



**CITY OF TRINIDAD
TRINIDAD, COLORADO**

The Regular Meeting of the City Council of the City of Trinidad, Colorado, will be held on Tuesday, April 5, 2011 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) **READING OF MINUTES**, Regular Meeting of March 15, 2011
- 3) **PUBLIC HEARING**
 - a) New tavern liquor license request by Lumber Jacks Bar & Grill, LLC at 1133 N. Linden Avenue
- 4) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 5) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 6) **COMMITTEE REPORTS**
- 7) **UNFINISHED BUSINESS**
- 8) **MISCELLANEOUS BUSINESS**
 - a) Permit Application and Report of Changes – Manager’s Registration – filed by Alfred L. Mantelli d/b/a Trinidad Lounge at 421 N. Commercial Street
 - b) Hotel and restaurant liquor license renewal request by Bella Luna, LLC d/b/a Bella Luna Pizzeria at 121 W. Main Street
 - c) Special Events Permit request by Trinidad State Junior College Educational Foundation (Malt, Vinous, and Spirituous) at the gymnasium at 600 Prospect Street on April 16, 2011
 - d) Consideration of request to revise Tastings Permit by Opera House Wine & Spirits d/b/a Tire Shop Wine & Spirits
 - e) Final plat request by Viaero Wireless on behalf of Moltzer Brothers, LLC of 38.4 acres located west of Oak Street, approximately south of East 10th Street, and approximately north of Alamo Street
- 9) **BILLS**
- 10) **PAYROLL**, March 19, 2011 through April 1, 2011
- 11) **ADJOURNMENT**

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

MARCH 15, 2011

CITY OF TRINIDAD
TRINIDAD, COLORADO

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, March 15, 2011 at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Garduno, presiding
	Councilmembers	Aragon, Pando, Rino, Shew, Toupal, Velasquez
Also present:	City Manager	Gil de Rubio
	City Attorney	Beatty
	City Clerk	Garrett

The pledge of allegiance was recited.

READING OF THE MINUTES. A motion to dispense with the reading and approve the minutes of the regular meeting of March 1, 2011, as submitted was made by Councilmember Toupal and seconded by Councilmember Velasquez. The motion carried unanimously.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. None.

REPORT BY CITY MANAGER. Santa Fe Trail Festival. City Manager Gil de Rubio advised Council that the annual Santa Fe Trail Festival will be held this year from June 10th through June 12th and will be back on Main and Commercial Streets.

Website. City Manager Gil de Rubio asked Council to allow their pictures to be taken following the meeting for the City's website. He further informed them that their meeting agenda, minutes, financial reports, and handouts from the meetings will be published on the City's website and that the public is urged to obtain information there.

Work Session. City Manager Gil de Rubio reminded Council that there are five Tuesdays this month and advised that the work session will be held on March 29th as he has had several requests to have the meeting on that date.

Resignations. Council learned of the recent resignation of Diane Bunn, Executive Director at the Colorado Welcome Center, from City Manager Gil de Rubio. He added that the position is being advertised and that he has been receiving responses. He informed them also of resignations from the Economic Development Board resulting in four vacant positions on the Board, as well as the resignation of staff positions held by Michael Aragon and Marge, the administrative secretary.

2010 Year-End Financial Reports. City Manager Gil de Rubio reviewed the 2010 year-end financial report handed out to them prior to the meeting. He reported that the General Fund finished 'in the black' by \$58,204, and said that was quite an accomplishment. He credited staff coming forward in the last four to five months of the year by bringing the expenses down 16.2% below budget, resulting in about \$1.5 million in savings. He pointed out that expenses were \$785,000 less than the 2009 actual budget. He again commended staff stating that they stepped up to the plate and did a great service to the City and commented that he hasn't heard of too many cities or public institutions finishing in the black. City Manager Gil de Rubio called to Council's attention page two and explained that page illustrates how it relates to the cash balances for year end 12/31/10. There was a \$1.3 million cash balance at year end; a \$2.4 million cash reserve, of which \$2.1 million was undesignated. He said that there was about \$1 million more than anticipated for the year. Page 3 showed more of the general government detail. He next called to Council's attention the final page of the report showing the combined statement of all of the enterprise funds. City Manager Gil de Rubio said they came in close to where they thought they would. There was a net loss of \$603,000 in Power & Light; Water netted an income of about \$227,000; Gas came in at around \$797,000, but roughly \$656,000 is in deferred gas bills that the City still has to account for; and, the Sewer Fund, after transfers in of \$150,000 from the Water Fund and \$150,000 from General Fund, yielded a net income of almost \$170,000. He concluded that all of the utilities combined netted an approximate income of \$600,000, however pointing out that the Sewer Fund had an unrestricted cash balance of negative \$183,000 after having had transfers in to the fund of \$300,000. Mayor Garduno commended City Manager Gil de Rubio and staff for their effort in keeping costs down. City Manager Gil de Rubio agreed with the sentiment and complimented Finance Director Rose Blatnik for getting the reports compiled. He reiterated his personal appreciation to staff for their budgetary control.

