN OR SSN</th> <th style="width:25%;">INTEREST</th> </tr> </thead> <tbody> <tr> <td style="height: 30px; vertical-align: top;">First Nat Bank</td> <td></td> <td></td> <td style="vertical-align: top;">Bldg Loan</td> </tr> </tbody> </table>	NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST	First Nat Bank			Bldg Loan	
NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST						
First Nat Bank			Bldg Loan						
Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.									
13. Optional Premises or Hotel and Restaurant Licenses with Optional Premises Has a local ordinance or resolution authorizing optional premises been adopted? <input type="checkbox"/> <input checked="" type="checkbox"/>									
Number of separate Optional Premises areas requested. _____ (See License Fee Chart)									
14. Liquor Licensed Drug Store applicants, answer the following: (a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? COPY MUST BE ATTACHED. <input type="checkbox"/> <input checked="" type="checkbox"/>									
15. Club Liquor License applicants answer the following and attach: (a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? <input type="checkbox"/> <input checked="" type="checkbox"/> (b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? <input type="checkbox"/> <input checked="" type="checkbox"/> (c) How long has the club been incorporated? _____ (Three years required) (d) Has applicant occupied an establishment for three years that was operated solely for the reasons stated above? <input type="checkbox"/> <input checked="" type="checkbox"/>									
16. Brew-Pub License or Vintner Restaurant Applicants answer the following: (a) Has the applicant received or applied for a Federal Permit? <input type="checkbox"/> <input checked="" type="checkbox"/> (Copy of permit or application must be attached)									
17a. Name of Manager (for all on-premises applicants) Elizabeth A. Jameson _____ (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I).	Date of Birth [REDACTED]								
17b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. <input type="checkbox"/> <input checked="" type="checkbox"/>									
18. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements. <input type="checkbox"/> <input checked="" type="checkbox"/>									

19. If applicant is a corporation, partnership, association or limited liability company, applicant **must list** ALL OFFICERS, DIRECTORS, GENERAL PARTNERS, AND MANAGING MEMBERS. In addition applicant **must list** any stockholders, partners, or members with OWNERSHIP OF 10% OR MORE IN THE APPLICANT. ALL PERSONS LISTED BELOW must also attach form DR 8404-I (Individual History record), and submit finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*

*If total ownership percentage disclosed here does not total 100% applicant must check this box

Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant

Additional Documents to be submitted by type of entity

- CORPORATION** Cert. of Incorp. Cert. of Good Standing (if more than 2 yrs. old) Cert. of Auth. (if a foreign corp.)
 PARTNERSHIP Partnership Agreement (General or Limited) Husband and Wife partnership (no written agreement)
 LIMITED LIABILITY COMPANY Articles of Organization Cert. of Authority (if foreign company) Operating Agrmt.
 ASSOCIATION OR OTHER Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable)	Address for Service
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OATH OF APPLICANT

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. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature <i>Elizabeth Jameson</i>	Title <i>Owner</i>	Date <i>1-10-14</i>
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)

Date application filed with local authority <i>R 1/15/14 Filed 1/21/14</i>	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.) <i>2/18/14</i>
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THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

That each person required to file DR 8404-I (Individual History Record) has:

<input checked="" type="checkbox"/> Been fingerprinted	<input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> Been subject to background investigation, including NCIC/CCIC check for outstanding warrants	<input checked="" type="checkbox"/> <input type="checkbox"/>

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license

(Check One)
 Date of Inspection or Anticipated Date *2/12/14*
 Upon approval of state licensing authority.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority for	Telephone Number	<input type="checkbox"/> TOWN, CITY <input type="checkbox"/> COUNTY
Signature	Title	Date
Signature (attest)	Title	Date

AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

Paid in full. There are no outstanding accounts with any Colorado Wholesalers.

Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the: Licensee Applicant

Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.

Applicant will assume full responsibility for payment of the outstanding accounts as listed above.

No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this 14 day of Dec, 20 13.

Seller:

42995620000

Licensee & License Number

Drop City Liquor

Trade name



Signature

Co-Owner

Position

Johnny Jameson

Print Name

Buyer:

Elizabeth Jameson

Applicant

Drop City Liquor

Trade name



Signature

Owner

Position

Elizabeth Jameson

Print Name

201300722463
Filed for Record in
LAS ANIMAS, CO
BERNARD J. GONZALES
10-10-2013 At 03:12 pm.
WARRANTY DE 16.00
Doc Fees 1.70
OR Book 1113 Page 1233 - 1234
Instrument Book Page
201300722463 OR 1113 1233

WARRANTY DEED

October 2,
THIS DEED, Made ~~September~~, 2013 between Elizabeth Ann Jameson and
Johnny Jameson

of the said County of Las Animas and State of Colorado, grantors, and Elizabeth Ann Jameson

whose legal address is 10500 C.R. 69.4 LOT 1 TRINIDAD, CO. 81082
of the said County of Las Animas, and State of Colorado, grantee:

WITNESS, that the grantors, for and in consideration of the sum of \$17,000.00 the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the grantee, her heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Las Animas and State of Colorado described as follows:

SEE ATTACHED EXHIBIT " A " WHICH IS INCORPORATED HEREIN BY REFERENCE
as known by street and number as: 155 Elm Street, TRINIDAD CO 81082
Assessor's Parcel # 12721050

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the grantees, his heirs and assigns, that at the time of the en-sealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature so-ever, except:

The grantor shall and will WARRANTY AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, her heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Elizabeth Ann Jameson
Elizabeth Ann Jameson
Johnny Jameson
Johnny Jameson

State of Colorado)
) ss.
County of Las Animas)

The foregoing instrument was acknowledged before me on this 2nd day of October, 2013
by Elizabeth Ann Jameson.

SUSAN K GUTIERREZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 19984025752
MY COMMISSION EXPIRES SEPTEMBER 16, 2014

My commission expires: 09/16/2014 Witness my hand and official seal.

Susan K. Gutierrez
Notary Public
100 E. Main St., Trinidad, CO 81082

State of Texas)
) ss.
County of Randall)

The foregoing instrument was acknowledged before me on this 3rd day of October, 2013
by Johnny Jameson.

My commission expires: 3/1/2017 Witness my hand and official seal.

Sharon E. Harris
Notary Public

SHARON E. HARRIS
MY COMMISSION EXPIRES
March 1, 2017

EXHIBIT A

LEGAL DESCRIPTION

A PART OF BLOCK 124 IN THE CITY OF TRINIDAD, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN THE RECORDERS OFFICE IN SAID LAS ANIMAS COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING ON THE WEST LINE OF MAPLE STREET WITH THE SOUTHWESTERLY LINE OF INTERSECTION OF THE NORTHERLY LINE OF ELM STREET WITH THE SOUTHWESTERLY LINE OF PLUM STREET; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTHWESTERLY LINE OF PLUM STREET; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTHWESTERLY LINE OF PLUM STREET, A DISTANCE OF 116 1/2 FEET TO A POINT; THENCE MAKING AN ANGLE OF 90° TO THE LEFT WITH THE LINE AS DESCRIBED A DISTANCE OF 52.5 FEET TO A POINT; THENCE MAKING AN ANGLE TO THE RIGHT WITH THE LINE AS DESCRIBED OF 46°8', A DISTANCE OF 16.5 FEET TO A POINT; THENCE MAKING AN ANGLE OF 73°18' TO THE LEFT LINE LAST DESCRIBED THE DISTANCE OF 44.95 FEET TO A POINT ON THE NORTHERLY LINE OF ELM STREET; THENCE ALONG SAID NORTHERLY LINE OF ELM STREET, A DISTANCE OF 150 FEET TO THE PLACE OF BEGINNING.

ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR LAS ANIMAS COUNTY, COLORADO.

201300722464
Filed for Record in
LAS ANIMAS, CO
BERNARD J. GONZALES
10-10-2013 At 03:12 PM.
DEED O TRUS 51.00
OR Book 1113 Page 1235 - 1243
Instrument Book Page
201300722464 OR 1113 1235

State of Colorado Space Above This Line For Recording Data

REAL ESTATE DEED OF TRUST

(With Future Advance Clause)

This is a Revolving Credit Arrangement

1. **DATE AND PARTIES.** The date of this Deed of Trust (Security Instrument) is 10-02-2013
and the parties, their addresses and tax identification numbers, if required, are as follows:

GRANTOR: ELIZABETH ANN JAMESON, INDIVIDUALLY
10500 CR 69.4 LOT 1
TRINIDAD, CO 81082

If checked, refer to the attached Addendum incorporated herein, for additional Grantors, their signatures and acknowledgments.

TRUSTEE: DONNA LEONETTI
COUNTY COURTHOUSE
TRINIDAD, CO 81082

LENDER: THE FIRST NATIONAL BANK IN TRINIDAD
ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA
100 E MAIN ST
PO BOX 759 TRINIDAD, CO 81082

2. **CONVEYANCE.** For good and valuable consideration, the receipt and sufficiency of which is acknowledged, and to secure the Secured Debt (defined below) and Grantor's performance under this Security Instrument, Grantor irrevocably grants, conveys and sells to Trustee, in trust for the benefit of Lender, with power of sale, the following described property: SEE ATTACHED EXHIBIT "A" WHICH IS INCORPORATED HEREIN BY REFERENCE.

The property is located in LAS ANIMAS (County) at 155 E. ELM ST
TRINIDAD, Colorado 81082
(Address) (City) (Zip Code)

Together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, crops, timber, all diversion payments or third party payments made to crop producers, all water and riparian rights, wells, ditches, reservoirs, and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above (all referred to as "Property").

3. **MAXIMUM OBLIGATION LIMIT.** The total principal amount secured by this Security Instrument at any one time shall not exceed \$ 54,000.00. This limitation of amount does not include interest and other fees and charges validly made pursuant to this Security Instrument. Also, this limitation does not apply to advances made under the terms of this Security Instrument to protect Lender's security and to perform any of the covenants contained in this Security Instrument.
4. **SECURED DEBT AND FUTURE ADVANCES.** The term "Secured Debt" is defined as follows:
 - A. Debt incurred under the terms of all promissory note(s), contract(s), guaranty(ies) or other evidence of debt described below and all their extensions, renewals, modifications or substitutions. (*When referencing the debts below it is suggested that you include items such as borrowers' names, note amounts, interest rates, maturity dates, etc.*) ONE NOTE DATED OCTOBER 2, 2013 IN THE AMOUNT OF \$54,000.00 GIVEN BY ELIZABETH ANN JAMESON.
 - B. All future advances from Lender to Grantor or other future obligations of Grantor to Lender under any promissory note, contract, guaranty, or other evidence of debt existing now or executed after this Security Instrument whether or not this Security Instrument is specifically referenced and whether or not such future advances or future obligations are incurred for any purpose that is related or unrelated to the purpose of the Security Instrument. If more than one person signs this Security Instrument, each Grantor agrees that this Security Instrument will secure all future advances and future obligations that are given to or incurred by any one or more Grantor, or any one or more Grantor and others. All future advances and other future obligations are secured by this Security Instrument even though all or part may not yet be advanced. All future advances and other future obligations are secured as if made on the date of this Security Instrument. Nothing in this Security Instrument shall constitute a commitment to make additional or future loans or advances in any amount. Any such commitment must be agreed to in a separate writing.
 - C. All obligations Grantor owes to Lender, which now exist or may later arise, to the extent not prohibited by law, including, but not limited to, liabilities for overdrafts relating to any deposit account agreement between Grantor and Lender.
 - D. All additional sums advanced and expenses incurred by Lender for insuring, preserving or otherwise protecting the Property and its value and any other sums advanced and expenses incurred by Lender under the terms of this Security Instrument.

This Security Instrument will not secure any other debt if Lender fails to give any required notice of the right of rescission.

5. **PAYMENTS.** Grantor agrees that all payments under the Secured Debt will be paid when due and in accordance with the terms of the Secured Debt and this Security Instrument.
6. **WARRANTY OF TITLE.** Grantor warrants that Grantor is or will be lawfully seized of the estate conveyed by this Security Instrument and has the right to irrevocably grant, convey and sell the Property to Trustee, in trust, with power of sale. Grantor also warrants that the Property is unencumbered, except for encumbrances of record.
7. **PRIOR SECURITY INTERESTS.** With regard to any other mortgage, deed of trust, security agreement or other lien document that created a prior security interest or encumbrance on the Property, Grantor agrees:
 - A. To make all payments when due and to perform or comply with all covenants.
 - B. To promptly deliver to Lender any notices that Grantor receives from the holder.
 - C. Not to allow any modification or extension of, nor to request any future advances under any note or agreement secured by the lien document without Lender's prior written consent.
8. **CLAIMS AGAINST TITLE.** Grantor will pay all taxes, assessments, liens, encumbrances, lease payments, ground rents, utilities, and other charges relating to the Property when due. Lender may require Grantor to provide to Lender copies of all notices that such amounts are due and the receipts evidencing Grantor's payment. Grantor will defend title to the Property against any claims that would impair the lien of this Security Instrument. Grantor agrees to assign to Lender, as requested by Lender, any rights, claims or defenses Grantor may have against parties who supply labor or materials to maintain or improve the Property.
9. **DUE ON SALE OR ENCUMBRANCE.** Lender may, at its option, declare the entire balance of the Secured Debt to be immediately due and payable upon the creation of, or contract for the creation of, any lien, encumbrance, transfer or sale of the Property. This right is subject to the restrictions imposed by federal law (12 C.F.R. 591), as applicable. This covenant shall run with the Property and shall remain in effect until the Secured Debt is paid in full and this Security Instrument is released.
10. **TRANSFER OF AN INTEREST IN THE GRANTOR.** If Grantor is an entity other than a natural person (such as a corporation or other organization), Lender may demand immediate payment if:
 - A. A beneficial interest in Grantor is sold or transferred.
 - B. There is a change in either the identity or number of members of a partnership or similar entity.
 - C. There is a change in ownership of more than 25 percent of the voting stock of a corporation or similar entity.

(page 2 of 8)

However, Lender may not demand payment in the above situations if it is prohibited by law as of the date of this Security Instrument.

- 11. **ENTITY WARRANTIES AND REPRESENTATIONS.** If Grantor is an entity other than a natural person (such as a corporation or other organization), Grantor makes to Lender the following warranties and representations which shall continue as long as the Secured Debt remains outstanding:
 - A. Grantor is duly organized and validly existing in the Grantor's state of incorporation or organization. Grantor is in good standing in all states in which Grantor transacts business. Grantor has the power and authority to own the Property and to carry on its business as now being conducted and, as applicable, is qualified to do so in each state in which Grantor operates.
 - B. The execution, delivery and performance of this Security Instrument by Grantor and the obligation evidenced by the Secured Debt are within the power of Grantor, have been duly authorized, have received all necessary governmental approval, and will not violate any provision of law, or order of court or governmental agency.
 - C. Other than previously disclosed in writing to Lender, Grantor has not changed its name within the last ten years and has not used any other trade or fictitious name. Without Lender's prior written consent, Grantor does not and will not use any other name and will preserve its existing name, trade names and franchises until the Secured Debt is satisfied.
- 12. **PROPERTY CONDITION, ALTERATIONS AND INSPECTION.** Grantor will keep the Property in good condition and make all repairs that are reasonably necessary. Grantor shall not commit or allow any waste, impairment, or deterioration of the Property. Grantor will keep the Property free of noxious weeds and grasses. Grantor agrees that the nature of the occupancy and use will not substantially change without Lender's prior written consent. Grantor will not permit any change in any license, restrictive covenant or easement without Lender's prior written consent. Grantor will notify Lender of all demands, proceedings, claims, and actions against Grantor, and of any loss or damage to the Property.
No portion of the Property will be removed, demolished or materially altered without Lender's prior written consent except that Grantor has the right to remove items of personal property comprising a part of the Property that become worn or obsolete, provided that such personal property is replaced with other personal property at least equal in value to the replaced personal property, free from any title retention device, security agreement or other encumbrance. Such replacement of personal property will be deemed subject to the security interest created by this Security Instrument. Grantor shall not partition or subdivide the Property without Lender's prior written consent. Lender or Lender's agents may, at Lender's option, enter the Property at any reasonable time for the purpose of inspecting the Property. Lender shall give Grantor notice at the time of or before an inspection specifying a reasonable purpose for the inspection. Any inspection of the Property shall be entirely for Lender's benefit and Grantor will in no way rely on Lender's inspection.
- 13. **AUTHORITY TO PERFORM.** If Grantor fails to perform any duty or any of the covenants contained in this Security Instrument, Lender may, without notice, perform or cause them to be performed. Grantor appoints Lender as attorney in fact to sign Grantor's name or pay any amount necessary for performance. Lender's right to perform for Grantor shall not create an obligation to perform, and Lender's failure to perform will not preclude Lender from exercising any of Lender's other rights under the law or this Security Instrument. If any construction on the Property is discontinued or not carried on in a reasonable manner, Lender may take all steps necessary to protect Lender's security interest in the Property, including completion of the construction.
- 14. **ASSIGNMENT OF LEASES AND RENTS.** Grantor irrevocably assigns, grants and conveys to Lender as additional security all the right, title and interest in the following (Property).
 - A. Existing or future leases, subleases, licenses, guaranties and any other written or verbal agreements for the use and occupancy of the Property, including but not limited to, any extensions, renewals, modifications or replacements (Leases).
 - B. Rents, issues and profits, including but not limited to, security deposits, minimum rents, percentage rents, additional rents, common area maintenance charges, parking charges, real estate taxes, other applicable taxes, insurance premium contributions, liquidated damages following default, cancellation premiums, "loss of rents" insurance, guest receipts, revenues, royalties, proceeds, bonuses, accounts, contract rights, general intangibles, and all rights and claims which Grantor may have that in any way pertain to or are on account of the use or occupancy of the whole or any part of the Property (Rents).

In the event any item listed as Leases or Rents is determined to be personal property, this Assignment will also be regarded as a security agreement.

Grantor will promptly provide Lender with copies of the Leases and will certify these Leases are true and correct copies. The existing Leases will be provided on execution of the Assignment, and all future Leases and any other information with respect to these Leases will be provided immediately after they are executed. Grantor may collect, receive, enjoy and use the Rents so long as Grantor is not in default. Grantor will not collect in advance any Rents due in future lease periods, unless Grantor first obtains Lender's written consent. Upon default, Grantor will receive any Rents in trust for Lender and Grantor will not commingle the Rents with any other funds. When Lender so directs, Grantor will endorse and deliver any payments of Rents from the Property to Lender. Amounts collected will be applied at Lender's discretion to the Secured Debts, the costs of managing, protecting and preserving the Property, and other necessary expenses. Grantor agrees that this Security Instrument is immediately effective between Grantor and Lender. This Security Instrument will remain effective during any statutory redemption period until the Secured Debts are satisfied. Unless otherwise prohibited or prescribed by state law, Grantor agrees that Lender may take actual possession of the Property without the necessity of commencing any legal action or proceeding. Grantor agrees that actual possession of the Property is deemed to occur when Lender notifies Grantor of Grantor's default and demands that Grantor and Grantor's tenants pay all Rents due or to become due directly to Lender. Immediately after Lender gives Grantor the notice of default, Grantor agrees that either Lender or Grantor may immediately notify the tenants and demand that all future Rents be paid directly to Lender.

As long as this Assignment is in effect, Grantor warrants and represents that no default exists under the Leases, and the parties subject to the Leases have not violated any applicable law on leases, licenses and landlords and tenants. Grantor, at its sole cost and expense, will keep, observe and perform, and require all other parties to the Leases to comply with the Leases and any applicable law. If Grantor or any party to the Lease defaults or fails to observe any applicable law, Grantor will promptly notify Lender. If Grantor neglects or refuses to enforce compliance with the terms of the Leases, then Lender may, at Lender's option, enforce compliance.

Grantor will not sublet, modify, extend, cancel, or otherwise alter the Leases, or accept the surrender of the Property covered by the Leases (unless the Leases so require) without Lender's consent. Grantor will not assign, compromise, subordinate or encumber the Leases and Rents without Lender's prior written consent. Lender does not assume or become liable for the Property's maintenance, depreciation, or other losses or damages when Lender acts to manage, protect or preserve the Property, except for losses and damages due to Lender's gross negligence or intentional torts. Otherwise, Grantor will indemnify Lender and hold Lender harmless for all liability, loss or damage that Lender may incur when Lender opts to exercise any of its remedies against any party obligated under the Leases.

15. LEASEHOLDS; CONDOMINIUMS; PLANNED UNIT DEVELOPMENTS. Grantor agrees to comply with the provisions of any lease if this Security Instrument is on a leasehold. If the Property includes a unit in a condominium or a planned unit development, Grantor will perform all of Grantor's duties under the covenants, by-laws, or regulations of the condominium or planned unit development.

16. DEFAULT. Grantor will be in default if any of the following occur:

- A. Any party obligated on the Secured Debt fails to make payment when due;
- B. A breach of any term or covenant in this Security Instrument or any other document executed for the purpose of creating, securing or guarantying the Secured Debt;
- C. The making or furnishing of any verbal or written representation, statement or warranty to Lender that is false or incorrect in any material respect by Grantor or any person or entity obligated on the Secured Debt;
- D. The death, dissolution, or insolvency of, appointment of a receiver for, or application of any debtor relief law to, Grantor or any other person or entity obligated on the Secured Debt;
- E. A good faith belief by Lender at any time that Lender is insecure with respect to any person or entity obligated on the Secured Debt or that the prospect of any payment is impaired or the value of the Property is impaired;
- F. A material adverse change in Grantor's business including ownership, management, and financial conditions, which Lender in its opinion believes impairs the value of the Property or repayment of the Secured Debt; or
- G. Any loan proceeds are used for a purpose that will contribute to excessive erosion of highly erodible land or to the conversion of wetlands to produce an agricultural commodity, as further explained in 7 C.F.R. Part 1940, Subpart G, Exhibit M.

17. REMEDIES ON DEFAULT. In some instances, federal and state law will require Lender to provide Grantor with notice of the right to cure, or other notices and may establish time schedules for foreclosure actions. Subject to these limitations, if any, Lender may accelerate the Secured Debt and foreclose this Security Instrument in a manner provided by law if Grantor is in default.

At the option of Lender, all or any part of the agreed fees and charges, accrued interest and principal shall become immediately due and payable, after giving notice if required by law, upon the occurrence of a default or anytime thereafter. In addition, Lender shall be entitled to all the remedies provided by law, the terms of the Secured Debt, this Security Instrument and any related documents, including without limitation, the power to sell the Property or foreclose on installments without acceleration.

If there is a default, Trustee shall, in addition to any other permitted remedy, at the request of the Lender, advertise and sell the Property as a whole or in separate parcels at public auction to the highest bidder for cash and convey absolute title free and clear of all right, title and interest of Grantor at such time and place as Trustee designates. Trustee shall give notice of sale including the time, terms and place of sale and a description of the Property to be sold as required by the applicable law in effect at the time of the proposed sale.

Upon sale of the Property and to the extent not prohibited by law, Trustee shall make and deliver a deed to the Property sold which conveys absolute title to the purchaser, and after first paying all fees, charges and costs, shall pay to Lender all moneys advanced for repairs, taxes, insurance, liens, assessments and prior encumbrances and interest thereon, and the principal and interest on the Secured Debt, paying the surplus, if any, to Grantor. Lender may purchase the Property. The recitals in any deed of conveyance shall be prima facie evidence of the facts set forth therein.

All remedies are distinct, cumulative and not exclusive, and the Lender is entitled to all remedies provided at law or equity, whether or not expressly set forth. The acceptance by Lender of any sum in payment or partial payment on the Secured Debt after the balance is due or is accelerated or after foreclosure proceedings are filed shall not constitute a waiver of Lender's right to require full and complete cure of any existing default. By not exercising any remedy on Grantor's default, Lender does not waive Lender's right to later consider the event a default if it continues or happens again.

18. EXPENSES; ADVANCES ON COVENANTS; ATTORNEYS' FEES; COLLECTION COSTS. Except when prohibited by law, Grantor agrees to pay all of Lender's expenses if Grantor breaches any covenant in this Security Instrument. Grantor will also pay on demand any amount incurred by Lender for insuring, inspecting, preserving or otherwise protecting the Property and Lender's security interest. These expenses will bear interest from the date of the payment until paid in full at the highest interest rate in effect as provided in the terms of the Secured Debt. Grantor agrees to pay all costs and expenses incurred by Lender in collecting, enforcing or protecting Lender's rights and remedies under this Security Instrument. This amount may include, but is not limited to, attorneys' fees, court costs, and other legal expenses. This Security Instrument shall remain in effect until released. Grantor agrees to pay for any recordation costs of such release.

(page 4 of 8)

19. ENVIRONMENTAL LAWS AND HAZARDOUS SUBSTANCES. As used in this section, (1) Environmental Law means, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, 42 U.S.C. 9601 et seq.), all other federal, state and local laws, regulations, ordinances, court orders, attorney general opinions or interpretive letters concerning the public health, safety, welfare, environment or a hazardous substance; and (2) Hazardous Substance means any toxic, radioactive or hazardous material, waste, pollutant or contaminant which has characteristics which render the substance dangerous or potentially dangerous to the public health, safety, welfare or environment. The term includes, without limitation, any substances defined as "hazardous material," "toxic substances," "hazardous waste," "hazardous substance," or "regulated substance" under any Environmental Law.