REPORT BY CITY ATTORNEY. Home Rule Charter. City Attorney Beatty informed Council that CIRSA's general counsel, Tami Tanoue, is continuing her review of the City's Home Rule Charter to provide suggested revisions to Council. He added that Ms. Tanoue is scheduled to visit with Council on the matter on May 10th.

COMMITTEE REPORTS. None.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. Special Events Permit request (Malt, Vinous and Spirituous) by Trinidaddio Blues Fest, Inc. at 700 Smith Avenue (Central Park) on August 27, 2011. Councilmember Rino asked if they are asking that the entire park be designated as the licensed area, or just the VIP and bar areas. Jerry Campbell, on behalf of Trinidaddio Blues Fest, Inc., illustrated on their map layout the area they are seeking, encompassed by the orange fencing, which takes in the vendor area. He said the diagram shows the dimensions of the lower park. He emphasized that no alcohol will be allowed outside of any gates. Upon further inquiry from Councilmember Rino, Mr. Campbell said they are seeking the license for the blue portion on the right side of the map and the orange portion on the left side of the map, including the backstage, limo and catering parking. However the band parking would not be part of the drinking area. Councilmember Rino asked how they will control it. Mr. Campbell said there will be fencing and a security tent in that area. He pointed out that at the big white tent at the bottom of the diagram is where people coming in would have to check in. If they have a

ticket they'll be allowed in and if they don't they'll have to go all the way around to the main gate. City Manager Gil de Rubio advised Council that he and the Police Chief went over the layout extensively with the promoters. Through their review, the Chief had suggestions which the promoters gladly incorporated into their security, including having a board of director's member behind the bar to supervise and increased staff, etc. Councilmember Rino said his question is where the limits are for the drinking area. Mr. Campbell said the band parking area will not be included, but the rest of the park is included. Mayor Garduno asked if the Trinidad Police Department will be providing all of the security this year. Mr. Campbell said they have close to 150 volunteers and about half are on duty all of the time. In addition there will be seven officers. Chief Glorioso said there will be seven officers posted, both shifts, so they will provide all of the security. Mayor Garduno asked if she's correct that they will be off-duty. Chief Glorioso said they are not on-shift officers. Mayor Garduno asked the number. Mr. Campbell said they had a little over 4,000 last year. Mayor Garduno asked the number of officers and Chief Glorioso answered seven. She asked if that was determined to be sufficient. Chief Glorioso responded affirmatively. He added that they could call in the road crew if they have a problem. A motion to approve the permit was made by Councilmember Rino and seconded by Councilmember Pando. The motion carried by a unanimous roll call vote.

New hotel and restaurant liquor license application filed by Brix at 231 E. Main Street. Mayor Garduno recognized the suggested hearing date of April 19th and reminded Council that they need to set a tentative neighborhood boundary. Councilmember Pando asked if he was correct that questions are not in order at this time. City Clerk Garrett said they should be asked of the applicant during the hearing. A representative from Rino's Restaurant addressed Council stating that she was wondering if the Planning, Zoning and Variance Commission had considered the issue of adequate parking. She said they are located in the 400 Block of East Main Street, as are lawyers and their staff, a dentist and his staff, their restaurant and their staff, a real estate company and their staff, a deli and small restaurant and their staff, and a large car sales and repair company and their staff in one square block. She added that she didn't include any of the customers of those businesses. She expressed concerns for adequate parking with the addition of a new business. She asked if Council could consider some sort of provision for adequate parking. Mayor Garduno said she didn't believe this had gone to the Planning Commission and said all of those things will be considered during the hearing scheduled for April 19th. She encouraged her to come to the hearing to present her concerns then. Councilmember Toupal recalled that they used the City limits as the tentative neighborhood boundary previously. City Attorney Beatty noted that City limits has customarily been used as the boundary most recently for liquor license applications. A one-half mile radius is the default boundary pursuant to ordinance. Alternatively they could use the El Corazon de Trinidad Historic Preservation District. Councilmember Toupal moved to set the matter for hearing on April 19, 2011 at 7:00 p.m. and to set the tentative neighborhood boundary as the corporate city limits. Councilmember Pando seconded the motion which carried unanimously upon roll call vote.