Grantor represents, warrants and agrees that:

- A. Except as previously disclosed and acknowledged in writing to Lender, no Hazardous Substance has been, is, or will be located, transported, manufactured, treated, refined, or handled by any person on, under or about the Property, except in the ordinary course of business and in strict compliance with all applicable Environmental Law.
 - B. Except as previously disclosed and acknowledged in writing to Lender, Grantor has not and will not cause, contribute to, or permit the release of any Hazardous Substance on the Property.
 - C. Grantor will immediately notify Lender if (1) a release or threatened release of Hazardous Substance occurs on, under or about the Property or migrates or threatens to migrate from nearby property; or (2) there is a violation of any Environmental Law concerning the Property. In such an event, Grantor will take all necessary remedial action in accordance with Environmental Law.
 - D. Except as previously disclosed and acknowledged in writing to Lender, Grantor has no knowledge of or reason to believe there is any pending or threatened investigation, claim, or proceeding of any kind relating to (1) any Hazardous Substance located on, under or about the Property; or (2) any violation by Grantor or any tenant of any Environmental Law. Grantor will immediately notify Lender in writing as soon as Grantor has reason to believe there is any such pending or threatened investigation, claim, or proceeding. In such an event, Lender has the right, but not the obligation, to participate in any such proceeding including the right to receive copies of any documents relating to such proceedings.
 - E. Except as previously disclosed and acknowledged in writing to Lender, Grantor and every tenant have been, are and shall remain in full compliance with any applicable Environmental Law.
 - F. Except as previously disclosed and acknowledged in writing to Lender, there are no underground storage tanks, private dumps or open wells located on or under the Property and no such tank, dump or well will be added unless Lender first consents in writing.
 - G. Grantor will regularly inspect the Property, monitor the activities and operations on the Property, and confirm that all permits, licenses or approvals required by any applicable Environmental Law are obtained and complied with.
 - H. Grantor will permit, or cause any tenant to permit, Lender or Lender's agent to enter and inspect the Property and review all records at any reasonable time to determine (1) the existence, location and nature of any Hazardous Substance on, under or about the Property; (2) the existence, location, nature, and magnitude of any Hazardous Substance that has been released on, under or about the Property; or (3) whether or not Grantor and any tenant are in compliance with applicable Environmental Law.
 - I. Upon Lender's request and at any time, Grantor agrees, at Grantor's expense, to engage a qualified environmental engineer to prepare an environmental audit of the Property and to submit the results of such audit to Lender. The choice of the environmental engineer who will perform such audit is subject to Lender's approval.
 - J. Lender has the right, but not the obligation, to perform any of Grantor's obligations under this section at Grantor's expense.
 - K. As a consequence of any breach of any representation, warranty or promise made in this section, (1) Grantor will indemnify and hold Lender and Lender's successors or assigns harmless from and against all losses, claims, demands, liabilities, damages, cleanup, response and remediation costs, penalties and expenses, including without limitation all costs of litigation and attorneys' fees, which Lender and Lender's successors or assigns may sustain; and (2) at Lender's discretion, Lender may release this Security Instrument and in return Grantor will provide Lender with collateral of at least equal value to the Property secured by this Security Instrument without prejudice to any of Lender's rights under this Security Instrument.
 - L. Notwithstanding any of the language contained in this Security Instrument to the contrary, the terms of this section shall survive any foreclosure or satisfaction of this Security Instrument regardless of any passage of title to Lender or any disposition by Lender of any or all of the Property. Any claims and defenses to the contrary are hereby waived.
- 20. CONDEMNATION.** Grantor will give Lender prompt notice of any pending or threatened action, by private or public entities to purchase or take any or all of the Property through condemnation, eminent domain, or any other means. Grantor authorizes Lender to intervene in Grantor's name in any of the above described actions or claims. Grantor assigns to Lender the proceeds of any award or claim for damages connected with a condemnation or other taking of all or any part of the Property. Such proceeds shall be considered payments and will be applied as provided in this Security Instrument. This assignment of proceeds is subject to the terms of any prior mortgage, deed of trust, security agreement or other lien document.
- 21. INSURANCE.** Grantor agrees to maintain insurance as follows:
- A. Grantor shall keep the Property insured against loss by fire, flood, theft and other hazards and risks reasonably associated with the Property due to its type and location. This insurance shall be maintained in the amounts and for the periods that Lender requires. What Lender requires pursuant to the preceding two



sentences can change during the term of the Secured Debt. The insurance carrier providing the insurance shall be chosen by Grantor subject to Lender's approval, which shall not be unreasonably withheld. If Grantor fails to maintain the coverage described above, Lender may, at Lender's option, obtain coverage to protect Lender's rights in the Property according to the terms of this Security Instrument.

All insurance policies and renewals shall be acceptable to Lender and shall include a standard "mortgage clause" and, where applicable, "loss payee clause." Grantor shall immediately notify Lender of cancellation or termination of the insurance. Lender shall have the right to hold the policies and renewals. If Lender requires, Grantor shall immediately give to Lender all receipts of paid premiums and renewal notices. Upon loss, Grantor shall give immediate notice to the insurance carrier and Lender. Lender may make proof of loss if not made immediately by Grantor.

Unless otherwise agreed in writing, all insurance proceeds shall be applied to restoration or repair of the Property or to the Secured Debt, whether or not then due, at Lender's option. Any application of proceeds to principal shall not extend or postpone the due date of scheduled payment nor change the amount of any payments. Any excess will be paid to the Grantor. If the Property is acquired by Lender, Grantor's right to any insurance policies and proceeds resulting from damage to the Property before the acquisition shall pass to Lender to the extent of the Secured Debt immediately before the acquisition.

- B. Grantor agrees to maintain comprehensive general liability insurance naming Lender as an additional insured in an amount acceptable to Lender, insuring against claims arising from any accident or occurrence in or on the Property.
- C. Grantor agrees to maintain rental loss or business interruption insurance, as required by Lender, in an amount equal to at least coverage of one year's debt service, and required escrow account deposits (if agreed to separately in writing), under a form of policy acceptable to Lender.

22. **ESCROW FOR TAXES AND INSURANCE.** Unless otherwise provided in a separate agreement, Grantor will not be required to pay to Lender funds for taxes and insurance in escrow.

23. **FINANCIAL REPORTS AND ADDITIONAL DOCUMENTS.** Grantor will provide to Lender upon request, any financial statement or information Lender may deem reasonably necessary. Grantor agrees to sign, deliver, and file any additional documents or certifications that Lender may consider necessary to perfect, continue, and preserve Grantor's obligations under this Security Instrument and Lender's lien status on the Property.

24. **JOINT AND INDIVIDUAL LIABILITY; CO-SIGNERS; SUCCESSORS AND ASSIGNS BOUND.** All duties under this Security Instrument are joint and individual. If Grantor signs this Security Instrument but does not sign an evidence of debt, Grantor does so only to mortgage Grantor's interest in the Property to secure payment of the Secured Debt and Grantor does not agree to be personally liable on the Secured Debt. If this Security Instrument secures a guaranty between Lender and Grantor, Grantor agrees to waive any rights that may prevent Lender from bringing any action or claim against Grantor or any party indebted under the obligation. These rights may include, but are not limited to, any anti-deficiency or one-action laws. Grantor agrees that Lender and any party to this Security Instrument may extend, modify or make any change in the terms of this Security Instrument or any evidence of debt without Grantor's consent. Such a change will not release Grantor from the terms of this Security Instrument. The duties and benefits of this Security Instrument shall bind and benefit the successors and assigns of Grantor and Lender.

25. **APPLICABLE LAW; SEVERABILITY; INTERPRETATION.** This Security Instrument is governed by the laws of the jurisdiction in which Lender is located, except to the extent otherwise required by the laws of the jurisdiction where the Property is located. This Security Instrument is complete and fully integrated. This Security Instrument may not be amended or modified by oral agreement. Any section in this Security Instrument, attachments, or any agreement related to the Secured Debt that conflicts with applicable law will not be effective, unless that law expressly or impliedly permits the variations by written agreement. If any section of this Security Instrument cannot be enforced according to its terms, that section will be severed and will not affect the enforceability of the remainder of this Security Instrument. Whenever used, the singular shall include the plural and the plural the singular. The captions and headings of the sections of this Security Instrument are for convenience only and are not to be used to interpret or define the terms of this Security Instrument. Time is of the essence in this Security Instrument.

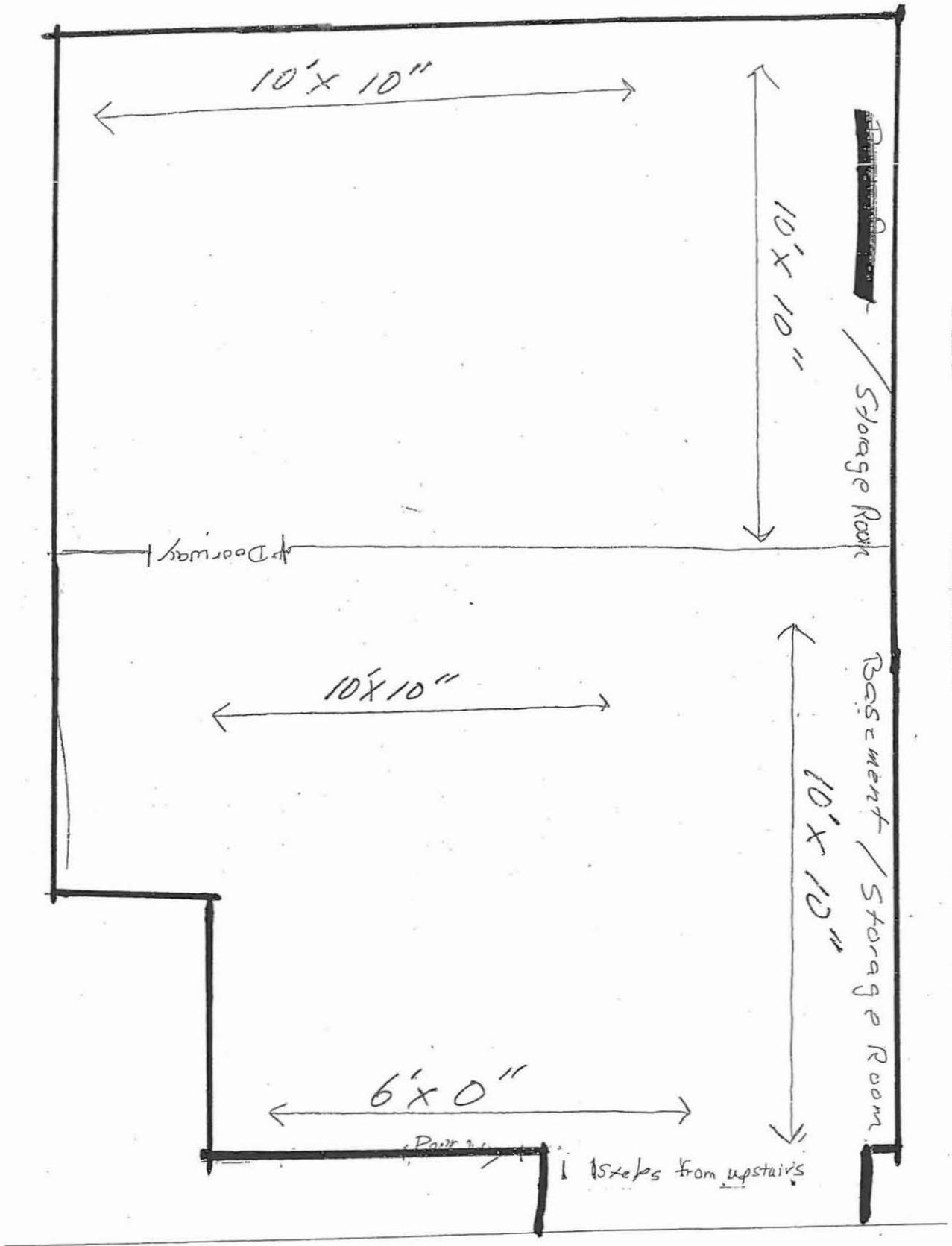
26. **NOTICE.** Unless otherwise required by law, any notice shall be given by delivering it or by mailing it by first class mail to the appropriate party's address on page 1 of this Security Instrument, or to any other address designated in writing. Notice to one grantor will be deemed to be notice to all grantors.

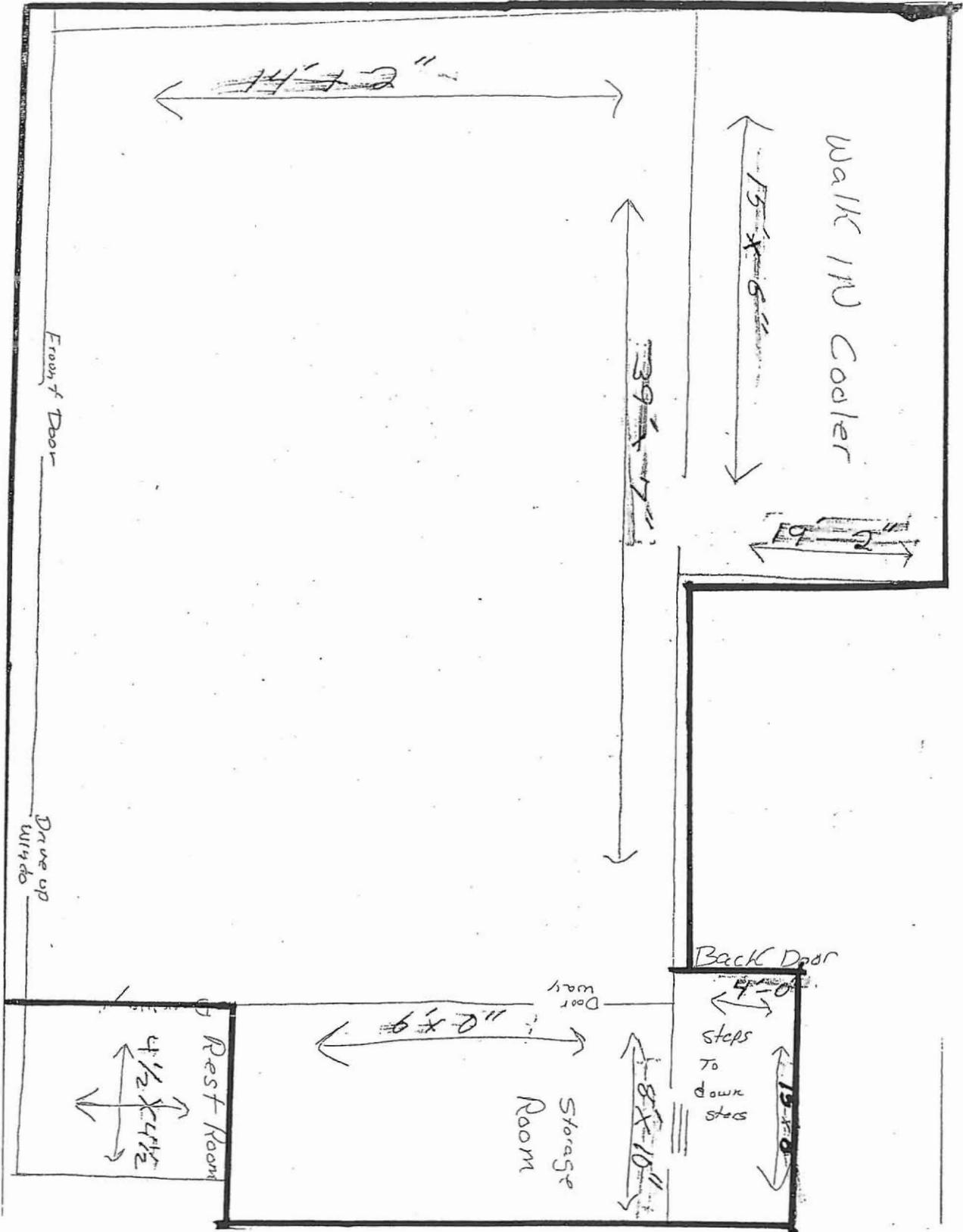
27. **WAIVERS.** Except to the extent prohibited by law, Grantor waives all appraisal, homestead exemption and marshalling of liens and assets relating to the Property.

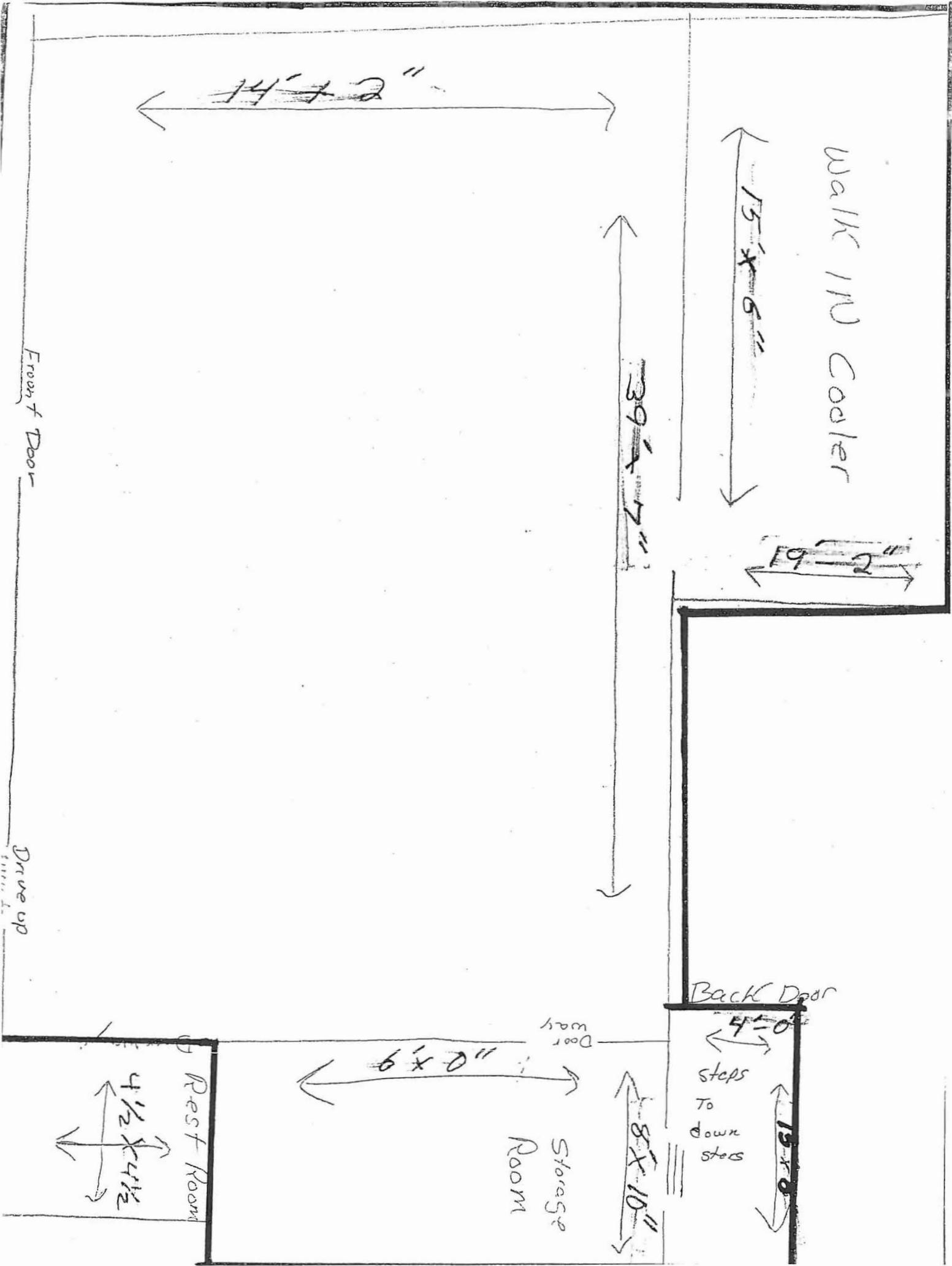
28. **U.C.C. PROVISIONS.** If checked, the following are applicable to, but do not limit, this Security Instrument:

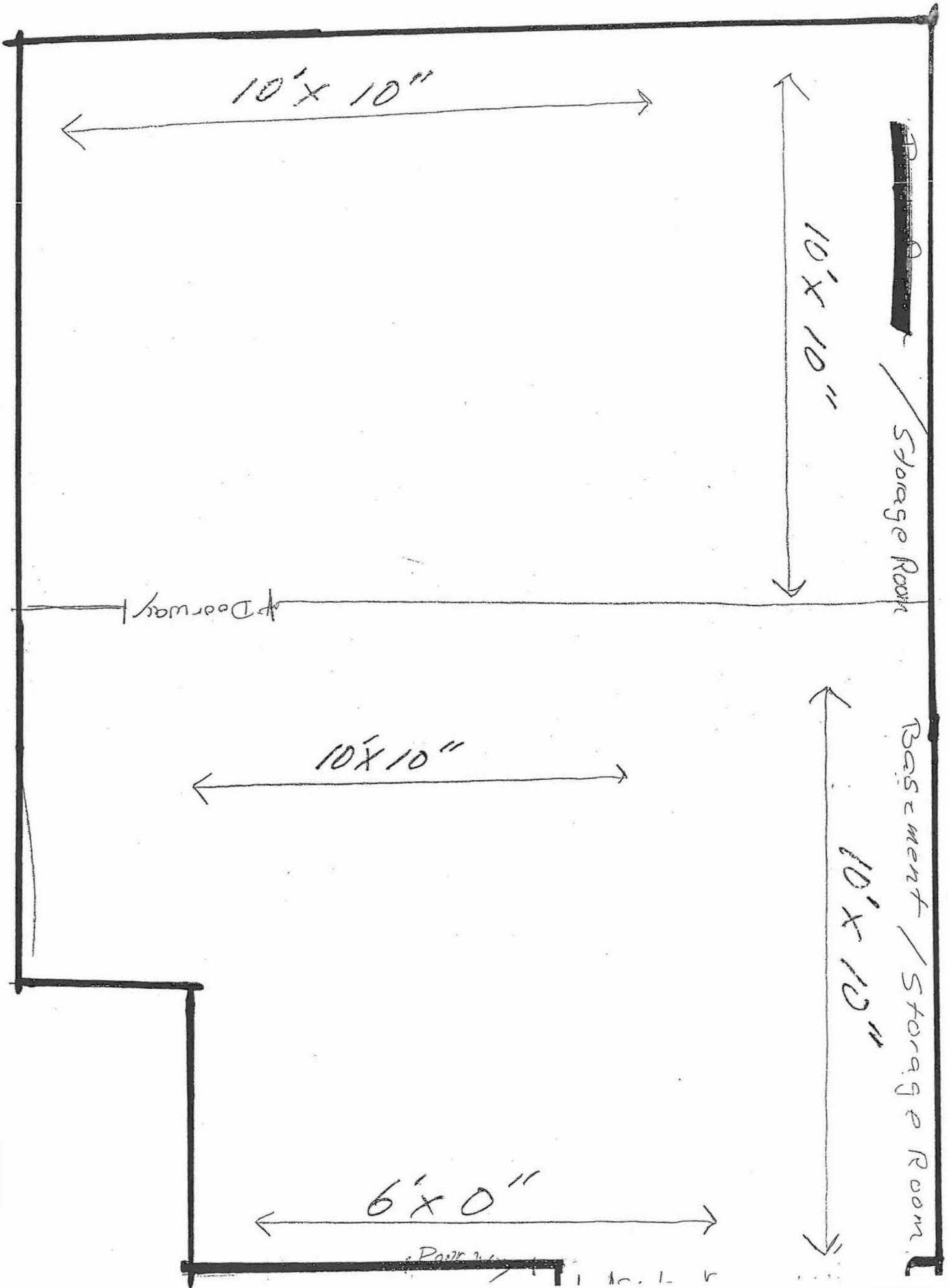
- Construction Loan.** This Security Instrument secures an obligation incurred for the construction of an improvement on the Property.
- Fixture Filing.** Grantor grants to Lender a security interest in all goods that Grantor owns now or in the future and that are or will become fixtures related to the Property.
- Crops; Timber; Minerals; Rents, Issues and Profits.** Grantor grants to Lender a security interest in all crops, timber, and minerals located on the Property as well as all rents, issues, and profits of them including, but not limited to, all Conservation Reserve Program (CRP) and Payment in Kind (PIK) payments and similar governmental programs (all of which shall also be included in the term "Property").
- Personal Property.** Grantor grants to Lender a security interest in all personal property located on or connected with the Property, including all farm products, inventory, equipment, accounts, documents,

Handwritten initials or signature.











Colorado Secretary of State
 Date and Time: 12/12/2013 01:55 PM
 ID Number: 20131712122
 Document number: 20131712122
 Amount Paid: \$20.00

Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

ABOVE SPACE FOR OFFICE USE ONLY

Statement of Trade Name of an Individual
 filed pursuant to §7-71-103 of the Colorado Revised Statutes (C.R.S)

1. The true name of the individual delivering this statement is

Jameson Elizabeth
(Last) (First) (Middle) (Suffix)

2. The principal address of such individual is

Street address 155 E. Elm St.
(Street number and name)

Trinidad CO 81082
(City) (State) (Postal/Zip Code)
United States
(Province – if applicable) (Country – if not US)

Mailing address 155 E. Elm St.
 (leave blank if same as street address) (Street number and name or Post Office Box information)

Trinidad CO 81082
(City) (State) (Postal/Zip Code)
(Province – if applicable) (Country – if not US)

3. The trade name under which such individual transacts business or contemplates transacting business in this state is

Drop City Liquor

4. A brief description of the kind of business transacted or contemplated to be transacted in this state under such trade name is

liquor store

5. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

6. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)
 The delayed effective date and, if applicable, time of this document are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

7. The true name and mailing address of the individual causing this document to be delivered for filing are

Jameson	Elizabeth	Ann	
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
155 E. Elm			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
Trinidad	CO	81082	
<small>(City)</small>	<small>(State)</small>	<small>(Postal/Zip Code)</small>	
	United States		
<small>(Province - if applicable)</small>	<small>(Country - if not US)</small>		

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

INDIVIDUAL HISTORY RECORD

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant or Tavern class of retail license.

NOTICE: This individual history record requires information that is necessary for the licensing investigation or inquiry. **All** questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.**

1. Name of Business

Drop City Liquor

2. Your Full Name (last, first, middle)

Jameson, Elizabeth A.

3. List any other names you have used.

Bowie, Passarelli

4. Mailing address (if different from residence)

[REDACTED] Aguilar, CO 81020

5. List current residence address. Include any previous addresses within the last five years (attach separate sheet if necessary).

STREET AND NUMBER	CITY, STATE, ZIP	FROM	TO
Current [REDACTED]	Aguilar, CO 81020	10-2013	Present
Previous [REDACTED]	Trinidad, CO 81082	10-2009	10-2013

6. List all employment within the last five years. Include any self employment. (Attach separate sheet if necessary)

NAME OF EMPLOYER OR BUSINESS	ADDRESS (STREET, NUMBER, CITY, STATE, ZIP)	POSITION HELD	FROM	TO
Aguilar School Dist	820 Balsam Aguilar, CO	Teacher	8/13	Present
Trinidad Dist #1	215 S. Maple Trinidad, CO	Teacher	8/93	6/13

7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.

NAME OF RELATIVE	RELATIONSHIP TO YOU	POSITION HELD	NAME OF LICENSEE
NONE			

8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? If yes, answer in detail.

Yes No

CO-owner of previous license # 42995620000 with Johnny Jameson. Received the store in divorce

9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? If yes, explain in detail.

Yes No

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)

Yes No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (if yes, explain in detail.)

Yes No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.)

Yes No

PERSONAL AND FINANCIAL INFORMATION

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth		b. Social Security Number SSN		c. Place of Birth		d. U.S. Citizen?	
[REDACTED]		[REDACTED]		[REDACTED]		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
e. If Naturalized, State where				f. When		g. Name of District Court	
h. Naturalization Certificate Number		i. Date of Certification		j. If an Alien, Give Alien's Registration Card Number		k. Permanent Residence Card Number	
l. Height	m. Weight	n. Hair Color	o. Eye Color	p. Sex	q. Race	r. Do you have a current Driver's License? If so, give number and state	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [REDACTED]	

14. Financial Information.

a. Total purchase price \$ [REDACTED] (if buying an existing business) or investment being made by the applying entity, corporation, partnership, limited liability company, other \$ _____

b. List the total amount of your investment in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid \$ **107,000.00**

c. Provide details of the investment described in 14.b. You must account for all of the sources of this investment. Attach a separate sheet if needed.

Type: Cash, Services or Equipment	Source	Amount
Loan- First Nat	First National Bank Loan	27,000
Cash	Cash from Savings (in 2011)	70,000
Cash	Personal CD (in 2011)	10,000

d. Loan Information (attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
First National Bank	100 E Main Trinidad, CO	30 yr.	Bldg. land	54,000
First National Bank	100 E Main Trinidad, CO	5 yr.	Inv. ^{second} mtg house	27,000

Oath of Applicant

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature <i>Elizabeth Jameson</i>	Title <i>Owner</i>	Date <i>1-10-14</i>
--	-----------------------	------------------------

December 10, 2013

To Whom it May Concern:

I am truly pleased to prepare this letter of reference regarding the character of Ms. Elizabeth Passarelli Jameson, a former colleague and personal friend of mine. As a parent, educator, and businesswoman, Beth consistently demonstrates behaviors which are indicative of a strong moral character. Please allow me to share some of my observations of Beth with you.

As parent – probably the role she considers most important in life – Beth is an excellent example of what a mom should be. She is dedicated to the welfare of her children, putting their needs ahead of hers at all times. Indicative of this ethic are the children she raised: they are all college graduates and honorable, moral, and selfless contributors to the communities they live in.

As a teacher, Beth was a hard-working, dedicated professional. She not only was a demanding and compassionate instructor, but she also gave countless hours after school helping with various activities and student needs.

As a businesswoman, Beth has integrity. She follows all laws and regulations applicable to her industry and maintains the highest standards in her business practices.

On a more personal level, I find Beth to be an honest, honorable, and compassionate individual who makes many positive contributions to our community on a variety of levels. I would have no hesitation in recommending her for a liquor license in her own name.

Please feel free to call me if I may answer any further questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Louis Rino", with a long horizontal flourish extending to the right.

Louis Rino, Chairman
Trinidad High School Department of English
512 East 9th Street
Trinidad, CO 81082
719-680-1237

message 1/22/14
verified 1/24/14



Primero Reorganized School District RE-2
20200 State Highway 12
Weston, Colorado 81091
www.primeroschool.org

Jeff Bollinger, Superintendent/Principal
Denille LePlatt, k-8 Principal
Eric Davies, Business Manager

Phone: (719) 868-2715
Fax: (719) 868-2241

We believe in the success of every learner!

December 9th, 2013

To Whom It May Concern:

I can sincerely vouch for the character of Ms. Elizabeth Jameson in her bid to continue to hold a liquor license for the business establishment Drop City Liquor.

I have known Ms. Jameson for over fifteen years. When I first moved to Trinidad, I had the honor of student teaching with Ms. Jameson at Trinidad High School. Over the years, we have continued to work together extensively, and even now that we are employed at different school districts, we continue to collaborate to this day. During the years I have known her, I have found Beth to be honest, straightforward, and shrewd, all characteristics that I am sure are vital for an individual to possess in order to be a successful, upstanding owner of a liquor establishment.

First, Ms. Jameson is one of the most highly-organized individuals I know. I first observed her flair for organization at Trinidad High School; Ms. Jameson was in charge of organizing the storage rooms/area for the English department. This was no small task, considering that this area encompassed three storage rooms, and Ms. Jameson had to organize years' worth of old textbooks, novel sets, props for plays and dances, etc. During the occasions when I have visited Beth at Drop City Liquor, I have observed the same highly-organized environment.

Of particular value to me is Ms. Jameson's sense of honor and integrity. She has always operated in an honest, up-front way with me, her colleagues, and her students. She has always been willing to help me, both personally and professionally. I know that I can rely on her; if Ms. Jameson says that she will do something, she does it, and she excels at it. This is one of the reasons that I have so enjoyed and valued collaborating with Ms. Jameson over the years within our common line of work. Thus, I have no doubts that she will continue to excel in meeting the guidelines required to hold and operate a liquor license.

Thus, Ms. Jameson is a hardworking, honest, top-performing individual and business owner. She has my highest recommendation, and I am happy to furnish more details if you would like additional information.

Sincerely,

Ruth Feinman Stodghill
English Teacher
Primero Junior/Senior High School
719-679-0007

message 1/22/14
verified 1/30/14

December 11, 2013

To Whom It May Concern,

Elizabeth Jameson is a responsible citizen who should be allowed to receive her liquor license. As a co-worker and educator, she is prompt, organized, strict, and follows both school and district policies. Just like in her classroom, Elizabeth follows state and local laws and policies. She has received her liquor license in the past and should still be granted one now. There has never been an issue with her selling liquor at her liquor store, where she also follows the laws and regulations of her current license.

Many times we discuss how she has had to refuse service to those who are too intoxicated, minors, or under the influence of illegal substances. Knowing Elizabeth, she will continue to refuse service to clients who should not lawfully purchase liquor substances. Not only does she refuse service to these individuals, so do her employees. Elizabeth ensures that her employees are trustful, respectful, and understand the policies and rules that go along with her liquor license.

If she was granted a liquor license before, she should be granted one again. Elizabeth is a hard working business owner who would not jeopardize her business by breaking the laws and rules that surround the license that keeps her doors open. Trinidad would benefit from keeping a local business open, especially one that follows the state and local laws.

If for any reason you need to contact me for more information please feel free to do so. My cell phone number is (970) 270-4485 and my work phone number is (719) 941-4188. You may also email me at aftn.thompson@yahoo.com.

Sincerely,



Afton Thompson

Secondary Science Teacher

Aguilar Jr/Sr High School

verified 1/22/14
message
1/22/14

DATE 02/04/2014

PD TRINIDAD
2309 E MAIN ST
TRINIDAD, CO 81082

RE: JAMESON, ELIZABETH ANN
SOC: XXX-XX-██████████

DATE OF BIRTH: ████████████████████

No Colorado record of arrest has been located based on above name and date of birth or through a search of our fingerprint files.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests which are not supported by fingerprints will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records, and juvenile records are not available to the public.

Since a record may be established after the time a report was requested, the data is only valid as of the date issued. Therefore, if there is a subsequent need for the record, it is recommended another check be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,
Ronald C. Sloan, Director
Colorado Bureau of Investigation

FEDERAL BUREAU OF INVESTIGATION - CJIS DIVISION

CIVIL APPLICANT RESPONSE

A SEARCH OF THE FINGERPRINTS ON THE INDIVIDUAL HAS REVEALED NO PRIOR ARREST.

ICN: [REDACTED]
OCA: [REDACTED]
Name: JAMESON, ELIZABETH ANN
Date of Birth: [REDACTED]
Sex: [REDACTED]
Race: [REDACTED]
Height: [REDACTED]
Weight: [REDACTED]
SSN: [REDACTED]
Misc ID:
Captured Date: 02/03/2014
Submitted Date: 02/04/2014

CORRECTED
NOTICE OF PUBLIC HEARING

PURSUANT TO THE LIQUOR LAWS OF COLORADO, Elizabeth Jameson d/b/a Drop City Liquor, 155 Elm Street, Trinidad, CO, has requested the licensing officials of the City of Trinidad to transfer ownership of a retail liquor store license at this location to sell malt, vinous and spirituous liquors.

Hearing on application will be held on Tuesday, February 18, 2014, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: January 21, 2014

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of January, 2014.

By order of the Trinidad City Council.

CITY OF TRINIDAD, COLORADO

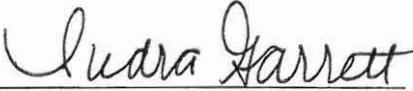


Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of January, 2014, I mailed the Notice of Public Hearing by first-class mail, postage pre-paid to:

Elizabeth Jameson
d/b/a Drop City Liquor
155 E. Elm Street
Trinidad, CO 81082


Audra Garrett
Audra Garrett, City Clerk

PROOF OF PUBLICATION

STATE OF COLORADO
COUNTY OF LAS ANIMAS } SS

Krysta E. Toci, of lawful age, being first duly sworn upon oath, deposes and says that she is the authorized agent of The Chronicle-News, daily newspaper of general circulation which is published and circulated in the City of Trinidad, Las Animas County, Colorado, that said newspaper is a newspaper of general circulation complying with all of the requirements of Articles I to VII, Chapter 130, 1935, Colorado Statutes Annotated, and all other laws of said State, and that said legal / notice has been so published for the period of time prescribed in said newspaper proper and not a supplement.

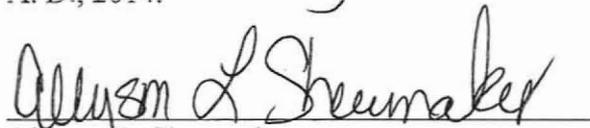
The attached Notice was published in said newspaper in its issue(s) dated

51906 January 31, 2014



Krysta E. Toci

Subscribed and sworn to before me this
31 day of January
A. D., 2014.



Allyson L. Sheumaker

My commission expires on August 26, 2015



My Comm. Expires August 26, 2015

NOTICE OF PUBLIC HEARING

PURSUANT TO THE LIQUOR LAWS OF COLORADO, Elizabeth Jameson d/b/a Drop City Liquor, 155 Elm Street, Trinidad, CO, has requested the licensing officials of the City of Trinidad to transfer ownership of a retail liquor store license at this location to sell malt, vinous and spirituous liquors.

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Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of January, 2014.

By Order of the Trinidad City Council
Audra Garrett, City Clerk

Published: January 31, 2014 51906

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, Elizabeth Jameson d/b/a Drop City Liquor, 155 Elm Street, Trinidad, CO, 81082, which business has applied for transfer of ownership of a Retail Liquor Store License to sell malt, vinous and spirituous liquor at said location, was duly posted for not less than ten continuous days, with the first day of posting occurring on the 29th day of January, 2014.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 29th day of January, 2014.

CITY OF TRINIDAD, COLORADO

(S E A L)



Audra Garrett, City Clerk

01/22/14

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

Applicant: Elizabeth Jameson

dba: Drop City Liquor

Address: 155 Elm Street

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

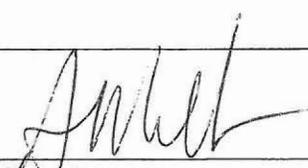
FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 18, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Minor Violations

1/23/14
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2014

01/22/14

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

Applicant: Elizabeth Jameson

dba: Drop City Liquor

Address: 155 Elm Street

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 18, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

2-10-14
Date

Chris D. Kelley
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2014

1/22/2014

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

Applicant's Name: Elizabeth Jameson

DBA: Drop City Liquor

Business Address: 155 Elm Street

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: February 18, 2014, 7:00 p.m.

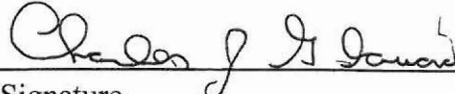
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

No records

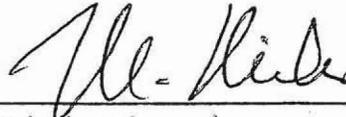
1-28-14
Date


Signature

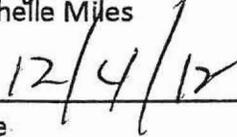
RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2014

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.

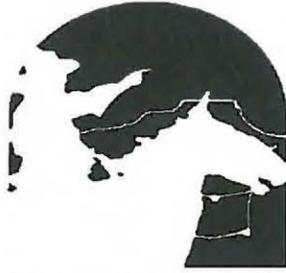


Michelle Miles



Date

7a



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Tara Marshall
DEPT. HEAD SIGNATURE: *YDM*
OF ATTACHMENTS: 1

SUBJECT: Consideration of an Ordinance Adjusting Trinidad Landfill Fees.

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Provide input to staff regarding, recommended Landfill Fees increase and scheduling the Ordinance for a regular meeting of the City Council.

SUMMARY STATEMENT:

It has been more than 10 years since the rates at the Trinidad Landfill were adjusted. Since this time, several important updates have been done at the site; in addition, the cost of operating the Landfill has increased. The City is also required by State mandate to maintain funds for the closure and post closure monitoring of the Landfill.

Staff researched comparable landfills in the region and used these findings to recommend the following fee increases. The current Landfill rates and recommended increases are as follows:

	Current Rate	Recommended Increase	New Rate
Resident of City:			
Typical Waste	\$4.00/cubic yard(cyd)	\$2.00/cyd	\$6.00/cyd
Construction Waste	\$4.00/cyd	\$3.00/cyd	\$7.00/cyd
Yard Waste	\$4.00/cyd	\$3.00/cyd	\$7.00/cyd
35 Gallon Bag Sticker	\$0.65/bag	\$0.35/bag	\$1.00/bag
Resident of County:			
Typical Waste	\$4.00/cyd	\$2.50/cyd	\$6.50/cyd
Construction Waste	\$4.00/cyd	\$4.00/cyd	\$8.00/cyd
Yard Waste	\$4.00/cyd	\$4.00/cyd	\$8.00/cyd
35 Gallon Bag Sticker	\$0.65/bag	\$0.60/bag	\$1.25/bag
Commercial:			
Typical Waste	\$4.00/cyd	\$2.00/cyd	\$20.00/ton = \$6.00cyd
Construction Waste	\$4.00/cyd	\$3.00/cyd	\$23.33/ton = \$7.00cyd
Special Waste:	\$6.00/cyd	\$4.00/cyd	\$10.00/cyd
Tires:	\$1.00 - \$2.50 - \$15.00	\$1.00 - \$1.50 - \$3.00	\$2.00 - \$4.00 - \$18.00

7a

Based on the three year average (2010, 2011, 2012) the Trinidad Landfill processed 42,953 cubic yards of refuse. Using this average, staff conservatively estimates an increase in Landfill revenue of \$86,000 per year based on new rates. It can be anticipated with the other fee changes we should see additional increase in revenue.

Interest has been expressed from an individual to lease and operate the scale for a set fee payable to the City. Staff is anticipating receiving a written proposal and will evaluate the feasibility of the proposal and need to solicit additional proposals. This will potentially enhance revenue from landfill operations as well.

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

POLICY ISSUE: Increasing the City of Trinidad Landfill Fees as recommended.

ALTERNATIVE: City Council could elect to approve a greater fee increase, modify the recommendations presented or could elect to not increase fees.

BACKGROUND INFORMATION:

The City of Trinidad owns and operates the Trinidad Landfill located at 2401 North State Street. The Landfill is open to the public Monday – Friday from 7:00 to 3:00 and Saturday from 8:00 to 12:00. The City currently employs 3 full time personnel at the Landfill.

It has been in excess of 10 years since the rates at the Landfill were adjusted. Since this time, several important updates have been done at the site. The City purchased a scale, which will allow vehicles to be weighed and waste to be calculated by weight rather than cubic yard. Also, the City purchased additional land that will be used to provide necessary cover (dirt) for the deposited waste in the future.



ORDINANCE NO.

AN ORDINANCE ADJUSTING THE CITY OF TRINIDAD
LANDFILL FEES

WHEREAS, the City of Trinidad owns and operates a municipal solid waste disposal facility; and

WHEREAS, it has been in excess of ten years since the City adjusted landfill fees; and

WHEREAS, since the last time rates were adjusted, the City of Trinidad acquired a scale for the landfill to have the ability to charge by weight as opposed to volume, a more equitable means of determining the volume of solid waste being disposed of;

WHEREAS, a rate increase is necessary in order to provide sufficient revenues to cover operation and maintenance of the municipal landfill.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF TRINIDAD, COLORADO, that:

1. Section 11-12, City Landfill Fees of Chapter 11, Municipal Solid Waste, of the Code of Ordinances of the City of Trinidad is repealed and re-enacted in its entirety as follows:

Section 11-12. City Landfill Fees.

(1) Fees assessed for the disposal of garbage, trash, and tire carcasses, and all other types of acceptable refuse at the Trinidad Landfill shall be at the following rates for each delivery:

(a) City residents

- (I) Typical municipal waste, \$5.75 per cubic yard
- (II) Construction waste, \$6.75 per cubic yard
- (III) Yard waste, \$6.75 per cubic yard
- (IV) One dollar (\$1.00) per container of waste material not to exceed thirty-five (35) gallons in volume

(b) County residents

- (I) Typical municipal waste, \$6.25 per cubic yard

- (II) Construction waste, \$7.75 per cubic yard
- (III) Yard waste, \$7.75 per cubic yard
- (IV) One dollar and twenty-five cents (\$1.25) per container of waste material not to exceed thirty-five (35) gallons in volume

(c) Commercial haulers, roll offs and any other non-residential large scale vehicle

- (I) Typical municipal waste, \$20.00 per ton (equivalent to \$5.75 per cubic yard plus \$0.25 surcharge referenced in Section 11-12(1)(e))
- (II) Construction waste, \$23.33 per ton (equivalent to \$6.75 per cubic yard plus \$0.25 surcharge referenced in Section 11-12(1)(e))

(d) Special waste shall not be subject to the rate set forth in subsection (a) or (b), but instead shall be subject to the following rates.

	Disposal fee
(I) Special wastes such as contaminated soil, sand trap waste, non-friable asbestos, and other similar wastes which require additional handling by landfill personnel	\$9.75 per cubic yard minimum fee, special negotiation may be required.
(II) Passenger car tires and light truck tires up to and including a 16 ½" wheel size	\$2.00 per tire
(III) Medium duty and heavy duty truck tires ranging in size larger than a 16 ½" wheel up to and including a 22 ½" wheel	\$4.00 per tire
(IV) All tires sizes larger than a 22 ½" wheel up to and including heavy equipment tires	\$18.00 per tire

(e) A surcharge of \$0.25 per cubic yard for anticipated future landfill closure expenses shall be added to the foregoing fees, set forth in subsections (a)(b)(c) and (d)(I) with the revenues from such surcharge to be placed in a restricted fund, to be used for landfill closure purposes only.

(2) Such fees shall be in effect and added to the monthly utility bill commencing with the adoption of this ordinance and shall be due and payable with said utility bill. Any individual who is not a customer of one or more of the City's utility services shall be billed the following month for the prior month's charges and payments are due and payable upon receipt of statement.

(3) All garbage, rubbish, or other waste material under the control of the City at the City landfill, shall be the property of the City, and it shall be unlawful for any person to enter upon such sites, or carry off, dispose of, burn or in any manner disturb or molest any matter or item deposited or existing upon such sites, except under the direction or authority of the Public Works Director or his/her designee.

(4) All vehicles hauling municipal waste for disposal at the landfill shall be enclosed or tarped. Any person who does not comply with this requirement shall be assessed a double charge for disposal of his/her load.

INTRODUCED BY COUNCILMEMBER BOLTON, READ AND ORDERED PUBLISHED, this 4th day of February, 2014.

FINALLY PASSED AND APPROVED this ____ day of _____, 2014.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the ____ day of _____, 2014.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk

76



COUNCIL COMMUNICATION

CITY COUNCIL MEETING:
PREPARED BY:
DEPT. HEAD SIGNATURE:
OF ATTACHMENTS:

February 18, 2014
Tara Marshall
Tom
1

SUBJECT: Consideration of an Ordinance Revising the City's Water Rate Schedule

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Provide input to staff regarding recommended Water Rates increase and scheduling the Ordinance for a regular meeting of the City Council.

SUMMARY STATEMENT:

It has been more than 20 years since the City of Trinidad adjusted the water rates. Since that time, the operation and maintenance of the City's water source and delivery system have significantly increased. The latest utility rate study completed by the Colorado Municipal League (CML) shows that more than 70% of Colorado cities and towns have implemented water rate increases over the past 3 years. In addition, the City has recently made significant improvements at North Lake Dam.

Based on an across the board 10% increase in rates, staff recommends the following rate increases. Staff estimates the rate increase will result in an estimated additional \$194,600 in revenue for the Water Department. The current Water rates and recommended increases are as follows:

	Current Rate	Recommended Increase	New Rate
Urban: Residential, Small Commercial			
Minimum Fee	\$15.00/month	\$1.50/month	\$16.50/month
Rate above Minimum	\$1.50/cubic foot	\$0.15/cubic foot	\$1.65/cubic foot
Urban: Large Commercial			
1 1/2" Meter Minimum	\$26.25	\$2.63	\$28.88
2" Meter Minimum	\$52.50	\$5.25	\$57.75
3" Meter Minimum	\$105.00	\$10.50	\$115.50
4" Meter Minimum	\$187.50	\$18.75	\$206.25
6" Meter Minimum	\$420.00	\$42.00	\$462.00
8" Meter Minimum	\$750.00	\$75.00	\$825.00
Rate above Minimum	\$1.50/cubic foot	\$0.15/cubic foot	\$1.65/cubic foot

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	Current Rate	Recommended Increase	New Rate
Rural: Residential, Small Commercial			
Minimum Fee	\$25.00/month	\$2.50/month	\$27.50/month
Rate above Minimum	\$2.50/cubic foot	\$0.25/cubic foot	\$2.75/cubic foot
Rural: Large Commercial			
1 ½" Meter Minimum	\$52.50	\$5.25	\$57.75
2" Meter Minimum	\$105.00	\$10.50	\$115.50
3" Meter Minimum	\$210.00	\$21.00	\$231.00
4" Meter Minimum	\$375.00	\$37.50	\$412.50
6" Meter Minimum	\$840.00	\$84.00	\$924.00
8" Meter Minimum	\$1,500.00	\$150.00	\$1,650.00
Rate above Minimum	\$3.00/cubic foot	\$0.30/cubic foot	\$3.30/cubic foot

In addition to the tables above, the permit issued for the re-sale of water would increase from \$100 to a cost of \$125. Staff will also look into a future project to evaluate the sewer system infrastructure condition and a rate study to allow for infrastructure improvements in the future.

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

POLICY ISSUE: Increasing the City of Trinidad Water Rates

ALTERNATIVE: City Council could elect to not increase the City of Trinidad Water Rates or request modifications to the proposed fee increase.

BACKGROUND INFORMATION:

The City of Trinidad owns and operates its own water source and its own treatment and distribution system. The Water Department employs 14 full time individuals that work in the areas of treatment, distribution and administration. The City's primary water source is North Lake.



ORDINANCE NO.

AN ORDINANCE REVISING THE CITY'S WATER RATE SCHEDULE AND THE CITY'S PLANT INVESTMENT FEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that:

- 1. Sections 12-74(1) and 12-85(1) and (5) and Sections 12-67(1) and (2) are repealed and reenacted as follows:

Section 12-74. Water service rates – Schedule.