Consideration of bid results for Veterans' Memorial Park Project #01-2011. Public Works Director Valentine reviewed with Council what he informed them of at the previous work session, whereby two bids had been received, one of which was deemed unresponsive because it did not include the required bid bond. The other was a responsible bid and was under the engineering department's estimate. He recommended that bid be accepted, which was received from Purgatoire Valley Construction in the amount of \$93,397.63. A motion to accept the lowest responsible bid from Purgatoire Valley Construction in the amount of \$93,397.63 was made by Councilmember Shew and seconded by Councilmember Aragon. The motion carried unanimously by roll call vote.

Consideration of lease agreement between the City and the Pioneer Trail District of the Rocky Mountain Council of the Boy Scouts of America, Troop #269. A motion to approve the agreement was made by Councilmember Toupal and was seconded by Councilmember Aragon. The motion carried unanimously.

Consideration of Dry-Up Covenant & Agreement between the City and Pioneer Natural Resources USA, Inc. and XTO Energy, Inc. City Attorney Beatty identified a revised version of the agreement at each Council member's seating place. He said there were very minor revisions made since the packet was prepared and that the changes were inconsequential, made by Pioneer's attorney. On page 2, paragraph 4, the word 'convey' was replaced with the word 'grant', to now read "Grantors hereby grant to Grantee a non-exclusive perpetual easement..." City Attorney Beatty then called Council's attention to paragraph 9 on the same page and pointed out additional verbiage added at the end of that paragraph to read "...and Grantee shall comply with the provisions of the easement granted above in paragraph 4." He told Council that staff recommends approval of the agreement. The administration of the dry-up requirement on the City will be more manageable through the approval of the agreement. It also requires Pioneer to revegetate the area. Councilmember Rino asked how many acre feet of water will be yielded from the dry-up of the land and the shares purchased. City Attorney Beatty answered that the State Water Engineer estimated that the dry-up would yield about 120 acre-feet of water in an average year and in a wet year up to 164 acre feet. Councilmember Rino asked what will be done with the water after the dry-up is accomplished. Would it be stored in the City's storage capacity in the dam? City Attorney Beatty responded affirmatively. Councilmember Rino asked if it will be used for augmentation. City Attorney Beatty said it will. Councilmember Rino asked if the City is leasing storage space in the dam. Utilities Supt. Fernandez clarified that the City is leasing water to Pioneer for augmentation. This will be our water that the City can use. It will be City water in the City's pool for the City's needs. Councilmember Rino asked why Pioneer didn't buy the water if they bought this land. Utilities Supt. Fernandez said the City owned the water from years ago, however not all of it, Pioneer has some that they purchased. City Attorney Beatty further clarified that Pioneer and XTO acquired this farm property last year primarily for the water rights for augmentation purposes and they will have use of that water. The City was previously under a requirement to dry-up acreage in this area. The City is reconfiguring the dry-up acreage covered by those prior water decrees. It is much less segmented and can be monitored. Then the City gets to store water in our account in the dam. Councilmember Shew asked Supt. Fernandez if the City can use this water later to accommodate the deal with Tony Paradisa after the three years. Supt. Fernandez said the City's objective after the three years is to build our own structure. The City has to do something by 2014 to satisfy the requirement of the State, otherwise we will be in a difficult position for store any water. Until then the City can put this water into the dam and use it at our discretion. He concluded that the ultimate goal is to build a treatment plant below Trinidad Lake. A motion to approve the agreement was made by Councilmember Shew and seconded by Councilmember Velasquez. The motion carried by a unanimous roll call vote of Council.

BILLS. A motion to approve the bills was made by Councilmember Pando. The motion was seconded by Councilmember Shew. Roll call was taken on the motion. The motion carried unanimously.

MARCH 15, 2011

PAYROLL, March 5, 2011 through March 18, 2011. A motion to approve the payroll was made by Councilmember Toupal and seconded by Councilmember Velasquez. The motion carried unanimously.