(1) A proportion of the revenues generated by the following established Water Service Rate Schedule in the amount of three dollars (\$3.00) per month per customer shall be set aside in a restricted water fund to provide for payment of bonded indebtedness retirement, loan repayment, and capital improvements as provided for in the annual budgets of the Water Department:

(a) W-1 Urban Residential and Small Commercial.

- (I) Applicability. Applicable for water service within the corporate limits of the City to all services with a smaller than one and one half inch (1-1/2") meter.
(II) All water usage shall be billed at a rate of one dollar and sixty-five cents (\$1.65) per 100 cubic feet (750 gallons) beyond the minimum amount.
(III) Minimum charge per month: Water Amount:
Meter smaller than 1-1/2" 1,000 cubic feet
(\$16.50) (7,500 gallons)

(b) W-2 Urban Large Commercial and Large Residential.

- (I) Applicability. Applicable for water service within the corporate limits of the City to all services with a one and one half-inch (1-1/2") meter or larger.
(II) All water usage shall be billed at a rate of one dollar and sixty-five cents (\$1.65) per 100 cubic feet (750 gallons) beyond the minimum amount.
(III) Minimum charge per month: Water Amount:

1-1/2" meter	\$28.88	1,750 cu. ft. (13,125 gallons)
2" meter	\$57.75	3,500 cu. ft. (26,250 gallons)
3" meter	\$115.50	7,000 cu. ft. (52,500 gallons)
4" meter	\$206.25	12,500 cu. ft. (93,750 gallons)
6" meter	\$462.00	28,000 cu. ft. (210,000 gallons)
8" meter	\$825.00	50,000 cu. ft. (375,000 gallons)

(c) W-3 Rural Residential and Small Commercial

(I) Applicability. Applicable for water service outside the corporate limits of the City to all services with a smaller than one and one half inch (1-1/2") meter.

(II) All water usage shall be billed at a rate of two dollars and seventy-five cents (\$2.75) per 100 cubic feet (750 gallons) beyond the minimum amount.

(III) Minimum charge per month: Water Amount:

Meter smaller than 1-1/2": \$27.50 1,000 cubic feet (7,500 gallons)

(d) W-4 Rural Large Commercial, Industrial and Association.

(I) Applicability. Applicable for water service outside the corporate limits of the City to all services with a one and one-half inch (1-1/2") meter or larger.

(II) All water usage shall be billed at a rate of three dollars and thirty cents (\$3.30) per 100 cubic feet (750 gallons) beyond the minimum amount.

(III) Minimum charge per month: Water Amount:

1-1/2" meter	\$57.75	1,750 cu. ft. (13,125 gallons)
2" meter	\$115.50	3,500 cu. ft. (26,250 gallons)
3" meter	\$231.00	7,000 cu. ft. (52,500 gallons)
4" meter	\$412.50	12,500 cu. ft. (93,750 gallons)
6" meter	\$924.00	28,000 cu. ft. (210,000 gallons)
8" meter	\$1,650.00	50,000 cu. ft. (375,000 gallons)

Section 12-85 Permits to re-sell water.

(1) Any person wishing to re-sell water obtained from the City Water Utility shall first obtain an annual permit from the City Manager to re-sell water and pay a fee of \$125.00. The permit shall expire one year after its issuance. The permittee may apply for a renewal within ninety (90) days before the expiration date. The permit for resale of water is required in addition to any of the other permits required for water connections prescribed by this chapter. The City Manager shall not issue a water resale permit without first finding that:

(a) The applicant has already obtained the required permit for main connections with City Water Utility;

(b) The applicant has obtained product insurance to protect and hold the city harmless in the event there is any damage or injury resulting from the quality of the water sold to and resold by the permit holder; and

(c) The estimated quantity of water to be resold will not be of such a volume to interfere with the water service to be provided to existing water utility customers.

(5) Any person who resells water obtained from the City Water Utility must have an additional meter installed on his/her residential and/or commercial water tap to separately measure the volume of water used for resale purposes. Such person shall be charged a base amount of \$11.00 per 1,000 gallons (133 cubic feet) used for resale purposes.

Section 12-67. Plant Investment Fee.

Before a City water service shall be allowed or approved for any premises in any territory, area or subdivision, developed or undeveloped, there shall be an initial water service charge to compensate the City partially for the base water supply, treatment facilities and mains required to provide service. Such a charge, generally referred to as the Plant Investment Fee, shall be as follows:

(1) Water Plant Investment Fee - Inside City

3/4" tap \$ 1,250.00

1" tap \$ 2,250.00

1-1/2" tap \$ 3,500.00

2" tap \$ 4,000.00

3" tap \$ 7,000.00

4" tap \$ 12,500.00

The Plant Investment Fee for a 6" or larger tap is subject to negotiation, to be based on projected revenue from the project.

(a) Where a tap is made on the main to serve any non-metered private fire hydrant, fire sprinkler system, or standpipe, and a smaller tap is made for metered domestic, commercial or industrial use, the Plant Investment Fee shall be based on the size of the metered tap.

(b) These charges are in addition to the actual costs in physically tapping the main by City forces.

(2) Water Plant Investment Fee - Outside City

3/4" tap \$ 3,200.00

1" tap \$ 4,750.00

1-1/2" tap \$ 7,250.00

2" tap \$ 9,500.00

3" tap \$ 21,500.00

4" tap \$ 37,500.00

The Plant Investment Fee for a 6" or larger tap is subject to negotiation, to be based on projected revenue from the project.

(a) Where a tap is made on the main to serve any non-metered private fire hydrant, fire sprinkler system, or standpipe, and a smaller tap is made for metered domestic, commercial or industrial use, the Plant Investment Fee shall be based on the size of the metered tap.

(b) These charges are in addition to the actual costs in physically tapping the main by City forces.

INTRODUCED BY COUNCILMEMBER MATTIE, READ AND ORDERED
PUBLISHED this 4th day of February, 2014.

FINALLY PASSED AND APPROVED this ____ day of _____, 2014.

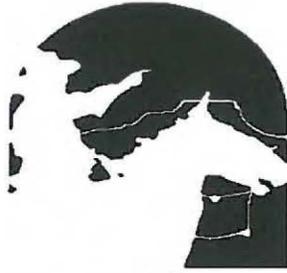
EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the ____ day of _____, 2014.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk

7c



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
 PREPARED BY: Tara Marshall
 DEPT. HEAD SIGNATURE: *Tom*
 # OF ATTACHMENTS: 1

SUBJECT: Consideration of an Ordinance Adjusting the City's Rates for Sewer Service

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Provide input to staff regarding, recommended Sewer Rate increase and scheduling the Ordinance for a regular meeting of the City Council.

SUMMARY STATEMENT:

The City of Trinidad has not adjusted the Sewer Rates since the upgrades were made to the Wastewater Treatment Plant in 2000. At that time, rates were increased to cover the cost of the project's debt service. Unfortunately, no rate increase was considered to cover the ongoing cost of operation and maintenance of the facility. This combined with the increased usage of electricity at the Plant has raised the current Sewer expenditures beyond anticipated costs and the past rate increase does not currently cover the monthly debt service.

Staff is recommending an initial rate increase of 10% across the board that will result in an estimated \$126,000 increase in revenue. The current Sewer rates and recommended increases are as follows:

	Current Rate	Recommended Increase	New Rate
Urban Residential			
Monthly Minimum	\$22.00/month	\$0.00/month	\$22.00/month
Rate/100 cubic feet of Water Used/Month	\$0.50/100 cubic feet	\$0.50/100 cubic feet	\$1.00/100 cubic feet
Urban Commercial			
85% of Monthly Water Charge plus	Large - \$6.00/month Small - \$6.00/month	Large - \$1.00/month Small - \$1.00/month	Large - \$7.00/month Small - \$7.00/month
Rural Residential			
Monthly Minimum	\$30.00/month	\$0.00/month	\$30.00/month
Rate/100 cubic feet of Water Used/Month	\$0.50/100 cubic feet	\$0.50/100 cubic feet	\$1.00/100 cubic feet
Rural Commercial			
85% of Monthly Water Charge plus	Large - \$6.00/month Small - \$7.00/month	Large - \$1.00/month Small - \$1.00/month	Large - \$7.00/month Small - \$8.00/month

7c

Staff will also look into a future project to evaluate the sewer system infrastructure condition and a rate study to allow for infrastructure improvements in the future.

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

POLICY ISSUE: Increasing the City of Trinidad Sewer Rates

ALTERNATIVE: City Council could elect to not increase the City of Trinidad Sewer Rates or to request a modification of the proposed increase.

BACKGROUND INFORMATION:

The City of Trinidad owns and operates its own sewer collection and treatment system. The Sewer Department employees 10 full time individuals that work in the areas of treatment, collection and administration.

In 2000, the City of Trinidad expanded the capacity at our Wastewater Treatment Plant from ½ million gallons processed per day to be 2 million gallons processed per day. At this time, sewer rates were increased to cover the debt service cost of the project. No increase was done however to cover the cost of increasing operation and maintenance on the facility.



ORDINANCE NO.

AN ORDINANCE ADJUSTING THE CITY'S RATES FOR SEWER SERVICE

WHEREAS, the Colorado Water Resources and Power Development Authority authorized a loan of \$6,600,000 to the City of Trinidad for improvements to the City's sewer system; and

WHEREAS, it is necessary to increase sewer rates in order to provide sufficient revenues to continue payment of that loan; and to provide funds to operate and maintain the City's sewer system;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that:

- 1. Section 12-53(1)(a)(b)(d) and (e) of the Code of Ordinances of the City of Trinidad is repealed and re-enacted as follows:

Section 12-53. Sewage service rates.

(1) There shall be assessed and charged the following sewer service rates:

(a) S-1 URBAN RESIDENTIAL

(I) Applicability. Applicable for sewage service within the corporate limits of the City to all residential customers.

(II) Monthly minimum per living unit in any month water service is furnished by the City shall be twenty-two dollars (\$22.00).

(III) Monthly incremental charge based upon potable water consumed in the dwelling as measured through the water service meter. The rate shall be one dollar (\$1.00) per 100 cubic feet of water consumed up to a maximum of 1,000 cubic feet or ten dollars (\$10.00). This charge shall be in addition to the monthly minimum charge above.

(IV) For the user of sewer service of less than a month, the charge shall be as follows:

- 0 to 10 days-----1/3 of the monthly minimum
11 to 20 days-----2/3 of the monthly minimum
21 to 30 days-----full monthly minimum plus
the monthly incremental charge

(b) S-2 URBAN COMMERCIAL & INDUSTRIAL

(I) Large Commercial & Industrial

(A) Applicability. Applicable for sewage service within the corporate limits of the City to all commercial and industrial customers served by a water meter larger than a one and one-fourth-inch (1 1/4") meter and not using processed water in a manufacturing, bottling or canning operation.

(B) The charge per month shall be an amount equal to eighty-five percent (85%) of the same month's water charges plus seven dollars (\$7.00), or an amount equal to the monthly minimum water charge for Urban Large Commercial and Residential customers set forth in Section 12-74(1)(b)(III) and any amendment thereto, plus ten dollars (\$10.00), whichever amount is greater.

(II) Small Commercial & Industrial

(A) Applicability. Applicable for sewage service within the corporate limits of the City to all commercial and industrial customers served by a water meter larger than a one and one-fourth-inch (1 1/4") or smaller water meter and not using processed water in a manufacturing, bottling or canning operation.

(B) The charge per month shall be an amount equal to eighty-five percent (85%) of the same month's water charges plus seven dollars (\$7.00), or twenty-two dollars (\$22.00), whichever amount is greater.

(d) S-4 RURAL RESIDENTIAL.

(I) Applicability. Applicable for sewage service to all residential customers outside the corporate limits of the City.

(II) Monthly minimum per living unit in any month water service is furnished by the City shall be thirty dollars (\$30.00).

(III) Monthly incremental charge based upon potable water consumed in the dwelling as measured through the water service meter. The rate shall be one dollar (\$1.00) per 100 cubic feet of water consumed up to a maximum of 1,000 cubic feet or ten dollars (\$10.00). This charge shall be in addition to the monthly minimum charge above.

(IV) For any user of sewer service of less than a month the charge will be as follows:

0 to 10 days-----1/3 of the monthly minimum

11 to 20 days-----2/3 of the monthly minimum

21 to 30 days-----full monthly minimum plus
the monthly incremental
charge

(e) S-5 RURAL COMMERCIAL AND INDUSTRIAL

(I) Large Commercial, Industrial and Association.

(A) Applicability. Applicable for sewage service outside the corporate limits of the City to all commercial, industrial and association customers served by a water meter larger than one and one-fourth inch (1 ¼") meter, and not using processed water in a manufacturing, bottling or canning operation.

(B) The charge per month shall be an amount equal to eighty-five percent (85%) of the same month's water charges plus seven dollars (\$7.00), or an amount equal to the monthly minimum water charge for Rural Large Commercial, Industrial and Association customers set forth in Section 12-74(1)(d)(III) and any amendment thereto, plus ten dollars (\$10.00) whichever amount is greater.

(II) Small Commercial & Industrial

(A) Applicability. Applicable for sewage service outside the corporate limits of the City to all commercial and industrial customers served by one and one-fourth inch (1 ¼") or smaller water meter, and not using processed water in a manufacturing, bottling or canning operation.

(B) The charge per month shall be an amount equal to eighty-five percent (85%) of the same month's water charges plus eight dollars (\$8.00), or thirty dollars (\$30.00), whichever amount is greater.

INTRODUCED BY COUNCILMEMBER FLETCHER, READ AND ORDERED PUBLISHED this 4th day of February, 2014.

FINALLY PASSED AND APPROVED this ___ day of _____, 2014.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the ___ day of _____, 2014.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk

8a



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Andra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Andra Garrett*
OF ATTACHMENTS: 9

SUBJECT: Special events permit request by Trinidad & Las Animas County Chamber of Commerce at 150 E. Main Street for March 8, 2014 (Philanthropy Phair & Community Celebration)

PRESENTER: Trinidad & Las Animas County Chamber of Commerce representative

RECOMMENDED CITY COUNCIL ACTION: Consider approval of the permit as requested

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.
- The departmental report from the Building Inspector and Fire Chief reflected compliance. The Fire Department Safety Plan was approved by the Fire Chief.
- Police Department recommends following the security plan.
- Disclosure statement is provided by Councilmembers Miles.
- Appropriate fees have been paid.

8a

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 checked="" type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input 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:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY	LIQUOR PERMIT NUMBER
2170 <input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE <i>Trinidad and Las Animas County Chamber of Commerce</i>	State Sales Tax Number (Required) <i>27-09909</i>
---	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) <i>136 W. Main Street Trinidad, CO 81082</i>	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) <i>150 E. Main Street Trinidad, CO 81082</i>
--	--

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE <i>Tara Marshall</i>	[REDACTED]	[REDACTED]	[REDACTED]
5. EVENT MANAGER <i>Tara Marshall</i>	[REDACTED]	[REDACTED]	[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 To	Hours From To	Hours From To	Hours From To	Hours From To
<i>3/8/2014</i> From <i>3:00 pm</i> To <i>6:00 pm</i>				

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>Jan Dan Marel</i>	TITLE <i>President</i>	DATE <i>2/4/2014</i>
--------------------------------	------------------------	----------------------

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) <i>Trinidad</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK <i>(719) 846-9843</i>
SIGNATURE	TITLE <i>Mayor</i>	DATE

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

LIABILITY INFORMATION			
License Account Number	Liability Date	State	TOTAL
		<i>-750 (999)</i>	<i>\$</i>

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-LAS ANIMAS COUNTY CHAMBER OF COMMERCE

is a **Nonprofit Corporation** formed or registered on 01/13/1999 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 19991007228.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 01/31/2014 that have been posted, and by documents delivered to this office electronically through 02/03/2014 @ 11:30:04.

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 02/03/2014 @ 11:30:04 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8753703.



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

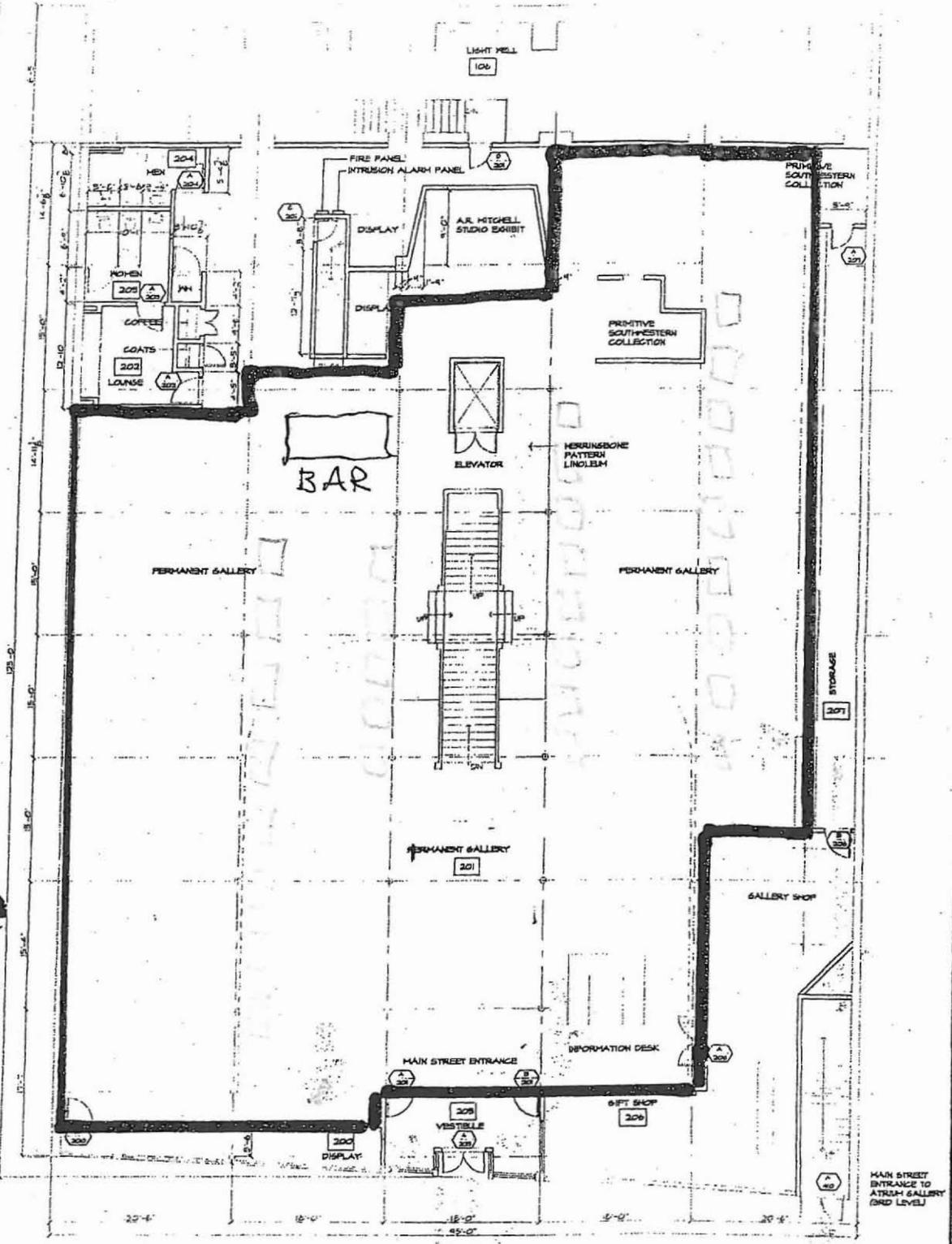
Secretary of State of the State of Colorado

*****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/biz/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."

GROUND FLOOR PLAN

SCALE 3/32" = 1'-0"



A.R. MITCHELL MUSEUM
JAMISON BUILDING
150 EAST MAIN STREET
TRINIDAD, CO. 81062

THE FLORIN GROUP 30 South Tejon, Suite 102, Colorado Springs, Colorado 80903 (719) 411-8433
Architectural Engineering, Interior Architecture

AI
12.08.02





a. R. Mitchell

A.R. MITCHELL MUSEUM OF WESTERN ART

150 EAST MAIN STREET PO. BOX 95 TRINIDAD, CO 81082
WWW.ARMITCHELL.US PHONE: 719-846-4224 FAX: 719-846-0690

February 5, 2014

This letter is to confirm that the Mitchell Museum has agreed to host the Philanthropy Phair on Saturday, March 8, 2014. We also approve that Trinidad/Las Animas Chamber of Commerce will be the organization managing the wine bar.

Thank you,

Gail Meehan

Board President

02/06/14

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

Applicant: Trinidad & Las Animas County Chamber of Commerce

dba: Philanthropy Phair – March 8, 2014

Address: 150 E. Main Street

Type of License: SEP – Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 18, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: recent inspection on file

2-6-14
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2014

Fire Plan
Trinidad & Las Animas County Chamber of Commerce
Philanthropy Phair

Date of Operation: ~~May~~ ^{March} 8, 2014
Operational Period's: 15:00-18:00
Operations Supervisor: Trinidad & Las Animas County Chamber of Commerce
Planned Attendance: 75 – 100 people for 3 hours

Location of Operation: A.R. Mitchell Museum. Access to the Museum will be via the MAIN St. doors.

Primary Access Point: There is 1 set of double doors on Main Street (North) side of the building. Primary access point will be manned by the Trinidad Police Department personnel.

Emergency Egress Points: There will also be a secondary route of egress located on the (South) side of the building in case of emergency. Exit routes shall be clearly marked. The means of egress, including exit discharge, shall be illuminated at all time the building served by the mean 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 Trinidad & Las Animas County Chamber of Commerce will be responsible for adhering to the posted capacity of the building, set by the Trinidad Fire Marshall. The occupancy load of the building as determined by the Trinidad Fire Marshall will be adhered to strictly.

Fire extinguishers will be located in accessible areas.

In case of emergency local fire and EMS will be notified immediately through 911 dispatches. The City of Trinidad Police Department will be the security for this event.

Prepared by: Yann Dan Mmed

Date: 2/14/14

Approved by: [Signature]

Date: 2/14/14

02/06/14

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

Applicant: Trinidad & Las Animas County Chamber of Commerce

dba: Philanthropy Phair – March 8, 2014

Address: 150 E. Main Street

Type of License: SEP – Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 18, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

2-10-14
Date

Chris S Kelly
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2014

Operations Plan
Trinidad & Las Animas County Chamber of Commerce
Philanthropy Phair

Date of Operation: ~~May~~ ^{March} 8, 2014
Operational Period's: 15:00-18:00
Operations Supervisor: Trinidad & Las Animas County Chamber of Commerce

Location of Operation: A.R. Mitchell Museum. Access to the Museum will be via the MAIN St. doors.

Operation Objectives: Provide security for the Philanthropy Phair event. Maintain public peace and order during this event. Provide security in the operational area to include event BAR. It should be noted that ingress/egress is located at the front entrance to the building. An emergency EGRESS is located adjacent to the bar and will NOT be used to allow access into the facility. A map is attached to this plan to show the operational area.

Radio Frequency: Officer assigned to this detail will set all 800 MGZ radios to TPD TAC3. This will allow communications between officers and the Trinidad Communications Center. STAFF EVENT PERSONNEL will make contact with officers via the COMMUNICATIONS CENTER.

Event Staffing (Security): One (1) officer will be assigned to this event. This officer conduct roving patrol of the operational area and will be responsible for monitoring the bar, event floor and door.

Handling of calls within operations area: The officer assigned to this detail will take all calls for service that occur within the event area. Violation of Statute will be handled accordingly by the officer assigned to this operation. Any need for transport to jail and/or Detox will be done by patrol, a request will be made via TPD TAC3 to the Communications Center. Officers will be responsible for affidavits and associated paper work upon the completion of their assignment. Custody forms will be turned over to the transporting officer upon turning the suspect over for transport.

The officer should note that the staff operation the "bar" are to have received TIPS training. It should be noted that the Trinidad Chamber of Commerce will be operation the bar. All staff working the bar will have received TIPS training.

All persons who enter the bar area shall be 21 years of age or older. Prior to entering the bar, ALL ID's will be checked. Only persons of legal age to consume alcohol will be permitted in the bar area.

The officer and bar staff should pay special attention to ensure the underage persons ARE NOT being served alcohol. Also, officers should ensure that overly intoxicated persons are not being served (As per CRS and Municipal Code). Any violation of the Colorado Beer and Alcohol Code and Trinidad Municipal Alcohol Code shall be handled accordingly.

NO PERSON WHO IS NOT DESIGNATED BY THE TRINIDAD & LAS ANIMAS COUNTY CHAMBER OF COMMERCE STAFF, AS A BAR EMPLOYEE WILL BE ALLOWED BEHIND THE BAR. Any unauthorized person found behind the bar will be removed from the area. Appropriate enforcement action will also be taken.

The bar 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. The TIP jar will be emptied and accounted for during normal cash drops.

No person is allowed to bring alcoholic beverages into the event. No person is allowed to take alcoholic beverages outside the event. Appropriate action will be taken for said violations.

Critical Incidents: Any incident requiring command staff notification will be immediately reported to the operations commander. He will make the appropriate notifications.

Prepared by: Juan Duran Morales

Date: 2/14/24

Approved by: [Signature]

Date: 2-14-24

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

CERTIFICATE OF POSTING

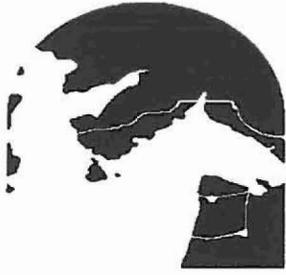
I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, and the ordinances of the City of Trinidad, Trinidad & Las Animas County Chamber of Commerce, 136 W. Main Street, Trinidad, Colorado, which business has applied for a Special Events Permit, to sell and dispense Malt, Vinous and Spirituous Liquors at 150 E. Main Street, Trinidad, Colorado, on March 8, 2014, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 17th day February, 2014.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 17th day of February, 2014.

CITY OF TRINIDAD, COLORADO

Audra Garrett
Audra Garrett, City Clerk

(SEAL)



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

86

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 4

SUBJECT: Retail liquor store license renewal request by RJ Sales, Inc. d/b/a RJ's Discount Liquor at 2132 Freedom Road

PRESENTER: RJ Sales, Inc. representative

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of the 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.
- Fees have been paid.
- The Building Inspector reported minor issues.
- The Fire Department indicated no issues.
- The Police Department report was not received at the time of packet preparation.
- Disclosure statement from Councilmember Miles is attached.
- Appropriate fees have been paid.

86

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

RJ'S DISCOUNT LIQUOR
 16011 COUNTY ROAD 71.1
 TRINIDAD CO 81082

Fees Due	
Renewal Fee	\$227.50
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid 227.50	

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 RJ SALES INC		DBA RJ'S DISCOUNT LIQUOR	
Liquor License # 28738940000	License Type Liquor Store (city)	Sales Tax License # 28738940000	Expiration Date 5/21/2014
Street Address 2132 FREEDOM RD TRINIDAD CO 81082-1210		Due Date 4/6/2014	
Mailing Address 16011 COUNTY ROAD 71.1 TRINIDAD CO 81082		Phone Number (719) 859 1605	
Operating Manager Rianna Rivera	Date of Birth [REDACTED]	Home Address [REDACTED] Trinidad	Phone Number SAME

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 Sept 2015
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 RJ Sales Inc Rianna Rivera	Title President/owner
Signature RJ Sales Inc Rianna Rivera	Date 2.10.14

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

02/10/14

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

Applicant: RJ Sales, Inc.

dba: RJ's Discount Liquor

Address: 2132 Freedom Road

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 18, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspected ok

2/11/14
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2014

02/10/14

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

Applicant: RJ Sales, Inc.

dba: RJ's Discount Liquor

Address: 2132 Freedom Road

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: February 18, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: 1) Fire extinguisher needs to be certified

2) exhaust cover replaced

3) ceiling tile installed

Repairs complete 2-13-2014

2-13-2014
Date

Chris D. Kelly
Signature

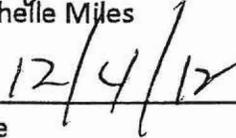
RETURN TO THE CITY CLERK'S OFFICE BEFORE: February 12, 2014

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

8c



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

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

PRESENTER: Opera House Wine & Spirits, LLC representative

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of the 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.
- Appropriate fee has been paid.

8c



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



- ❖ 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. 42829460000

City License No. 947 0

The following must accompany the Tastings Permit Application:

- \$50.00 Application Fee (payable to the City of Trinidad)
- Completed Tastings Schedule
- 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.
- 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: Tire Shop Wine & Spirits

1b. Trade name of business (dba): Opera House Wine & Spirits

1c. Address of business to be permitted (tasting must occur on the retail/drugstore licensed premises):
601 W. Main St. Trinidad CO 81082

1d. Mailing address: Same

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 [Signature] Title Owner Date 2/12/14

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	March 7	3pm	7pm
2	8		
3	14		
4	15		
5	21		
6	22		
7	28		
8	29		
9	April 4		
10	5		
11	11		
12	12		
13	18		
14	19		
15	25		
16	26		
17	May 2		
18	3		
19	9		
20	10		

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

	Date	From	To
21	May 16	3 pm	7 pm
22	17		
23	23		
24	24		
25	30		
26	31		
27	June 6		
28	7		
29	13		
30	14		
31	20		
32	21		
33	27		
34	28		
35	July 4		
36	5		
37	11		
38	12		
39	18		
40	19		
41	25		
42	26		
43	Aug 1		
44	2		
45	8		
46	9		
47	15		
48	16		
49	22		
50	23		
51	29		

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

	Day	Date	From	To
52	Aug	30	3pm	7pm
53	Aug	Sept 5	↓	↓
54		Sept 6		
55		12		
56		13		
57		19		
58		20		
59		26		
60		27		
61	Oct	3		
62		4		
63		10		
64		11		
65		17		
66		18		
67		24		
68		25		
69		31		
70	Nov	1		
71		7		
72		8		
73		14		
74		15		
75		21		
76		22		
77		28		
78		29		
79	Dec	5		
80		6		
81		12		
82		13		

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

	Date	From	To
83	December 19	3pm	7pm
84	20		
85	26		
86	27		
87	Jan 2		
88	3		
89	9		
90	10		
91	16		
92	17		
93	23		
94	24		
95	30		
96	31		
97	Feb 6		
98	7		
99	13		
100	14		
101	20		
102	21		
103	27		
104	28		
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 Dicks

Address of person (server) conducting the tastings: _____

219 S. Ash ST

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

719 404 3812

SERVER INFORMATION

Name of person (server) conducting the tastings: _____

Carol Conetto

Address of person (server) conducting the tastings: _____

2620 San Luis

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: _____



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 1

8d

SUBJECT: New hotel and restaurant liquor license application filed by Ristras Restaurant & Cantina, LLC at 516 E. Elm Street

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Set the matter for public hearing and identify the tentative neighborhood boundary.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is an application for a new license. The requirements to be illustrated by the applicant to the local liquor licensing authority are 1) the needs of the neighborhood are not being met by existing establishments; 2) it is the desire of the adult inhabitants of the neighborhood that this license be granted; and 3) the licensee is of good moral character to hold a liquor license.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application appears to be in order and will be processed accordingly. A complete application packet will be provided for the hearing.
- City Council may not hold the hearing any earlier than 30 days from today. Therefore, it should be set for April 1, 2014 at 7:00 p.m., the earliest regular Council meeting date following 30 days.
- The historically identified tentative neighborhood boundary has been the corporate City limits of Trinidad.
- This is a quasi-judicial matter and as such Council should only consider evidence and testimony provided during the public hearing you set.

8d

6. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years? Yes No

7. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state);
 (a) been denied an alcohol beverage license?
 (b) had an alcohol beverage license suspended or revoked?
 (c) had interest in another entity that had an alcohol beverage license suspended or revoked?
 If you answered yes to 7a, b or c, explain in detail on a separate sheet.

8. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes," explain in detail.

9. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

10. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.

11. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?
 Ownership Lease Other (Explain in Detail)

a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:

Landlord	Tenant	Expires
Howard Lacey / David Stafford	Kstras Restaurant & Cantina LLC	10/3/2016

Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11". (Doesn't have to be to scale)

12. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.

NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST
M/A			

Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

13. **Optional Premises or Hotel and Restaurant Licenses with Optional Premises** Yes No
 Has a local ordinance or resolution authorizing optional premises been adopted?

Number of separate Optional Premises areas requested. _____ (See License Fee Chart)

14. **Liquor Licensed Drug Store** applicants, answer the following: Yes No
 (a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? COPY MUST BE ATTACHED.

15. **Club Liquor License** applicants answer the following and attach: Yes No
 (a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?
 (b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?
 (c) How long has the club been incorporated? _____ (d) Has applicant occupied an establishment for three years (Three years required) _____ that was operated solely for the reasons stated above?

16. **Brew-Pub License or Vintner Restaurant Applicants** answer the following: Yes No
 (a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)

17a. **Name of Manager (for all on-premises applicants)** Elizabeth Torres (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I). Date of Birth

17b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. Yes No

18. **Tax Distraint Information.** Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements. Yes No

19. If applicant is a corporation, partnership, association or limited liability company, applicant **must list** ALL OFFICERS, DIRECTORS, GENERAL PARTNERS, AND MANAGING MEMBERS. In addition applicant **must list** any stockholders, partners, or members with **OWNERSHIP OF 10% OR MORE** IN THE APPLICANT. ALL PERSONS LISTED BELOW must also attach form DR 8404-1 (Individual History record), and submit finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
Elizabeth Torres	[REDACTED] St Trinidad Co	[REDACTED]	Partner	34%
Reuben Torres	[REDACTED] Trinidad Co	[REDACTED]	Partner	33%
Reuben Torres Jr.	[REDACTED] TRINIDAD CO	[REDACTED]	Partner	33%

*If total ownership percentage disclosed here does not total 100% applicant must check this box
 Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant

Additional Documents to be submitted by type of entity

- CORPORATION Cert. of Incorp. Cert. of Good Standing (if more than 2 yrs. old) Cert. of Auth. (if a foreign corp.)
 PARTNERSHIP Partnership Agreement (General or Limited) Husband and Wife partnership (no written agreement)
 LIMITED LIABILITY COMPANY Articles of Organization Cert. of Authority (if foreign company) Operating Agrmt.
 ASSOCIATION OR OTHER Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable) _____ Address for Service _____

OATH OF APPLICANT

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. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature <i>Elizabeth Torres</i>	Title Owner/Partner	Date 2.12.2014
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)

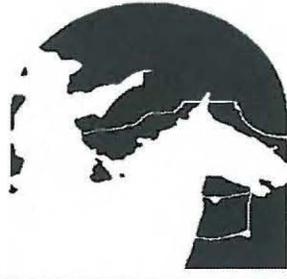
Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1)) C.R.S.
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THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

- That each person required to file DR 8404-1 (Individual History Record) has: Yes No
- Been fingerprinted
 Been subject to background investigation, including NCIC/CCIC check for outstanding warrants
- That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license
- (Check One)
- Date of Inspection or Anticipated Date _____
 Upon approval of state licensing authority.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority for	Telephone Number	<input type="checkbox"/> TOWN, CITY <input type="checkbox"/> COUNTY
Signature	Title	Date
Signature (attest)	Title	Date



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Karen Wolf, Assistant Planner
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS: 1

SUBJECT: GOCO *Paths to Parks* Land Acquisition Grant: **Old Sopris Trail**

PRESENTER: Louis Fineberg, Planning Director

RECOMMENDED CITY COUNCIL ACTION: Staff recommends that City Council approve the resolution supporting the grant application, project and dedication of matching funds.

SUMMARY STATEMENT: The City would like to apply for a GOCO land acquisition grant for the purpose of acquiring approximately one-hundred and fifty (150) acres of property within the Purgatoire River corridor for the construction of a four (4) mile long connector trail, entitled the Old Sopris Trail, between the Corazon de Trinidad National Historic District and the southern entrance to Trinidad State Park.

EXPENDITURE REQUIRED: \$139,275

SOURCE OF FUNDS: 2014/2015 CIP and/or Lottery Funds

POLICY ISSUE: Should a portion of the 2014/2015 CIP and/or Lottery Funds be utilized for acquiring land for the establishment of the Old Sopris Trail.

ALTERNATIVE: Not applicable.

BACKGROUND INFORMATION:

- In October of 2013, upon presenting a Concept Paper, the City was invited to apply for a Great Outdoors Colorado's (GOCO) Paths to Parks grant, a special grant round which will provide a total of \$5M to Colorado communities.
- GOCO recommended that the City pursue land acquisition.
- GOCO's Mission: *To help the people of Colorado preserve, protect, enhance, appreciate and enjoy our parks, wildlife, trails, rivers and open space through strategic grants, partnerships and leadership.*
- GOCO requires a minimum 25% contribution to the total project cost. 10% of the total project cost must be cash.
- Project Budget: **\$1,097,100**
 - GOCO Request: \$822,825 (75%)
 - In-Kind Match: \$135,000 (12.3%) *Potential* Landowner Donation
 - Cash Match: \$139,275 (12.7%) City



CITY OF TRINIDAD, COLORADO

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO SUPPORTING APPLICATION TO THE GREAT OUTDOORS COLORADO PATHS TO PARKS LAND ACQUISITION GRANT PROGRAM TO OBTAIN FUNDING TO ACQUIRE APPROXIMATELY ONE HUNDRED FIFTY (150) ACRES OF LAND ALONG THE PURGATOIRE RIVER BETWEEN THE CITY OF TRINIDAD AND TRINIDAD LAKE STATE PARK FOR THE PURPOSE OF ESTABLISHING THE OLD SOPRIS TRAIL

WHEREAS, the City of Trinidad supports the Great Outdoors Colorado grant application for the acquisition of land in Las Animas County and if the grant is awarded, the City of Trinidad supports the completion of the project; and

WHEREAS, the City of Trinidad has requested \$822,825 from Great Outdoors Colorado to acquire said land; and

WHEREAS, the City Council of the City of Trinidad recognizes the many community benefits and the tremendous economic development potential of preserving the Purgatoire River Corridor as a pedestrian trail and conservation area; and

WHEREAS, the Purgatoire River along the Old Sopris Road is a wildlife-rich natural area with considerable river frontage in close proximity to the Corazon de Trinidad National Historic District; and

WHEREAS, the Purgatoire River along the Old Sopris Road is an ideal candidate for connecting the City of Trinidad and Trinidad Lake State Park; and

WHEREAS, development of a trail system that links the community with Trinidad Lake State Park is featured in the City of Trinidad's Purgatoire River Trail System 2009 Master Plan; and

WHEREAS, the City of Trinidad has obtained letters of support for the acquisition of land adjacent to the Purgatoire River for the purpose of establishing a pedestrian trail accessible by a wide range of community members and visitors

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that:

Section 1. The City Council of the City of Trinidad strongly supports the application and has appropriated matching funds for a grant with Great Outdoors Colorado.

Section 2. If the grant is awarded, the City Council of the City of Trinidad strongly supports the completion of the project.

Section 3. The City Council of the City of Trinidad authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded.

Section 4. The project site will therefore be owned by City of Trinidad and will be owned by the City of Trinidad for the next 25 years.

Section 5. The City Council of the City of Trinidad will continue to maintain the Old Sopris Trail in a high quality condition and will appropriate funds for maintenance in its annual budget.

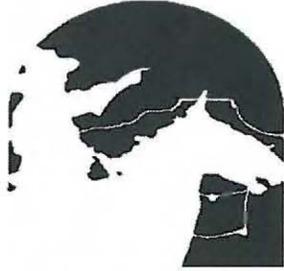
Section 6. If the grant is awarded, the City Council hereby authorizes the City Manager to sign the grant agreement with Great Outdoors Colorado.

APPROVED and ADOPTED this ____ day of _____, 2014.

JOSEPH A. REORDA, MAYOR

ATTEST:

AUDRA GARRETT, CITY CLERK



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Karen Wolf, Assistant Planner
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS: 1

SUBJECT: Fishing Is Fun Grant Program Application: **Purgatoire River Reach 5 Habitat Improvement Project**

PRESENTER: Louis Fineberg

RECOMMENDED CITY COUNCIL ACTION: Staff recommends that City Council approve supporting the grant application, project and dedication of matching funds.

SUMMARY STATEMENT: Reach 5 is the third phase of the Purgatoire River Improvement Project. Reach 5 is located in the Boulevard Addition.

EXPENDITURE REQUIRED: \$31,800

SOURCE OF FUNDS: 2014/2015 CIP and/or Lottery Funds and partner matches.

POLICY ISSUE: Should a portion of the 2014/2015 CIP and/or Lottery Funds be utilized for Reach 5.

ALTERNATIVE: Not applicable.

BACKGROUND INFORMATION:

- The City of Trinidad and the Purgatoire River Anglers Trout Unlimited Chapter are proposing to extend the successful 'Reach 4' trout habitat improvement project upstream into the Boulevard Addition Nature Park. Public fishing access to both banks of this section of the Purgatoire will be provided along established trails in and proximate to the Boulevard Addition Nature Park, the City's River Walk and the Old Sopris Trail. Several access points will be ADA compliant. Habitat improvements include placement of boulder clusters and J-hook vanes.
- Project Budget: \$147,192
 - Fishing Is Fun Grant Request: \$108,420
 - Cash Match: \$31,800 (City)
 - In-Kind Match: \$6,972 (Volunteer Work)



CITY of TRINIDAD

P. O. Box 880
TRINIDAD, COLORADO 81082
TELEPHONE (719) 846-9843
FAX NO. (719) 846-4140

February 11, 2014

Fishing Is Fun
Colorado Parks & Wildlife
6060 Broadway
Denver, CO 80216

Re: Fishing Is Fun Program Grant ***Purgatoire River Reach 5 Habitat Improvement Project***

To Whom It May Concern:

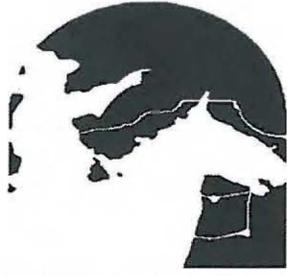
On behalf of the City Council and the City of Trinidad it is my pleasure to submit this letter in support of our application for a Fishing Is Fun grant. The City of Trinidad is applying for funds to complete, in collaboration with the Purgatoire River Anglers Trout Unlimited Chapter 100, the Purgatoire River Improvement Project's Reach 5 Boulevard Addition section.

In Downtown Trinidad, with funding from the Purgatoire River Water Conservancy District and a local industry, Trout Unlimited built a fishing trail along the City's River Walk and constructed in-stream habitat in the Purgatoire River. Anglers have been catching fish in this section of the river for the past two winters. The second stage of the Purgatoire River Improvement Project, Reach 3, will be completed this month. Reach 5, the third phase of the project, traverses the Boulevard Addition Nature Park, a City park in its development stages which was funded in part by a GOCO land acquisition grant. Reach 5 also extends along the future Old Sopris Trail. The Old Sopris Trail Master Plan was recently completed, a project funded by the State Trails Program. The Old Sopris Trail will serve as the first pedestrian connection from downtown Trinidad to Trinidad Lake State Park.

Collaboration has been integral with City improvement projects, and providing fishing access is no exception. Please consider our application favorably and thank you for the opportunity to present our initiatives to Colorado Parks and Wildlife. As a community we are in the midst of creating additional authentic and diverse recreational opportunities for our fellow—and future—citizens and visitors, endeavors that would not be possible without the support of agencies such as yours.

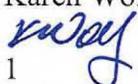
Sincerely,

Joe Reorda
Mayor of Trinidad



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Karen Wolf, Assistant Planner
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS: 1

SUBJECT: GOCO Local Government Park, Outdoor Recreation and Environmental Education (LPOR) Grant Application: **Central Park Baseball Facility**

PRESENTER: Louis Fineberg, Planning Director

RECOMMENDED CITY COUNCIL ACTION: Staff recommends that City Council approve the resolution supporting the grant application, project and dedication of matching funds.

SUMMARY STATEMENT: Utilizing GOCO LPOR grant funds the City intends to update and add amenities at the Central Park Baseball Facility.

EXPENDITURE REQUIRED: \$128,530

SOURCE OF FUNDS: 2014/2015 CIP and/or Lottery Funds and partner matches.

POLICY ISSUE: Should a portion of the 2014/2015 CIP and/or Lottery Funds be utilized for upgrading and renovating the Central Park Baseball Facility.

ALTERNATIVE: City Council could direct staff to consider a different project for the utilization of these funds.

BACKGROUND INFORMATION:

- LPOR Grants have a maximum limit of \$350,000; there is no maximum for the total project cost. Applicants must provide at least 30% of the total project cost in matching funds, at least 10% of which must be a cash match. The remaining 20% can be in-kind contributions.
- Total estimated Central Park project budget: **\$539,100:**
 - GOCO Grant Request: \$346,570
 - City Cash Match: \$128,530
 - City In-Kind Match: \$4,000
 - TSJC & Partners Cash Match: \$20,000
 - TSJC In-Kind Match: \$40,000
- Central Park is in need of a number of improvements. The project proposes the following renovations and additions:
 - Infield artificial turf (rough estimated cost of \$160,000).
 - Outfield grass turf replacement.
 - Irrigation system upgrades and replacement.
 - ADA accessible entrances & other structural repairs.



CITY OF TRINIDAD, COLORADO

RESOLUTION NO.

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, SUPPORTING APPLICATION TO THE GREAT OUTDOORS COLORADO LOCAL GOVERNMENT PARK, OUTDOOR RECREATION AND ENVIRONMENTAL EDUCATION GRANT PROGRAM TO OBTAIN FUNDING TO MAKE RENOVATIONS AND ADDITIONS TO CENTRAL PARK

WHEREAS, the City of Trinidad supports the Great Outdoors Colorado grant application seeking funds to make renovations and additions to Central Park, and the City of Trinidad supports the completion of the project; and

WHEREAS, the City of Trinidad has requested \$350,000 from Great Outdoors Colorado to make said improvements; and

WHEREAS, the City Council of the City of Trinidad recognizes the tremendous community benefit of preserving and improving upon its parks and open space, including Central Park.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that:

Section 1. The City Council of the City of Trinidad strongly supports the application and has agreed to appropriate matching funds for a grant with Great Outdoors Colorado.

Section 2. If the grant is awarded, the City Council of the City of Trinidad strongly supports the completion of the project.

Section 3. The City Council of the City of Trinidad authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded.

Section 4. The project site is owned by City of Trinidad and will be owned by the City of Trinidad for the next 25 years.

Section 5. The City Council of the City of Trinidad will continue to maintain Central Park in a high quality condition and will appropriate funds for maintenance in its annual budget.

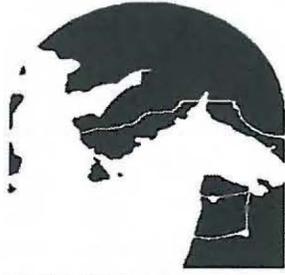
Section 6. If the grant is awarded, the City Council hereby authorizes the City Manager to sign the grant agreement with Great Outdoors Colorado.

APPROVED and ADOPTED this _____ day of February, 2014.

JOSEPH A. REORDA, MAYOR

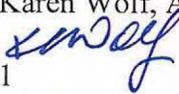
ATTEST:

AUDRA GARRETT, CITY CLERK



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Karen Wolf, Assistant Planner
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS: 1

SUBJECT: Old Sopris Trail Master Plan

PRESENTER: Louis Fineberg, Planning Director

RECOMMENDED CITY COUNCIL ACTION: Adoption of the Old Sopris Trail Master Plan.

SUMMARY STATEMENT: The Old Sopris Trail Plan describes and recommends routes for the development of a connector trail from the Corazon de Trinidad Historic District to Trinidad Lake State Park.

EXPENDITURE REQUIRED: Not applicable.

SOURCE OF FUNDS: Not applicable.

POLICY ISSUE: Adoption of a specific plan.

ALTERNATIVE: Not applicable.

BACKGROUND INFORMATION:

- Public Comments regarding the plan were solicited for 2 weeks in early January.
- The Planning, Zoning & Variance Commission adopted the plan on February 11, 2014, with the additional recommendation that City Council look closely at ongoing maintenance issues (at establishing a maintenance plan) for the Old Sopris Trail.
- The Old Sopris Trail project intends to:
 - Provide a safe, non-motorized trail for pedestrians and cyclists to travel along the Purgatoire River between the City of Trinidad and Trinidad Lake State Park.
 - Provide trail access to over two (2) miles of the Purgatoire River and assist the region in its effort to attract visitors and tourists.
 - Provide additional outdoor recreation opportunities and promote better community health through fitness and regular physical activity.
 - Increase property values of adjoining properties and promote—through increased public awareness and cooperative planning with adjacent landowners—the stewardship, clean-up and scenic enhancement of the Purgatoire River corridor.
 - Improve habitat through the remove invasive species and restoration of the native flora.



RESOLUTION NO.

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, ADOPTING THE
CITY OF TRINIDAD OLD SOPRIS TRAIL MASTER PLAN

WHEREAS, the City of Trinidad recognizes the many community benefits and the tremendous economic development potential of preserving the Purgatoire River Corridor as a pedestrian trail and conservation area; and

WHEREAS, the Purgatoire River along the Old Sopris Road is a wildlife-rich natural area with considerable river frontage in close proximity to the Corazon de Trinidad National Historic District; and

WHEREAS, the Purgatoire River along the Old Sopris Road is an ideal candidate for connecting the City of Trinidad and Trinidad Lake State Park; and

WHEREAS, the Old Sopris Trail Master Plan describes and recommends routes for the development of a connector trail from the Corazon de Trinidad Historic District to Trinidad Lake State Park that would provide the guidance necessary for the development of a safe, non-motorized trail for pedestrians.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO:

The City of Trinidad hereby adopts the City of Trinidad Old Sopris Trail Master Plan, dated November, 2013.

INTRODUCED, READ, AND ADOPTED this 18th day of February, 2014.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk

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Council Communication

City Council Regular Meeting: February 18, 2014
Prepared by: Linda Vigil, February 11, 2014
Dept. Head Signature:
of Attachments: 1

SUBJECT: Black & Veatch Contract Addendum No 1 for the Engineering Design of the Water Treatment Plant Improvements

Presenter: Tom Acre, City Manager

Recommended City Council Action: Staff is seeking council approval of the Black & Veatch Contract Addendum No 1 for the engineering design as identified at the February 11, 2014 work session.

Summary Statement: At the November 26, 2013 Work-session, Kevin Meador, Project Engineer provided City Council a report on the findings and recommendations. In the presentation, Black & Veatch identified the necessary improvements and recommendations for 2013, 2014, 2015 and 2016. At this time, staff would like to proceed forward with the tasks identified in 2013 and 2014. The costs associated with the design for the RFQ for Contractors, Electrical Design, Backwash Valve Specifications, Sedimentation Basin Pump Design, Valve Construction/Installation, and the Chlorine System Modification are \$268,460.00.

Expenditure Required: \$268,460.00

Source of Funds: Water Department Reserve Fund (included in capital outlay)

Policy Issue: Upgrades and maintenance at the Trinidad Water Treatment Plant are required to provide a reliable water supply and to meet required State standards for public health and safety.

Alternative: None

Background Information: In May 2013, City Council approved the expenditure of \$91,900 to Black & Veatch to conduct the Water Treatment Plant Improvements Design. The work was in response to a sanitary survey and inspection from the Colorado Department of Public Health and Environment at the WTP in 2011. During the inspection, CDPHE pointed out the need for the City to upgrade the WTP facility to include (1) refurbishing or abandoning the standing water tank, (2) modify and upgrade the chlorine disinfection system, (3) construct new filter backwash tank system, (4) replace existing filter bed backwash valves and actuators and WTP inlet and drain valves, and (5) design new residuals storage pond. At the November 26, 2013 Work-session, Kevin Meador, Project Engineer provided City Council a report on the findings and recommendations. In the presentation, Black &

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Veatch identified the necessary improvements and recommendations for 2013, 2014, 2015 and 2016. At this time, staff would like to proceed forward with the tasks identified in 2013 and 2014. The costs associated with the design for the RFQ for Contractors, Electrical Design, Backwash Valve Specifications, Sedimentation Basin Pump Design, Valve Construction/Installation, and the Chlorine System Modification are \$268,460.00. The Black & Veatch engineering proposal was in response to a survey and inspection of the WTP conducted in 2011 by the Colorado Department of Public Health and Environment. At this time, city staff is working with Black & Veatch to complete the upgrades at the WTP facility to include (1) modify and upgrade the chlorine disinfection system, (2) construct new filter backwash tank system, and (4) replace existing filter bed backwash valves and actuators and WTP inlet and drain valves. In conclusion, the addendum to the contract price is for the 2013 and 2014 engineering design tasks as provided in the Black & Veatch WTP Improvements Findings and Recommendations presentation in the amount of \$268,460.00.

**ADDENDUM NO. 1
TO AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
CITY OF TRINIDAD, COLORADO
AND
BLACK & VEATCH CORPORATION**

Pursuant to the terms and conditions of the Agreement for Professional Services (Agreement) between the City of Trinidad (CITY) and Black & Veatch Corporation (CONTRACTOR), dated May 21, 2013, this Addendum No. 1 is made and entered into effect this _____ day of _____ 2014. CITY and CONTRACTOR agree as follows:

ARTICLE 1.a – SERVICES: DELIVERABLES. Add the following to the end of Paragraph 1.a.

The City agrees to retain Contractor to provide the services (Scope of Work) for Addendum 1 as set forth in Exhibit C, attached hereto and incorporated herein by reference (the “Services”), and Contractor agrees to so serve.

ARTICLE 2 – COMPENSATION

2.a The total amount of payments for Services and Reimbursable Expenses, in accordance with Exhibit C, shall be changed from \$91,900 to \$360,360, representing an increase of \$268,460. The estimated fee for each task is as follows:

Task 300 Assist in Preparing RFQ for On-Call Contractor	\$8,809
Task 310 Prepare Design Documents for Base Electrical Improvements at WTP	\$149,222
Task 320 Prepare Design Documents for Filter Valve and Piping Replacement	\$52,882
Task 330 Assist City in Selection of a Sedimentation Basin Transfer Pump	\$13,959
Task 340 Prepare Design Documents for New Bulk Sodium Hypochlorite System (Inside Existing WTP)	\$43,588
Total	\$268,460

ARTICLE 4 – TERM AND TERMINATION

The Services for Addendum 1 shall be completed within 120 calendar days of receiving a written Notice to Proceed.

All other provisions of the Agreement shall remain the same.

IN WITNESS WHEREOF, the parties hereto have made and executed this Addendum No. 1 as of the day and year first above written.

CITY
CITY OF TRINIDAD, COLORADO

CONTRACTOR
BLACK & VEATCH CORPORATION

By: _____

By: _____

Title: _____

Title: _____

EXHIBIT C
SCOPE OF SERVICES FOR ADDENDUM 1
ENGINEERING SERVICES AGREEMENT

Between
City of Trinidad ("City")
And
Black & Veatch Corporation ("Contractor")

Project Description

Contractor (under the Scope of Services in Exhibit A) has prepared a preliminary design report (Report) that identified and evaluated alternatives and costs for upgrading existing facilities and systems at the Trinidad Water Treatment Plant (WTP) that is owned and operated by the City. The existing facilities and systems that were evaluated were:

- Electrical
- Filter Valves and Actuators
- Disinfection
- Filter Backwash Water Supply
- Residuals Storage Pond(s)

The alternatives selected for implementation were:

1. Base Electrical Improvements
 - a. The main components of the base electrical improvements are to install a new properly sized electrical service for the WTP and construct a new electrical room on the upper floor of the WTP Building.
2. Removal and Replacement of Filter Valves and Actuators
 - a. Replace the existing valves and actuators with new valves and electric actuators on the filtered water effluent, master backwash, individual filter backwash, filter drain, and filter influent piping.
 - b. In addition to replacement of the filter valves and actuators, the existing 16-inch diameter backwash supply piping will be removed and replaced with 24-inch diameter piping.
3. Bulk Sodium Hypochlorite (Inside Existing WTP)
 - a. Replace the existing chlorine gas disinfection equipment with new sodium hypochlorite storage and feed facilities housed in the existing WTP.
4. Replacement of the Existing Elevated Steel Tank
 - a. Construct a new elevated steel tank. Due to the structural condition and lead paint coating system on the existing tank, this alternative provides for replacement of the tank with a new, larger elevated storage tank in lieu of rehabilitating the existing tank.
5. Divide Existing Pond and Construct a New Pond
 - a. Construct a new residuals pond south of the existing pond and divide the existing pond into two cells.

The scope of services for Addendum 1 is for preparing contract documents for the Base Electrical Improvements, the Removal and Replacement of the Filter Valves and Actuators, and for the new

Bulk Sodium Hypochlorite System (Inside Existing WTP). The scope of services for Addendum 1 is further described in the following paragraphs.

The scope of services for the Replacement of the Existing Elevated Steel Tank and Divide Existing Pond and Construct a New Pond will be provided under a future addendum(s).

Scope of Services

The scope of services for this addendum includes the following services:

1. Task 300 – Assist the City in preparing a Request for Qualifications for On-Call Contracting services at the WTP.
2. Task 310 – Prepare contract documents for the base electrical improvements at the WTP.
3. Task 320 – Prepare contract documents for replacement of the existing filter valves, actuators, and piping and assist in bidding administration.
4. Task 330 – Assist the City in selection of a transfer pump for the sedimentation basin.
5. Task 340 – Prepare contract documents for the new bulk sodium hypochlorite system (inside existing WTP).

The services for Items 2, 3, 4, and 5 above will be completed concurrently. The contract documents for Items 2, 3, 4, and 5 above will be prepared as a single construction contract that will be bid as a single project to the on-call contractors selected under Item 1 above.

The fee spreadsheet, drawing list, and specification list for the Scope of Services in this Addendum 1 are included at the end of this Exhibit.

Task 300 – Assist the City in Preparing a Request for Qualifications for On-Call Contracting Services at the WTP

Objective: Assist the City in selecting pre-qualified contractor(s) to perform construction work at the WTP. The selected contractors will be the only contractors allowed to bid on the contract documents prepared in this addendum.

Subtasks:

1. Prepare draft Request for Qualifications (RFQ) document. Document will include general description of project types at the WTP, required qualifications, and contracting process, estimated dates of construction projects and approximate value, schedule for selection of pre-qualified contractor, method of submittal, information required in the statement of qualifications (SOQ), and standard contract. The draft document will be submitted to the City for review and comment.
2. Prepare advertisement for RFQ.
3. Prepare final RFQ document incorporating City's comments.
4. Assist the City in distributing the RFQ to potential contractors.
5. Assist the City in reviewing the submitted SOQs and selecting the contractors.

Task 310 – Prepare Contract Documents for the Base Electrical Improvements at the WTP.

Objective: Design and construct electrical improvements at the WTP to meet current building codes and make provisions for future upgrades to facilities. The base electrical improvements will also provide power for the addition of filter valve actuators and a sodium hypochlorite disinfection system located in the existing WTP. The main components of the base electrical improvements will be:

- A new adequately sized electrical service for the WTP and provide a new main service disconnect.
- A new electrical room on the upper floor of the WTP Building.
- Analysis to determine if a new electrical generator will be required for the WTP.

Subtasks:

1. Prepare a single design memorandum for Tasks 310, 320, 330, and 340. The design memorandum will document design criteria, discipline requirements, regulatory requirements, and permitting requirements. Perform a quality control review of the design memorandum. Review design memorandum with the City and incorporate the City's comments.
2. Prepare 60% level construction documents (drawings and specifications) to include incorporation of a new electrical service and a new electrical room on the second floor of the WTP building. Provide updated opinion of estimated construction cost.
 - a. The new electrical service (mounted transformer and utility metering equipment) from San Isabel Electric Association also includes new ground ring around the WTP building, new service lateral, automatic transfer switch, new main control center (MCC), three new panel boards, one for each filter in the lower level to accommodate new electric valve actuators, new starters for the Surface Wash Pump and Backwash Pump No. 1, new mini-power center installed in the generator location to power generator accessories, fuel day tank equipment, and local lighting, reduced voltage solid state soft starters (if required), controls and alarms as required by existing codes, B&V standard practices, and authorities having jurisdiction (AHJ), and indoor and outdoor alarms for the chemical storage and feed rooms.
 - i. Contract documents (drawings) will include:
 1. General, Civil, and Mechanical Drawings - 12 (estimated)
 2. Architectural - 4 (estimated)
 3. Electrical - 10 (estimated)
 - b. The new electrical room on the second floor of the WTP building will include electrical, structural, architectural, and mechanical improvements to convert the existing space to the new electrical room. Demolition of any existing features will be included in the design documents.
 - i. Contract documents (drawings) will include:
 1. Floor Plans and Elevations
 2. Details
 3. Standard Detail Sheets
 3. Perform power system studies to verify short circuit duties, load flows, and motor starting voltage dip conditions.
 4. Perform generator calculations to verify the capacity for operating the connected loads on generator power. The design of a new generator (if needed) is not included in this addendum.
 5. Coordinate with San Isabel Electric Association to determine scope of work and cost documentation for a new electrical service.
 6. Provide permitting assistance to include:
 - a. Submittal to CDPHE for electrical and valve improvements.
 - b. Meet with CDPHE to review electrical and valve improvements.
 - c. Incorporate CDPHE comments on electrical and valve improvements.
 - d. Coordinate with local Fire Marshal to determine fire code requirements and verify approval process.

7. Submit 60% level construction documents to City for review and comment. Conduct design review workshop with City. Receive and incorporate comments to documents.
8. Perform quality control (QC) review of the 60% level construction documents.
9. Prepare 90% level construction documents to include project drawings and specifications. B&V standard "front-end" contract documents will be used for the project to include Table of Contents, Invitation to Bid, Instructions to Bidders, Bid Forms, Bond Forms, Certificate of Compliance with Fair Labor Standards, List of Subcontractors, Agreement, Bonds, General Conditions, Supplementary Conditions, City forms, Division 1 specifications, and technical specifications. Provide updated opinion of estimated construction cost.
10. Submit five (5) sets and electronic files of final contract documents to the City. Conduct design review meeting with the City. Incorporate City comments and prepare bid ready contract documents.

Task 320 – Prepare Contract Documents for the Replacement of the Filter Valves, Actuators, and Piping.

Objective: Design and construct replacement valves, actuators, and piping for the WTP filter gallery. Valve, actuator, and piping replacements will include filter influent (3); drain (3), backwash (3), main backwash (1), effluent (3), main effluent (1), backwash piping, and surface wash piping.

Subtasks:

1. Prepare 60% level construction documents (drawings and specifications). Update opinion of estimated construction cost. Drawings are included in Task 310, Subtask 2 estimates.
2. Submit 60% level construction documents to the City and conduct review workshop in conjunction with Task 310, Subtask 7.
3. Perform QC reviews.
4. Prepare 90% level construction documents. Update opinion of estimated construction cost.
5. Submit 90% level construction documents to City and conduct review meeting in conjunction with Task 310, Subtask 10. Prepare bid ready contract documents incorporating City comments.

Task 330 – Assist the City in the Selection of a Transfer Pump for the WTP Sedimentation Basin

Objective: Select and install a pump and support to transfer water between Sedimentation Basins for the purpose of maintenance and reducing sludge discharge flows to the backwash settling ponds.

Subtasks:

1. Prepare 60% level construction documents (drawings and specifications). Update opinion of estimated construction cost. Drawings are included in Task 310, Subtask 2 estimates.
2. Submit 60% level construction documents to the City and conduct review workshop in conjunction with Task 310, Subtask 7.
3. Perform QC reviews.
4. Prepare 90% level construction documents. Update opinion of estimated construction cost.
5. Submit 90% level construction documents to City and conduct review meeting in conjunction with Task 310, Subtask 10. Prepare bid ready contract documents incorporating City comments.
6. Assist the City in obtaining bids (Task 310, 320, and 330) from Qualified Contractors to include:

- a. Distributing documents to pre-qualified bidders,
- b. Address bidders' questions,
- c. Prepare and Issue Addenda
- d. Evaluate Bids and Recommend Award.

Task 340 – Prepare Contract Documents for the New Bulk Sodium Hypochlorite System (Inside Existing WTP)

Objective: Design and construct new sodium hypochlorite storage and feed facilities housed in the existing WTP. The existing chlorine gas disinfection system will be completely removed.

Subtasks:

1. Prepare 60% level construction documents (drawings and specifications). Update opinion of estimated construction cost. Drawings are included in Task 310, Subtask 2 estimates.
 - a. The new bulk sodium hypochlorite system includes the following:
 - i. Two fiberglass reinforced plastic (FRP) or high density polyethylene (HDPE) bulk storage tanks.
 - i. Diaphragm or peristaltic metering pumps.
 - ii. Coriolis meters.
 - iii. Piping and valves.
 - iv. Instrumentation and controls for local, manual control only.
 - v. Electrical for the metering pumps and tank ventilation (if required).
 - vi. Containment curb for spill containment around the interior perimeter of the Chlorination Room, sealing of floor penetrations, and the floor and containment curb lined with a chlorine-resistant coating system.
 - vii. Ventilation for the bulk storage tanks.
 - viii. Externally-mounted wall connection to allow the sodium hypochlorite storage tanks to be filled from an outside filling station.
 - ix. Removal of the wall between the existing Chlorination and Chemical Storage Rooms.
 - x. Visual inspection of the underside of the concrete slab that will support the bulk storage tanks.
 - xi. Investigation of capacity and loading of the existing concrete beams at elevation 88.79, at column rows C & D to confirm capacity is available for the additional load from the bulk storage tanks.
 - b. The following is not included with the new bulk sodium hypochlorite system:
 - i. Eye wash station at outside filling station.
 - ii. Sprinkler system.
 - iii. Steel beams to reinforce the concrete slab under the bulk storage tanks.
 - iv. Verification of the existing properties of the concrete slab that will support the bulk storage tanks. (Preliminary calculations were based on 3,000 psi concrete, 40,000 psi steel, and 1.5 inches of concrete cover.)
2. Submit 60% level construction documents to the City and conduct review workshop in conjunction with Task 310, Subtask 7.
3. Perform QC reviews.
4. Prepare 90% level construction documents. Update opinion of estimated construction cost.
5. Submit 90% level construction documents to City and conduct review meeting in conjunction with Task 310, Subtask 10. Prepare bid ready contract documents incorporating City comments.

EXHIBIT C-1
City of Trinidad, Colorado
Water Treatment Plant Improvements
Addendum 1 - Design Documents
Level of Effort and Fee Estimate

TASK	DESCRIPTION	Level of Effort												TOTAL HOURS	TOTAL LABOR	DIRECT PROJECT EXPENSE	TOTAL PROJECT COST
		PROJECT MANAGER	ENGINEERING MANAGER	CIVIL ENGINEER	WATER PROCESS ENGINEER	ARCHITECTURAL ENGINEER	STRUCTURAL ENGINEER	MECHANICAL/HVAC ENGINEER	ELECTRICAL ENGINEER	I&C ENGINEER	CAD GRAPHICS	PROJECT SUPPORT ASSISTANT	QUALITY CONTROL				
ENGINEERING																	
SUBTOTAL ==>>		62	162	180	82	106	74	104	574	64	202	70	48	1,728	262,412	6,048	268,460
300	Assist in Preparing RFQ for On-Call Contractor	4	24	12	0	0	0	0	0	0	0	12	2	54	\$8,620	\$189	\$8,809
	Prepare draft RFQ.	1	10	6								4	2	23	\$3,793	\$81	\$3,874
	Prepare advertisement for RFQ.	1	4	4										9	\$1,651	\$32	\$1,683
	Prepare final RFQ document incorporating City comments.		4											4	\$700	\$14	\$714
	Distribute RFQ to contractors.		2											8	\$848	\$28	\$876
	Assist City in reviewing SOQ's.	2	4	2									2	10	\$1,628	\$35	\$1,663
														0	\$0	\$0	\$0
														0	\$0	\$0	\$0
														0	\$0	\$0	\$0
310	Prepare Contract Documents for Base Electrical Improvements at WTP	32	52	50	24	98	22	90	444	24	90	28	22	976	\$145,806	\$3,416	\$149,222
	Prepare 60 percent design and specifications. Update opinion of probable construction cost.	4	2	4		48	12	42	100	16	60		6	294	\$42,054	\$1,029	\$43,083
	Submit 60 percent design to City for review. Attend review meeting	8	8	8					8				4	36	\$5,980	\$126	\$6,106
	Incorporate 60 percent comments. Prepare 90 percent design and specifications. Update opinion of probable construction cost.	4	2	4		30	6	28	72	4	20		12	182	\$27,114	\$637	\$27,751
	Submit 90 percent design to City for review. Attend review meeting	8	8	8					8					36	\$5,980	\$126	\$6,106
	Incorporate 90 percent comments and prepare bid ready documents (drawings, front end specifications, technical specifications, opinion of probable construction cost).	4	2	4		12	4	20	32	4	10		16	108	\$15,072	\$378	\$15,450
	Permitting													0	\$0	\$0	\$0
	Prepare submittal to CDPHE for electrical and valve improvements.		12	8	8				8				4	42	\$6,946	\$147	\$7,093
	Meet with CDPHE to review electrical and valve improvements.	4	8	8	8				4					32	\$5,484	\$112	\$5,596
	Incorporate CDPHE comments on electrical and valve improvements.		4	4	8				8				2	26	\$4,026	\$91	\$4,117
	Coordinate with local Fire Marshal to determine requirements and incorporate into the design.		2	2		8			16					28	\$4,250	\$98	\$4,348
	Evaluations/Other Tasks													0	\$0	\$0	\$0
	Coordinate with San Isabel Electric Association to determine scope of work and cost demarcation for the new electrical service.		2						20					22	\$3,350	\$77	\$3,427
	Complete additional evaluations to determine if a new generator is required. Design for a new generator will be by change order.		2						40					42	\$6,350	\$147	\$6,497
	Perform power system studies.								68					68	\$10,200	\$238	\$10,438
	Design for new lighting in the electrical room, chemical room, sedimentation basin, and pipe galleries.								60					60	\$9,000	\$210	\$9,210
														0	\$0	\$0	\$0

TASK	DESCRIPTION	Level of Effort												TOTAL HOURS	TOTAL LABOR	DIRECT PROJECT EXPENSE	TOTAL PROJECT COST
		PROJECT MANAGER	ENGINEERING MANAGER	CIVIL ENGINEER	WATER PROCESS ENGINEER	ARCHITECTURAL ENGINEER	STRUCTURAL ENGINEER	MECHANICAL/HVAC ENGINEER	ELECTRICAL ENGINEER	I&C ENGINEER	CAD GRAPHICS	PROJECT SUPPORT ASSISTANT	QUALITY CONTROL				
320	Prepare Contract Documents for Filter Valve, Actuator, and Piping Replacement	12	48	76	14	0	20	0	84	0	52	16	10	332	\$51,720	\$1,162	\$52,882
	Prepare 60 percent design and specifications. Update opinion of probable construction cost.	4	24	40	8		8		40		32		4	160	\$25,164	\$560	\$25,724
	Submit 60 percent design to City for review.											4		4	\$332	\$14	\$346
	Prepare 90 percent design and specifications. Update opinion of probable construction cost.	4	16	24	4		8		20		12		6	94	\$15,404	\$329	\$15,733
	Perform QC reviews.								16					16	\$2,400	\$56	\$2,456
	Submit 90 percent design to City for review.											4		4	\$332	\$14	\$346
	Incorporate City comments and prepare bid ready documents (drawings, technical specifications, opinion of probable construction cost).	4	8	12	2		4		8		8	8		54	\$8,088	\$189	\$8,277
330	Assist City in Selection of a Sedimentation Basin Transfer Pump	2	10	14	0	8	4	0	22	0	24	6	4	94	\$13,630	\$329	\$13,959
	Prepare 60 percent design and specifications. Update opinion of probable construction cost.	1	4	8		4	4		8		12		2	43	\$6,451	\$151	\$6,602
	Submit 60 percent design to City for review.											2		2	\$166	\$7	\$173
	Perform QC reviews.													0	\$0	\$0	\$0
	Prepare 90 percent design and specifications. Update opinion of probable construction cost.	1	4	4		4			4		8		2	27	\$4,031	\$95	\$4,126
	Submit 90 percent design to City for review.											2		2	\$166	\$7	\$173
	Incorporate City comments and prepare bid ready documents (drawings, technical specifications, opinion of probable construction cost).		2	2					4		4	2		14	\$1,916	\$49	\$1,965
	Assist the City with Bidding Administration (Task 310,320, 330 combined contract)								6					6	\$900	\$21	\$921
340	Prepare Contract Documents for Bulk Sodium Hypochlorite Inside WTP	12	28	28	44	0	28	14	24	40	36	8	10	272	\$42,636	\$952	\$43,588
	Prepare 60 percent design and specifications. Update opinion of probable construction cost.	4	16	16	24		16	8	12	24	24			144	\$22,484	\$504	\$22,988
	Submit 60 percent design to City for review.											2		2	\$166	\$7	\$173
	Prepare 90 percent design and specifications. Update opinion of probable construction cost.	4	8	8	12		8	4	8	12	8			72	\$11,504	\$252	\$11,756
	Perform QC reviews.												10	10	\$1,900	\$35	\$1,935
	Submit 90 percent design to City for review.											2		2	\$166	\$7	\$173
	Incorporate City comments and prepare bid ready documents (drawings, technical specifications, opinion of probable construction cost).	4	4	4	8		4	2	4	4	4	4		42	\$6,416	\$147	\$6,563
														0	\$0	\$0	\$0
	TOTALS	62	162	180	82	106	74	104	574	64	202	70	48	1,728	262,412	6,048	268,460
	HOURLY BILLING RATES	\$191	\$175	\$190	\$150	\$140	\$160	\$150	\$150	\$175	\$105	\$83	\$190	1.728			
	TOTAL LABOR (\$)	\$11,842	\$28,350	\$34,200	\$12,300	\$14,840	\$11,840	\$15,600	\$86,100	\$11,200	\$21,210	\$5,810	\$9,120		262,412		

EXHIBIT C-2
City of Trinidad, Colorado
Water Treatment Plant Improvements
Addendum 1 - Drawing and Specification Lists

Assumptions

- 1) Bid documents for Tasks 310, 320, 330, and 340 are for a single construction contract.
- 2) Design is based on recommendations in City of Trinidad, Colorado, Water Treatment Plant Improvements, Preliminary Design Report, by Black & Veatch, October 4, 2013.

Deliverables

Task 300 - On-Call Contractor RFQ

Contractor Qualification Questionnaire / RFQ

Task 310 - Base Electrical Improvements at WTP

Opinion of Probable Construction Cost

Front End Specifications

- 00020 Invitation to Bid
- 00100 Instructions to Bidders
- 00400 Bid Form
- 00430 Bid Bond
- 00440 List of Subcontractors
- 00450 Equipment Questionnaire
- 00500 Agreement
- 00510 Notice of Award
- 00550 Notice to Proceed
- 00560 Certificate of Liability Insurance
- 00562 Certificate of Property Insurance
- 00610 Performance Bond
- 00615 Payment Bond
- 00620 Application for Payment
- 00625 Certificate of Substantial Completion
- 00700 Standard General Conditions of the Construction Contract
- 00800 Supplementary Conditions
- 00800A Duties, Responsibilities, and Limitations of Authority of the Resident Project Representative as Set Forth in the Owner/Engineer Agreement
- 00940 Work Change Directive Form
- 00941 Change Order Form
- 00942 Field Order Form

Technical Specifications

Division 1 - General Requirements

- 01015 Project Requirements
- 01025 Measurement and Payment
- 01070 Abbreviations of Terms and Organizations
- 01300 Submittals Procedures
- 01310 Construction Progress Schedule

- 01320 Construction Progress Documentation
- 01380 Construction Photographs
- 01400 Quality Control
- 01450 Structural Tests and Special Inspections
- 01500 Temporary Facilities
- 01610 General Equipment Stipulations
- 01611 Meteorological and Seismic Design Criteria
- 01612 Product Delivery Requirements
- 01614 Product Storage and Handling Requirements
- 01615 Equipment and Valve Identification
- 01620 Equipment Schedule
- 01630 Pipeline Schedule
- 01650 Startup Requirements

Division 2 - Sitework

- 02050 Demolition
- 02675 Cleaning and Disinfection of Water Pipelines
- 02704 Pipeline Pressure and Leakage Testing

Division 3 - Concrete

- 03301 Miscellaneous Cast-in-Place Concrete
- 03600 Grouting

Division 5 - Metals

- 05550 Anchorage In Concrete and Masonry
- 05590 Structural and Miscellaneous Metals

Division 7 - Thermal and Moisture Protection

- 07200 Thermal Insulation
- 07840 Firestopping
- 07900 Caulking

Division 8 - Doors and Windows

- 08110 Steel Doors and Frames
- 08520 Aluminum Windows
- 08700 Hardware
- 08800 Glass Glazing

Division 9 - Finishes

- 09250 Gypsum Board
- 09880 Corrosion Protection Lining Systems
- 09920 Architectural Painting
- 09940 Painting

Division 10 - Specialties

- 10200 Louvers and Vents

Division 11 - Equipment

- 11060 Equipment Installation
- 11185 Submersible Sump and Sewage Pumps
- 11727 Liquid Chemical Feed Systems

Division 13 - Special Construction

- Various Instruments and Controls for Sodium Hypochlorite System
- 13190 Fiberglass Reinforced Plastic Chemical Storage Tanks
- 13199 Chemical Storage Tank Installation

Division 15 - Mechanical

- Various Piping for Sodium Hypochlorite System
- Various Valves for Sodium Hypochlorite System
- 15010 Valve Installation
- 15050 Basic Mechanical Building Systems Materials and Methods
- 15062 Steel Pipe
- 15101 AWWA Butterfly Valves
- 15180 Valve and Gate Actuators
- 15500 Heating, Ventilating, and Air Conditioning

Division 16 - Electrical

- 16050 Electrical
- 16100 Electrical Equipment Installation
- 16220 General Purpose Induction Motors
- 16480 600 Volt Class Motor Control Centers
- 16491 Bypass-Isolation Automatic Transfer Switch

Drawings

- 1 Cover Sheet
- 2 General Notes, Abbreviations, Sheet List
- 3 General Legend and Symbols
- 4 Architectural - Plans and Elevations
- 5 Architectural - Sections and Details
- 6 Architectural - Schedules and Elevations
- 7 Architectural - Door and Window Details
- 8 Structural - Equipment Pad, Pipe Supports, Coring
- 9 Structural - Demolition of Chlorine Room Interior Wall
- 10 Structural - Containment Wall, Sealing Floor Penetrations
- 11 Mechanical - Demolition Plans and Details
- 12 Mechanical - Valve and Piping Plans
- 13 Mechanical - Valve and Piping Sections
- 14 Mechanical - Valve and Piping Details
- 15 Mechanical - Transfer Pump
- 16 Mechanical - Sodium Hypochlorite System Plan
- 17 Mechanical - Sodium Hypochlorite System Sections and Details
- 18 HVAC - Legend and Abbreviations
- 19 HVAC - Plans and Details
- 20 HVAC - Details, Schedules, Sequence of Operations
- 21 HVAC - Ventilation for Sodium Hypochlorite Tanks
- 22 I&C - Legend, Abbreviations, and General Requirements
- 23 I&C - P&ID of Sodium Hypochlorite System, Tank 1
- 24 I&C - P&ID of Sodium Hypochlorite System, Tank 2
- 25 I&C - P&ID of Sodium Hypochlorite System, Metering Pumps
- 26 Electrical - Legend, Abbreviations, and General Requirements
- 27 Electrical - Site Plan
- 28 Electrical - One-Line Diagram
- 29 Electrical - One-Line Diagram
- 30 Electrical - One-Line Diagram

- 31 Electrical - Instrumentation One-Line Diagram
- 32 Electrical - Schematics
- 33 Electrical - Upper Floor Power and Lighting Plan
- 34 Electrical - Main Floor Power and Lighting Plan
- 35 Electrical - Basement Floor Power and Lighting Plan
- 36 Electrical - Sedimentation Power and Lighting Plan
- 37 Electrical - Lighting Panel and Schedules
- 38 Electrical - Details

Task 320 - Filter Valve and Actuators and Backwash Piping Replacement

Opinion of Probable Construction Cost

Technical Specifications

Listed Under Task 310

Drawings

Listed Under Task 310

Task 330 - Sedimentation Basin Transfer Pump

Opinion of Probable Construction Cost

Technical Specifications

Listed Under Task 310

Drawings

Listed Under Task 310

Task 340 - Bulk Sodium Hypochlorite (Inside WTP)

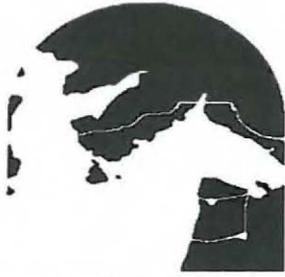
Opinion of Probable Construction Cost

Technical Specifications

Listed Under Task 310

Drawings

Listed Under Task 310



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Les Downs, City Attorney
DEPT. HEAD SIGNATURE: *Les D. Downs*
OF ATTACHMENTS: 1

8j

SUBJECT: First reading of an ordinance repealing and re-enacting Section 9-4 of the Trinidad City Code for the purpose of prohibiting the issuance of a business license to any person seeking to carry on or engage in any business within the corporate limits of the City of Trinidad that is in violation of any law of the State of Colorado, and setting a hearing date for consideration of said ordinance

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Consider approval of the ordinance on first reading and setting it for public hearing on March 4, 2014

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

POLICY ISSUE: This ordinance would prevent conflict with the City's proposed medical marijuana ordinance

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- This ordinance is prevents conflict with the proposed medical marijuana ordinance.

8j



CITY OF TRINIDAD, COLORADO

ORDINANCE NO.

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 9-4 OF THE TRINIDAD CITY CODE FOR THE PURPOSE OF PROHIBITING THE ISSUANCE OF A BUSINESS LICENSE TO ANY PERSON SEEKING TO CARRY ON OR ENGAGE IN ANY BUSINESS WITHIN THE CORPORATE LIMITS OF THE CITY OF TRINIDAD THAT IS IN VIOLATION OF ANY LAW OF THE STATE OF COLORADO

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that:

Section 1. Amendment. Chapter 9, Article 1, § 9-4, of the Trinidad City Code is hereby repealed and re-enacted to read in its entirety as follows:

Section 9-4. License Required.

It shall be unlawful for any person, firm or corporation to carry on or engage in any business within the corporate limits of the City of Trinidad, subject to any law of the State of Colorado now in force, or hereafter to be enacted, without first having obtained a license therefor from the City Clerk.

Section 2. Effective Date. This Ordinance shall be published and become effective ten (10) days after final passage, as provided in § 5.5 of the Home Rule Charter for the City of Trinidad, Colorado.

INTRODUCED BY COUNCILMEMBER _____, READ AND ORDERED PUBLISHED this _____ day of February, 2014.

FINALLY PASSED AND APPROVED this _____ day of March, 2014.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the _____ day of March, 2014.

CITY OF TRINIDAD, COLORADO

JOSEPH A. REORDA, Mayor

ATTEST:

By: _____
AUDRA GARRETT, City Clerk



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

8K

CITY COUNCIL MEETING: February 18, 2014
PREPARED BY: Les Downs, City Attorney
DEPT. HEAD SIGNATURE: *Les D. Downs*
OF ATTACHMENTS: 1

SUBJECT: First reading of an ordinance establishing regulations and licensing requirements for medical marijuana businesses, and setting a hearing date for consideration of said ordinance

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Consider approval of the ordinance on first reading and setting it for public hearing on March 4, 2014

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

POLICY ISSUE: This ordinance would carry out the will of the people of the State of Colorado through the approval of Amendment 20 in 2000

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- This is the most recent draft after revision from the February 11th work session.
- Changes have been made in accordance with recommendations from that work session.
- Page 17 has a minor change to is low-lighted, under Section 14-216 (11)(A)
- Councilmember Miles contacted the City Clerk to advise that she was introducing the ordinance.

8K



CITY OF TRINIDAD, COLORADO

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, ESTABLISHING REGULATIONS AND LICENSING REQUIREMENTS FOR MEDICAL MARIJUANA BUSINESSES

WHEREAS, on November 7, 2000, the voters of the State of Colorado approved Amendment 20. Amendment 20 added Section 14 of Article 18 to the Colorado Constitution, and created a limited exception from criminal liability under Colorado law (as opposed to federal law) for seriously ill persons who are in need of marijuana for specified medical purposes and who obtain and use medical marijuana under the limited circumstances described in Amendment 20; and

WHEREAS, the intent of Amendment 20 was to enable those persons enumerated in the amendment to legally obtain, possess, cultivate, grow, use, and distribute marijuana without fear of criminal prosecution under Colorado (as opposed to federal) law; and

WHEREAS, the Colorado legislature passed and the governor signed into law HB10-1284, entitled "*AN ACT CONCERNING THE REGULATION OF MEDICAL MARIJUANA, AND MAKING AN APPROPRIATION THEREFOR*". HB10-1284 adopted the "Colorado Medical Marijuana Code", which became effective July 1, 2010; and

WHEREAS, the Colorado legislature passed and the governor signed into law HB11-1043, entitled "*AN ACT CONCERNING MEDICAL MARIJUANA, AND MAKING AN APPROPRIATION THEREFOR*". HB11-1043 amended the "Colorado Medical Marijuana Code", which became effective July 1, 2011; and

WHEREAS, the Colorado Medical Marijuana Code clarifies Colorado law regarding the scope and extent of Amendment 20, and specifically provides that Amendment 20 does not apply to licenses issued pursuant to the Colorado Medical Marijuana Code, except as specifically provided in the Colorado Medical Marijuana Code; and

WHEREAS, the Colorado Medical Marijuana Code establishes a new procedure for the dual licensing by the state licensing authority and the local licensing authority of the retail sale, distribution, cultivation, and dispensing of medical marijuana; and

WHEREAS, the Colorado Medical Marijuana Code recognizes the power of a municipality to adopt and enforce its own rules and regulations for the licensing of medical marijuana facilities within its jurisdiction. Specifically, the Colorado medical marijuana code authorizes municipalities to: (1) Prohibit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused product manufacturing facilities within the municipality; (2) Adopt an ordinance containing specific standards for the issuance

of local licenses; (3) Adopt additional local standards for the issuance of licenses, including, but not limited to, distance restrictions between premises for which licenses are issued; reasonable restrictions on the size of an applicant's licensed premises; and any other local requirement necessary to ensure the control of the premises and the ease of enforcement of the terms and conditions of the license; (4) Impose additional requirements necessary for the approval of applications under the Colorado Medical Marijuana Code; (5) Enact ordinances or resolutions concerning matters authorized to local governments; (6) Enact reasonable regulations or other restrictions applicable to licenses based on local government zoning, health, safety and public welfare laws for the distribution of medical marijuana that are more restrictive than the Colorado Medical Marijuana Code; (7) Impose reasonable restrictions upon a local license; and (8) Establish an application fee for a local license; and

WHEREAS, the presence of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused product manufacturing facilities within the City's corporate should be limited in number, and carefully district in order to protect, defend and preserve the economic vitality of the City; and

WHEREAS, the City Council hereby finds, determines, and declares that to the extent the requirements of this chapter differ from the requirements of the Colorado Medical Marijuana Code, the requirements of this chapter are more restrictive than the Colorado Medical Marijuana Code; and

WHEREAS, this chapter is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort, and convenience of the City and the inhabitants thereof.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that Article 12, Chapter 14, is hereby repealed and re-enacted in its entirety as follows:

CHAPTER 14

ARTICLE 12. MARIJUANA LICENSING AUTHORITY

14-201. Definitions.

As used in this ordinance, the following words shall have the following meanings, unless the context clearly requires otherwise. In addition, the other defined terms in Amendment 20 are incorporated herein by reference.

- (a) "Alcoholic beverage" means fermented malt beverage or malt, vinous, or spirituous liquors.
- (b) "Amendment 20" means a voter-initiated amendment to the Colorado Constitution adopted November 7, 2000. Amendment 20 added Section 7 of Article 4 to the Colorado Constitution.
- (c) "Applicant" means a person twenty-one (21) years of age or older who has submitted an application for a license pursuant to this ordinance.

- (d) “Application” means an application for a license submitted pursuant to this ordinance.
- (e) “City” means the City of Trinidad, Colorado.
- (f) “City Council” means the governing body of the City.
- (g) “Cultivation” means the process by which a person promotes the germination and growth of a seed to a mature marijuana plant. Cultivation does not include the storing or watering of mature marijuana plants without the aid of grow lighting.
- (h) “Day” means a calendar day, unless otherwise indicated.
- (i) “Good Cause” for the purposes of refusing or denying a license renewal, reinstatement, or initial license issuance means:
 - (1) the licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of this ordinance and any rule and regulation promulgated pursuant to this ordinance or any state law, rules or regulations;
 - (2) the licensee or applicant has failed to comply with any special terms or conditions placed on its license pursuant to an order of the local licensing authority or the state;
 - (3) the licensed premises have been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the establishment is located.
- (j) “License” means to grant a license or registration pursuant to this ordinance or state law.
- (k) “Licensed Premises” means the premises specified in an application for a license under this article, which are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, or sell medical marijuana in accordance with the provisions of this ordinance or state law.
- (l) “Licensee” means a person licensed or registered pursuant to this ordinance or state law.
- (m) “Local Licensing Authority” means the city council sitting as the medical marijuana licensing authority for the city.
- (n) “Location” means a particular parcel of land that may be identified by an address or other descriptive means.
- (o) “Medical Marijuana” means marijuana that is grown and sold pursuant to the provisions of this ordinance and state law and for a purpose authorized by Section 14 of Article XVIII of the state constitution.
- (p) “Medical Marijuana Center” or “Center” means a person licensed pursuant to this ordinance or state law to operate a business that sells medical marijuana to registered patients or

primary caregivers as defined in Section 14 of Article XVIII of the state constitution, but is not a primary caregiver.

(q) “Medical Marijuana-Infused Product” means a product infused with medical marijuana that is intended for use or consumption other than by smoking, including but not limited to edible products, ointments, and tinctures.

(r) “Medical Marijuana-Infused Products Manufacturer” means a person licensed pursuant to this ordinance or state law to operate a business as described in Section 12-43.3-404.

(s) “Optional Premises” means the premises specified in an application for a medical marijuana center license with related growing facilities in Colorado for which the licensee is authorized to grow and cultivate marijuana for a purpose authorized by this ordinance or by the Colorado Medical Marijuana Code.

(t) “Optional Premises Cultivation Operation” means the premises specified in an application for a medical marijuana center license with related growing facilities in Colorado for which the licensee is authorized to grow and cultivate marijuana for a purpose authorized by Section 14 of Article XVIII of the state constitution.

(u) “Person” means a natural person, partnership, association, company, corporation, limited liability company, or organization, or a manager, agent, owner, director, servant, officer or employee thereof.

(v) “Patient” has the meaning provided in Amendment 20.

(w) “Premises” means a distinct and definite location, which may include a building, a part of a building, a room, or any other definite contiguous area.

(x) “Primary caregiver” means a person, other than the patient and the patient’s physician, who is eighteen years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition as defined by Colorado Constitution, Article XVIII, Section 14(1)(a).

(y) “School” means a public or private preschool or a public or private elementary, middle, junior high, high school.

(z) “State Licensing Authority” means the authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution and sale of medical marijuana in this state, pursuant to C.R.S. Section 12-43.3-201

14-202. License Required.

It is unlawful for any person to own or operate a medical marijuana business, as that term is defined in this ordinance, without first obtaining a license as provided in this article. The following three types of business operations as defined in the Colorado Medical Marijuana Code C.R.S. 12-43.3-101 et seq. may be licensed hereunder: Medical marijuana centers and medical marijuana-infused products manufacturing and optional premises cultivation operation. A maximum of five (5) total licenses may be issued within the corporate City limits of Trinidad;

however, that number may be adjusted from time to time at the sole discretion of the Licensing Authority through an amendment to this ordinance.

14-203. Application; term; fees.

Any person operating or proposing to operate a medical marijuana business shall first procure from the City Clerk a medical marijuana business license, which the Clerk shall issue in accordance with the following procedures:

- (a) A person seeking to obtain a license pursuant to this article shall submit an application to the City Clerk. The form of the application shall be provided by the City Clerk.
- (b) A license issued pursuant to this section does not eliminate the need for the licensee to obtain other required licenses and permits related to the operation of the medical marijuana business, including, without limitation, any development approval required by the land use code; a sales tax license; and a building, mechanical, plumbing, or electrical permit.
- (c) An application for a license under this article shall contain the following information:
 - (1) Completed state and local licensing authority application forms;
 - (2) A completed set of individual history forms, including a set of the fingerprints for the applicant and for any person owning ten percent or more of the medical marijuana business.
 - (3) The street address of the proposed medical marijuana business;
 - (4) If the applicant is not the owner of the proposed location of the medical marijuana business, a notarized statement from the owner of such property authorizing the submission of the application;
 - (5) An acknowledgement by the applicant that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the city of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana business; and that the application and documents submitted for other approvals relating to the medical marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.
 - (6) A complete and accurate list of all owners, officers, managers, and employees of the medical marijuana business and of all persons having a direct or indirect financial interest, and the nature of such interest in the medical marijuana business, including names and addresses for such persons.
 - (7) Plans and specifications for the interior of the building in which the medical marijuana business is located. If the building is not in existence, the applications shall file a plot plan and detailed sketch for the interior and submit an architect's drawing of the building to be constructed.

- (8) Evidence that the applicant is, or will be, entitled to possession of the premise for which the application is made under a lease, rental agreement, or other arranged for possession of the premises, or by virtue of ownership of the premises.
- (d) The applicant shall pay to the city a non-refundable application fee of two thousand five hundred dollars (\$2,500.00) when the application is filed. The purpose of the fee is to cover the administrative and other costs of processing the application. A separate license fee of one thousand dollars (\$1,000.00) shall be paid prior to the issuance of the local license, and upon renewal of such license.

The City shall not accept or act upon an application for a medical marijuana business license if the business application concerns a particular location that is the same as, or within one thousand feet of, a location for which, within the two years immediately preceding date of the application, the city or the state licensing authority denied an application for the same class of license due to the nature of the use or other concern related to the location.

14-204. Public Notice and Public Hearing.

- (a) Upon receipt of an application, except an application for renewal unless one is deemed necessary for good cause, the Local Licensing Authority shall schedule a public hearing upon the application to be held not less than thirty days after the filing date of the application.
- (b) Once the Local Licensing Authority schedules a hearing for a medical marijuana center application, it shall post and publish the public notice thereof not less than ten days prior to the hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made and by publication in a newspaper of general circulation in the City.
- (c) Public notice given by posting shall include a sign of suitable material, not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the type of license applied for, the date of the application, the date of the hearing, and the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a partnership, corporation, or limited liability company, the sign shall contain the names and addresses of the officers, directors, or manager of the facility to be licensed.
- (d) Public notice given by publication shall contain the same information as that required for signs.
- (e) If the building in which the medical marijuana is to be sold is in existence at the time of the application, any sign posted as required by this ordinance shall be placed so as to be conspicuous and plainly visible to the general public. If the building is not constructed

at the time of application, the notice shall be posted at the premises upon which the building is to be constructed in such a manner that the notice shall be conspicuous and plainly visible to the general public.

- (f) The Local Licensing Authority may request that the state licensing authority conduct a concurrent review of a new license application prior to the local licensing authority's final approval of the license application.
- (g) For the public hearing held pursuant to this section, each party in interest shall have an opportunity to file remonstrances until 5:00 p.m. the day of the hearing to be presented to City Council for their consideration during the public hearing.
- (h) As used in this ordinance "Party in Interest" means any of the following:
 - (1) The applicant;
 - (2) An adult resident of the neighborhood under consideration who does not represent a group identified in subparagraph 5 of this paragraph h;
 - (3) The owner or manager of a business located in the neighborhood under consideration;
 - (4) The principal or representative of a school or day care center located within the neighborhood and within one thousand five hundred (1,500) feet of the premises for which a medical marijuana dispensary license is under consideration;
 - (5) One representative of an organized neighborhood group that encompasses part or all of the neighborhood under consideration. The representative shall reside within the neighborhood group's geographic boundaries and shall be a member of the neighborhood group;
 - (6) A representative of a local law enforcement agency.
- (i) The Local Licensing Authority in its discretion may limit the presentation of evidence and cross-examination so as to prevent repetitive and cumulative evidence or examination.
- (j) All testimony given at the hearing shall be under oath or affirmation.

14-205. Notice of decision; appeal of decision; finality.

- (a) The Local Licensing Authority shall notify the applicant of the decision on the application within thirty (30) business days of rendering the decision. Notice shall be given by mailing a copy of the Local Licensing Authority's decision to the applicant by first-class mail, postage prepaid, at the address shown in the application. Notice is deemed to have been properly given upon mailing.
- (b) Any decision made by the Local Licensing Authority pursuant to this Section shall be a final decision and may be appealed to the district court pursuant to C.R.S. Section 24-4-

106. The applicant's failure to timely appeal the decision is a waiver of the applicant's right to contest the denial or conditional approval of the application.

14-206. Renewal fee; process.

Each license issued pursuant to this section shall be valid for a period of one year from the date of issuance, and may be renewed as provided in this section.

- (a) An application for renewal shall be made to the City Clerk not less than forty-five days prior to the date of expiration and shall be accompanied by the license fee identified in Section 14-203(d). The City Clerk will accept late applications not more than ninety days after the date of expiration upon a payment of a five hundred dollars late application fee which shall be in addition to the renewal fee. The City Clerk shall not in any circumstances accept renewal applications more than ninety days after the date of expiration.
- (b) In addition to the renewal application, the applicant shall furnish copies of any approvals or permits required by local and state health officials, as well as the annual inspection report prepared by such officials, for their licensed facilities to the City Clerk.
- (c) The City Clerk shall cause the renewal application to be placed on the agenda of the Council meeting to be held no less than four (4) nor more than thirty (30) days after the Clerk has received the application.
- (d) The applicant shall be in attendance at the Council meeting at which his/her renewal application is presented to the Council.
- (e) At the time of presentation of the renewal application, the Council shall be furnished with the following:
 - (1) A summary report submitted by the Police Department of the City of Trinidad identifying all calls responded to by the Police Department to the licensed location. Such summary report shall be accompanied by necessary subordinate information to provide a clear explanation of calls identified within the report.
 - (2) Copies of all incident reports of police responses to incidents which are identified as having originated at or within the licensed establishment during the previous license period.
 - (3) A report prepared by the City Building Inspector identifying satisfaction of City Building Codes or a recitation of deficiencies and the steps required to correct such deficiencies.
- (f) At the time the renewal application is presented to the City Council, the Council may approve the renewal application or postpone action on the application to a later date. In the event of a postponement, the Council shall not be required to hold a hearing on the application, except that no renewal application may be denied unless a renewal hearing has been held.

The motion to set a hearing on the application must set forth the reason or reasons for holding a hearing. Notice of the hearing shall be posted in a conspicuous place on the licensed premises for a period of ten (10) days, and notice of the hearing shall be provided to the applicant at least ten (10) days prior to the hearing. Notice shall be by mail or personal service.

(g) The renewal hearing shall be conducted in the manner provided for hearings on applications for new liquor and fermented malt beverage licenses. At the hearing, evidence shall be taken to determine whether good cause exists to refuse to approve the renewal application. At the close of the hearing, the City Council may vote to approve or deny the renewal application, or may adjourn the hearing to a later date before rendering its decision. Where timely application for renewal has been made, the decision must be rendered prior to the date of expiration of the existing license, and in no event shall the hearing be adjourned for a period exceeding thirty (30) days.

(h) The City Council may refuse to renew a license for any of the following reasons: Failure to comply with City, State or Federal Building Codes, Fire Codes or Electrical Codes; any other reasons set forth under State law; and any other Good Cause reasons.

(i) A criminal history record of the applicant and all employees of applicant shall be provided to the City Clerk as part of the renewal application.

14-207. Investigation of applicant, applicant's employees and those with an ownership interest.

Upon receipt of an application for a license under this article, the City Clerk shall transmit copies of the application to the police department, the fire department, the planning and building department, and any other person or agency who the City Clerk determines should participate in the review of the application. The city or any of its departments or officials may visit and inspect the plant or property in which the applicant proposes to conduct business and investigate the fitness to conduct such business of any person, or the officers and directors of any corporation, or the partners of any partnership applying for a license.

In investigating the fitness of the applicant, the applicant's employees and those with an ownership interest, the city may obtain criminal history record information furnished by a criminal justice agencies subject to any restrictions imposed by such agency. In the event the city takes into consideration information concerning the applicant's criminal history record, the city shall also consider any information provided by the applicant regarding such criminal history record, including, but not limited to, evidence of rehabilitation, character references, and educational achievements, especially those items pertaining to the period of time between the applicant's last criminal conviction and the consideration of the application for a license.

Not less than five days prior to the date of the public hearing on a license application or, in the event of an application for which no public hearing is scheduled, not less than five days prior to the decision to approve or deny an application, the City Clerk shall make known the findings of the investigation in writing to the applicant and other parties of interest.

14-208. Persons prohibited as licensees.

- (a) No license provided by this article shall be issued to or held by:
- (1) Any person whose criminal history indicates the person is not of good moral character;
 - (2) Any corporation, any of whose officers, directors, or stockholders whose criminal histories indicate such person is not of good moral character;
 - (3) Any partnership, association, or company, any of whose officers, or any of whose members whose criminal histories indicate such person is not of good moral character;
 - (4) Any person employing, assisted by, or financed in whole or in part by any other person whose criminal history indicates such person is not of good moral character, or who is not a resident of Colorado.
 - (5) Any cooperative association, any of whose officers, directors, or stockholders or members whose criminal histories indicate that such person is not of good moral character.
 - (6) A licensed physician making patient recommendations;
 - (7) A person under twenty-one years of age;
 - (8) A person licensed pursuant to this article who, during a period of licensure, or who, at the time of application, has failed to:
 - (A) Provide surety bond or file any tax return with a taxing agency,
 - (B) Pay any taxes interest, or penalties due,
 - (C) Pay any judgments due to a government agency,
 - (D) Stay out of default on a government issued student loan,
 - (E) Pay child support, or
 - (F) Remedy an outstanding delinquency for taxes owed, an outstanding delinquency for judgments owed to a government agency; or an outstanding delinquency for child support;
 - (9) A person who has discharged a sentence in the five years immediately preceding the application date for a conviction of a felony or a person who at any time has been convicted of a felony pursuant to any state or federal law regarding the possession, distribution or use of a controlled substance;
 - (10) A person who employs another person at a medical marijuana facility who has not passed a criminal history record check;
 - (11) A sheriff, deputy sheriff, police officer, or prosecuting officer, or an officer or employee of the state licensing authority or a local licensing authority;
 - (12) A person whose authority to be a primary caregiver as defined in C.R.S. § 25-1.5-106(2) has been revoked by the state health agency;
 - (13) A person for a license for a location that is currently licensed as a retail food establishment or wholesale food establishment; or
 - (14) A person who has not been a resident of Colorado for at least two years prior to the date of the person's application.

(b) In making a determination as to good moral character or when considering the conviction of a crime, the City Council shall be governed by the provisions of C.R.S. § 24-5-101.

14-209. Issuance or denial of license.

(a) In determining whether to issue a license under this section the city council may consider the following:

- (1) Whether the application is complete and signed by the applicant;
 - (2) Whether the applicant has paid the application fee;
 - (3) Whether the application complies with all the requirements of this article;
 - (4) Whether the application contains any material misrepresentations;
 - (5) Whether the proposed medical marijuana business complies with applicable zoning regulations. The city council shall make specific findings of fact with respect to whether the building in which the proposed medical marijuana business will be located conforms to the Trinidad City Codes, including the zoning code and all International Codes adopted by the City;
 - (6) The facts and evidence adduced as a result of its investigation;
 - (7) Any other facts pertinent to the type of license for which application has been made, including the number, type and availability of medical marijuana outlets located in or near the premises under consideration; and
 - (8) In the case of an application for a second license, after considering the effect on competition of granting or denying the additional license, that the issuance of a second license will not have the effect of restraining competition.
- (b) The City Council shall deny the license application if the application fails for good cause as defined in C.R.S. § 12-43.3-104(1).
- (c) The City Council may impose reasonable conditions upon any license issued pursuant to this article.
- (d) Reserved.
- (e) Within thirty days after the public hearing or completion of the application investigation, the city shall issue its decision approving or denying the application. The decision shall be in writing, shall state the reasons for the decision, and a copy of the decision shall be mailed by certified mail to the applicant at the address shown on the application.
- (f) The City shall not issue a license until the building in which the business to be conducted is ready for occupancy and has been inspected for compliance with the architect's drawing and the plot plan and detailed sketch for the interior of the building submitted with the application.
- (g) After approval, the city shall notify the state licensing authority of such approval.

14-210. Contents and display of license.

The licensee shall post the license in a conspicuous location at the medical marijuana business. A medical marijuana business license shall contain the following information:

- (a) The name of the licensee;
- (b) The date of issuance of the license;
- (c) The street address at which the licensee is authorized to operate the medical marijuana business;
- (d) Any conditions of approval imposed upon the license by the city council;
- (e) The type of license;
- (f) The date of expiration of the license; and
- (g) The license shall be signed by the applicant and the City Clerk.

14-211. Transfer/termination.

A license holder wishing to transfer ownership of the medical marijuana business shall apply for such a transfer on forms prepared and furnished by the state licensing authority, accompanied by a transfer application fee of one thousand five hundred dollars (\$1,500.00) and license fee of one thousand dollars (\$1,000.00). In determining whether to permit a transfer of ownership, the city shall consider only the provisions of this article, of the Colorado Medical Marijuana Code, and any rules promulgated by the state licensing authority.

14-212. Suspension or revocation.

- (a) A license issued pursuant to this article may be suspended or revoked by the city council, or the hearings officer appointed by the city council for the purpose, after a hearing for the following reasons:
 - (1) Fraud, misrepresentation, or a false statement of material fact contained in the permit application;
 - (2) Any violation of city ordinance or state law pertaining to the operation of a medical marijuana business including regulations adopted by the state licensing authority or the possession or distribution of marijuana;
 - (3) A violation of any of the terms and conditions of the license;
 - (4) A violation of any of the provisions of this section.
 - (5) A violation of the criminal code of the United States or of any state that shall constitute a felony, or misdemeanor if committed in the state of Colorado. It shall be at council's discretion as to whether a violation of the criminal code shall be cause for disciplinary measures.
- (b) In deciding whether a license should be suspended or revoked, and in deciding whether to impose conditions in the event of a suspension, the city council, or the hearings officer appointed by the city council, shall consider:
 - (1) The nature and severity of the violation;
 - (2) Corrective action, if any, taken by the licensee;
 - (3) Prior violation(s), if any, by the licensee;
 - (4) The likelihood of recurrence of the violation;
 - (5) The circumstances of the violation;
 - (6) Whether the violation was willful; and
 - (7) Previous sanctions, if any, imposed on the licensee.

- (c) The provisions of the Colorado Medical Marijuana Code shall govern proceedings for the suspension or revocation of a license issued. City Council may adopt its own codes or ordinances governing the proceedings for the suspension or revocation of license issued under this article.
- (d) City council or the hearings officer appointed by city council may impose a fine in lieu of a suspension in accordance with the provisions of C.R.S. § 12-43.3-601(3).

14-213. Change of location.

- (a) A licensee may move his or her permanent location to another location in the city, but it shall be unlawful to cultivate, manufacture, distribute, or sell medical marijuana at any such place until permission to do so is granted by the city and the state licensing authority.
- (b) In permitting a change of location, the city shall consider all reasonable restrictions that are or may be placed on the new location and any such new location shall comply with all requirements of this article, the Colorado Medical Marijuana Code, and rules promulgated by the state licensing authority.
- (c) The City shall not authorize a change of location until the applicant produces a license issued and granted by the state licensing authority covering the period for which the change of location is sought.
- (d) The application for a change in location must be accompanied by a non-refundable fee of one thousand five hundred dollars (\$1,500.00).

14-214. Operational requirements.

Medical marijuana centers shall comply with the following operational requirements:

- (a) Medical marijuana centers shall provide clients contact information for local drug abuse treatment centers as well as educational materials regarding the hazards of substance abuse.
- (b) Medical marijuana centers shall operate only during the hours of 8:00 a.m. to 7:00 p.m.
- (c) Medical marijuana businesses shall provide adequate security on the business premises, which shall include the following:
 - (1) Twenty-four-hour security surveillance cameras to facilitate the investigation of crimes and to include video and audio capabilities, with a redundant power supply and circuitry to monitor entrances/exits and parking lot along with the interior and exterior of the premises. Copies of all security audio or video should be retained as set forth in the Colorado Medical Marijuana Enforcement Division Rules, Security Requirements. The business owner may, but shall not be required to, provide segments of surveillance footage upon request to law enforcement officers investigating crimes committed against the business or its patients. The business owner shall not be required to produce

surveillance footage disclosing the identity of business patients and may edit surveillance footage to protect patient privacy. The resolution of these color cameras will be of sufficient quality to allow for the identification of the subject's facial features, in all lighting conditions, in the event of a crime.

- (2) A burglar alarm system that is professionally monitored and maintained in good working order.
 - (3) A locking safe permanently affixed to the premises suitable for storage of the centers' inventory and cash; all to be stored during non-business hours; live plants being cultivated shall not be deemed inventory requiring storage in a locked safe.
 - (4) Exterior lighting that illuminates the exterior walls of the business.
- (d) No firearms, knives, or other weapons shall be permitted in a marijuana center except those carried by sworn peace officers.
 - (e) Marijuana shall not be consumed or used on the premises of a medical marijuana center and it shall be unlawful for a medical marijuana licensee to allow medical marijuana to be consumed on its premises. In the case of a medical marijuana business located in a structure with a legal secondary unit or other legal dwelling unit, the dwelling unit shall not be considered part of the medical marijuana business premises if access to the dwelling unit is prohibited to the medical marijuana business customers.
 - (f) Medical marijuana centers shall comply with the provisions of Article XVIII, Section 14 of the Colorado Constitution and with any other relevant Colorado statute or administrative regulation. The operator of a medical marijuana business shall provide evidence of said compliance and shall permit the inspection of the premises upon request of any sworn peace officer in the employ of the city of Trinidad Police Department. Inspection of the premises shall be limited to determining the quantity of marijuana and marijuana plants present on the premises and obtaining written evidence of the licensee's authority to possess such quantity of medical marijuana. Registry identification cards with patient names and other identifying information redacted shall be deemed satisfactory written evidence if the registry identification cards' serial number(s) are not redacted. In the event the medical marijuana center serves patients who have applied for a registry identification card thirty-five days or more prior to the inspection and who have not received such card, the operator may produce the patient's application form with the patient's name and identifying information redacted along with proof of mailing the form to the medical marijuana registry. In the event a patient has changed the caregiver designation on the registry identification card, the operator may produce the patient's change of caregiver form with the patient's name and identifying information redacted along with proof of mailing the form to the medical marijuana registry. The operator of a medical marijuana business shall not be required to disclose patient name(s) or other identifying information except as required by a duly issued court order or warrant.
 - (g) Medical marijuana centers shall sell or distribute only marijuana lawfully grown in compliance with Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical Marijuana Code, rules promulgated by the state licensing authority, and with any other relevant Colorado statute or administrative regulation.

14-215. Distance requirements.

All medical marijuana businesses shall be at least one thousand feet from any school, as defined in Section 14-201. Distance shall be computed using a route of direct pedestrian access from the nearest property line of the land used for the protected activity to the nearest portion of the building in which medical marijuana or medical marijuana infused products are sold.

14-216. Zoning.

All marijuana businesses shall be located only in those zoning districts designated for medical marijuana businesses.

(a) Medical Marijuana Centers.

- (1) Medical marijuana centers are defined as set forth in C.R.S. Section 12-43.3-104(8) "Medical Marijuana Center" now in effect or as may be amended from time to time. Medical marijuana centers shall only be allowed in the Community Commercial, Historic Preservation, or Industrial zone district, and only after issuance of a Conditional Use Permit has been granted. Medical marijuana centers shall not be allowed within any residentially zoned areas and shall not be allowed as a home occupation.
- (2) All medical marijuana centers shall meet the distance requirements set forth in this article.
- (3) All medical marijuana centers shall comply with all applicable state and local statutes, ordinances, rules, and regulations regarding the operation of medical marijuana centers, and other statutes, ordinances, rules, and regulations for the operation of businesses within the City of Trinidad, including but not limited to City sales tax and the City's sign code.

(b) The cultivation, production, or possession of marijuana plants for medical use by a patient or primary caregiver as such terms are defined by Article XVIII, Section 14 of the Colorado Constitution, shall be allowed in residential structures subject to the following conditions:

- (1) Such cultivation, production, or possession of marijuana plants must be in full compliance with all applicable provisions of Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical Marijuana, C.R.S. Sections 12-43.3-101 et. Seq., and the Medical Marijuana Program established by C.R.S. Section 25-1.5-106.
- (2) Such marijuana plants are cultivated, produced, or possessed within a licensed patient's or registered caregiver's primary residence, as defined by paragraph 8 below.
- (3) The patient or caregiver must reside in the primary residence where the medical marijuana is grown.

- (4) The cultivation, production, or possession of such marijuana plants must not be perceptible from the exterior of the primary residence, including but not limited to:
 - (A) Common visual observation, which also prohibits any form of signage;
 - (B) Unusual odors, smells, fragrances, or other marijuana related olfactory stimulus;
 - (C) Light pollution, glare, or brightness that disturbs the repose of another;
 - (D) Undue vehicular or foot traffic, including excess parking within the residential zone; and
 - (E) Excess noise from the primary residence, which noise is created as a consequence of growing medical marijuana.
- (5) Such marijuana plants shall not be grown or processed in the common areas of a multi-family or attached residential development.
- (6) Such marijuana plants are used exclusively by a licensed patient for the patient's personal use and solely to address a debilitating medical condition.
- (7) Such cultivation, production, or possession of marijuana plants shall be limited to the following space limitations within a primary residence:
 - (A) Within a single-family dwelling unit: a secure, defined, contiguous area of not more than one hundred-fifty (150) square feet within the primary residence of the licensed patient or registered caregiver;
 - (B) Within a multi-family dwelling unit: a secure, defined, contiguous area of not more than one hundred (100) square feet within the primary residence of the patient or registered caregiver.
- (8) Such cultivation, production, or possession of marijuana plants shall meet the requirements of all adopted City of Trinidad building, life/safety codes, and other applicable state electrical and other codes.
- (9) For purposes of this ordinance "primary residence" means the place that a person, by custom or practice, makes his or her principle domicile and address and to which the person intends to return, following any temporary absence, such as vacation. Residence is evidenced by actual daily physical presence, use, and occupancy of the primary residence and the use of the residential address for domestic purposes, such as, but not limited to, slumber, preparation of and partaking of meals, regular mail delivery, vehicle and voter registration, or credit, water, and utility billing. A person shall have only one (1) primary residence. A primary residence shall not include accessory buildings.
- (10) For purposes of this ordinance "a secure" area means an area within the primary residence accessible only to the patient or primary caregiver. Secure premises shall be locked or partitioned off to prevent access by children, visitors, casual passersby, vandals, or anyone not licensed and authorized to possess medical marijuana.

- (11) If a licensed patient or registered caregiver raises quantities of marijuana requiring more than the square footage limitations of paragraph 7 above, such patient or caregiver must be in full compliance with the Colorado medical marijuana program as provided in C.R.S. Section 25-1.5-106(14).
- (A) Such patient or caregiver may grow medical marijuana for personal use and solely to address a debilitating medical condition within the Community Commercial, Historic Preservation, or Industrial zone district of the City, and only after issuance of a Conditional Use Permit has been granted;
 - (B) Such patient or caregiver must submit plans, obtain a building permit, and pass inspections to ensure that the CBD or C premises are in compliance with the City's building code, state electrical code, fire code, and all other relevant life/safety codes in order to obtain a certificate of occupancy from the City Chief Building Official.
 - (C) Such patient or caregiver must ensure that the premises are secure, as defined in paragraph 10 above; however, within the Industrial district settings to that no children, visitors, passersby, vandals, or anyone else not licensed to possess medical marijuana may access the premises; and
 - (D) The patient or caregiver must reside on premises in an apartment or living area constructed in compliance with the City of Trinidad building code, state electrical code, and all other relevant life/safety codes.

14-217. Signage and Advertising.

- (a) Any person or premises licensed as a medical marijuana center shall comply with all City ordinances regulating signs and advertising. In addition, no licensed medical marijuana center shall use any advertising material that is misleading, deceptive, or false, or that, as evidenced either by the content of the advertising material or by the medium or the manner in which the advertising is disseminated, is designed to appeal to minors.
- (b) Any person licensed as a medical marijuana center or medical marijuana-infused products manufacturer shall include in any advertisement for medical marijuana or medical marijuana-infused products the following language: "For registered Colorado medical marijuana patients only. This business complies with the laws of the State of Colorado and the City of Trinidad." Provided, however, this language shall not be required to be displayed upon any sign identifying a medical marijuana center, as permitted by subparagraph (c)(1) of this Section.
- (c) Except as otherwise provided in this Section, it shall be unlawful for any person licensed under this article or any other person to advertise any medical marijuana or medical marijuana-infused product anywhere in the City where the advertisement is visible to members of the public from any street, sidewalk, park or other public place, including

advertising utilizing any of the following media: any billboard or other outdoor general advertising device; any sign mounted on a vehicle, any hand-held or portable sign; or any handbill, leaflet or flier directly handed to any person in a public place, left upon a motor vehicle, or posted upon any public or private property without the consent of the property owner. The prohibition set forth in this paragraph (c) shall not apply to:

- (1) Any sign located on the same lot as a medical marijuana center which exists solely for the purpose of identifying the location of the medical marijuana center and which otherwise complies with the City's sign code and any other applicable City laws and regulations; or
- (2) Any advertisement contained within a newspaper, magazine, or other periodical of general circulation within the City; or
- (3) Advertising which is purely incidental to sponsorship of a charitable event by a medical marijuana center or a medical marijuana-infused products manufacturer.

(d) For purposes of this Section, the terms "advertise," "advertising" or "advertisement" means the act of drawing the public's attention to a medical marijuana center or medical marijuana-infused products manufacturer in order to promote the sale of medical marijuana by the center or the manufacturer.

(e) In advertising the business location through signage, in addition to all regulations set forth in the City of Trinidad sign code, the following shall apply:

- (1) A business is allowed signage that displays one green cross;
- (2) No neon lighting shall be allowed;
- (3) No flags or other displays shall be allowed;
- (4) The aesthetic façade and exterior of the business must compliment the surrounding neighborhood;
- (5) All signage must be discrete in nature.

14-218. Penalty.

Any person who violates any of the provisions of this Section 14 Article 12 is guilty of a misdemeanor and punishable by a fine of up to five hundred dollars and a jail sentence of up to one year or both a fine and jail sentence as set forth in Trinidad City Code Chapter 1, Section 1-8 now in effect or as may be amended from time to time.

Every day that a violation of this section and article continues shall be deemed a separate violation.

14-219. No waiver of governmental immunity.

In adopting this ordinance, the City Council is relying on and does not waive or intend to waive by any provision of this ordinance, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, Section 24-

140-101, et. seq. C.R.S., as from time to time amended, or any other limitations, right, immunity, or protection otherwise available to the City, its officers or its employees.

14-220. No City liability.

By accepting a license issued pursuant to this ordinance, a licensee releases the City, its officers, elected officials, appointed officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of dispensary owners, operators, employees, clients or customers for a violation of state or federal laws, rules or regulations. The licensee shall execute a written instrument confirming the provisions of this section.

14-221. Indemnification of City.

By accepting a license issued pursuant to this ordinance a licensee, jointly and severally if more than one, agrees to indemnify and defend the City, its officers, elected officials, employees, attorneys, agents, insurers, and self-insurance pool against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the medical marijuana dispensary that is the subject of the license. The licensee further agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims, or demands at its expense, and to bear all other costs and expenses related thereto, including court costs and attorney fees. The Local Licensing Authority may require a licensee to execute a written installment confirming the provisions of this Section.

INTRODUCED BY COUNCILMEMBER MILES, READ AND ORDERED
PUBLISHED, this 18th day of February, 2014.

FINALLY PASSED AND APPROVED this ____ day of _____, 2014.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the ____ day of _____, 2014.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk

EXHIBIT TO ORDINANCE NO.

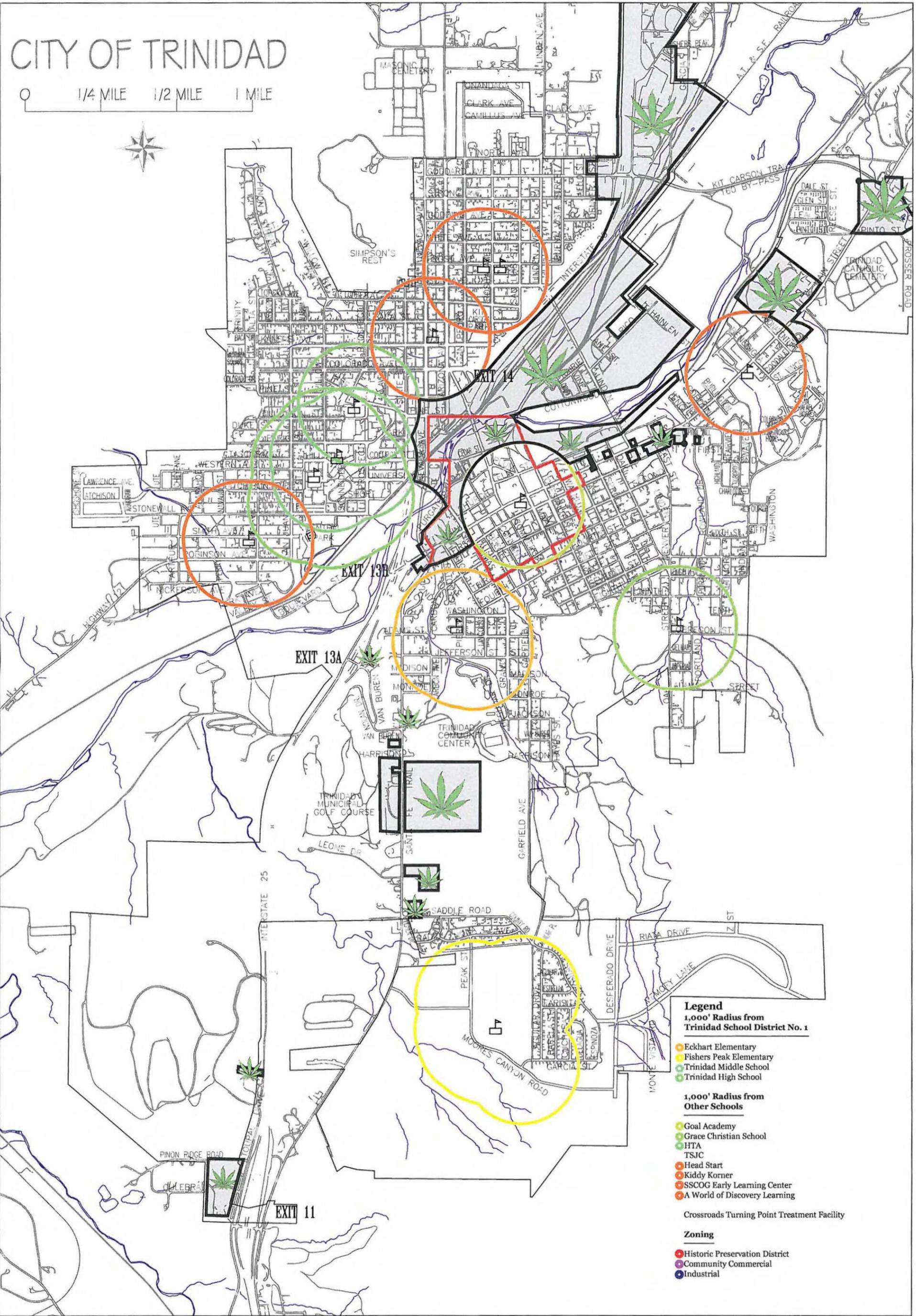
**CITY OF TRINIDAD MEDICAL MARIJUANA FEES
MARCH, 2014**

Application Fee (Non-Refundable)	\$2,500.00
Transfer of Ownership Application Fee (Non-Refundable)	\$1,500.00
Change of Location Fee (Non-Refundable)	\$1,500.00
License Fee	\$1,000.00

Application fees and License Fees are due at the time of application.
Renewal applications shall be accompanied by the License Fee.

CITY OF TRINIDAD

0 1/4 MILE 1/2 MILE 1 MILE



Legend
1,000' Radius from
Trinidad School District No. 1

- Eckhart Elementary
- Fishers Peak Elementary
- Trinidad Middle School
- Trinidad High School

1,000' Radius from
Other Schools

- Goal Academy
- Grace Christian School
- HTA
- TSJC
- Head Start
- Kiddy Korner
- SSCOG Early Learning Center
- A World of Discovery Learning

Crossroads Turning Point Treatment Facility

Zoning

- Historic Preservation District
- Community Commercial
- Industrial

Computer File Information	
Creation Date: 1/29/2014	Initials: Jeni J
Last Modification Date: 1/31/2014	Initials: Jeni J
Full Path: H:\EngProj\Departments\Council	
Drawing File Name: Marijuana Buffer Map	
Acad Ver. 2014	Scale: As Noted Units: FEET

<h2>1,000' Radius</h2>
Designer: Jeni J
Detailer: Jeni J
Structure Numbers
Sheet Subset:
Subset Sheets:

City Of Trinidad

135 N. Animas
 Trinidad, Co 81082
 (719)-846-9843

Project No./Code
Sheet Number of