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

ATTEST:

JENNIE GARDUNO, Mayor

AUDRA GARRETT, City Clerk

DRAFT

ITEM NO. 3

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON April 5, 2011

ITEM: **PUBLIC HEARING** - New tavern liquor license request by Lumber Jacks Bar & Grill, LLC at 1133 N. Linden Avenue

**REQUEST
MADE BY:** Lumber Jacks Bar & Grill, LLC

**CONTENTS/
COMMENTS:** Complete application

ITEM NO. 3

INVESTIGATIVE REPORT

Applicant: Lumber Jacks Bar & Grill, LLC
Business Name: No DBA Registered
Business Address: 1133 N. Linden Avenue
Date of Application: February 10, 2011
Date Application Filed with Local Authority: February 15, 2011
Type of Request: New License
Type of License: Tavern
Hearing Date: Tuesday, April 5, 2011, 7:00 p.m.

APPLICATION CONTENTS -

Applicant's Documents: Liquor License Application - Form #DR8404
Articles of Organization
Articles of Amendment
Certificate of Good Standing
Operating Agreement
Purchase Contract
Business Lease Agreement
Diagram of Premises
Individual History Records-Form #DR8404-I
Letters of Reference
Fingerprints

City Documents: Notice of Public Hearing
Certificate of Mailing
Proof Publication on 2/25/11
Certificate of Posting
Departmental Reports
Correspondence to Applicant
Neighborhood Boundary Map

STATE AND LOCAL FEES -

State Fees:	Investigation	\$1,125.00
	License	<u>500.00</u>
	Total	\$1,625.00

Local Fees:	Investigation	\$ 625.00
	License	<u>75.00</u>
	Total	\$ 700.00

Local and state fees have been paid. Applicant has been advised the City's and State's investigation fee is non-refundable and in the event the liquor license is denied, license fees only shall be refunded.

LETTERS OF REFERENCE -

Letters of reference for Michael Tyler received from:

Monica Payne, Trinidad, CO
Heather Belcher, Trinidad, CO
Stanley R. Owens, Sr., Trinidad, CO

All letters of reference have been verified.

FINGERPRINTING -

Fingerprint cards were submitted to CBI/FBI on 02/11/2011. Results from FBI were received for Michael Tyler and disclosed no criminal records. CBI results yield no arrest records for the applicant.

CONTACT FOR PURCHASE OF THE PROPERTY -

The property is currently under contract to be purchased by the applicant contingent upon the buyer obtaining a liquor license.

LEASE -

Lease agreement dated 2/10/11 is between Michael B. Tyler and Lumber Jacks Bar & Grill, LLC, both of Trinidad. The lease period extends from 2/10/2011 to 2/10/2013.

DIAGRAM OF PREMISES -

The diagram identifies the entire interior space of the proposed premise as well as an existing front patio and proposed future 20'x12' rear patio.

SALES TAX LICENSE -

Sales Tax License #04-90752 was verified.

NOTICE OF HEARING -

Mailed to applicant – 2/18/11.

Published – 2/25/11.

Posted on the premises – 3/1/11.

DEPARTMENTAL REPORTS -

Fire Chief Leroy Perea reported that on 2/25/2011 the applicant needed to repair exit signs, fire extinguishers need to be certified, and that vertical openings need to be fixed. Re-inspection will be necessary.

Building Inspector Chris Kelley conducted his initial inspection on 2/25/2011. The inspector likewise noted the need for electrical work, fire extinguishers, exit signs, as well as the need to repair or replace handrails, the need for ADA bathrooms, plumbing repairs and that the heating system needs repairs or replacement. Re-inspection will be necessary.

The Police Department reported no record of the applicant on file for the applicant within the local database.

Prior to the applicant filing this application, a verification of appropriate zoning was done. The findings were that the proposed premises is zoned Established-Low Density Residential. The previous use of the property as a tavern was a non-conforming use that lost its legal non-conforming status six months after the business was closed in early September. Therefore, in addition to the above findings being satisfied, the use as a commercial operation will require approval.

CORRESPONDENCE TO APPLICANT -

A letter dated 2/23/11 was sent to Lumber Jacks Bar & Grill, LLC, advising of the procedures to follow at the hearing. A sample petition was also provided as well as a map of the designated neighborhood.

CORRESPONDENCE FROM APPLICANT -

No additional correspondence has been received as of the date of this report.

LICENSED OUTLETS WITHIN THE NEIGHBORHOOD -

The neighborhood boundary was set as the corporate boundaries of the City.

There are thirty-five (35) licensed outlets within the City limit boundary. Of that number, twelve (12) are licensed as a taverns. Aultman Hall is currently expired, however within the late renewal availability period. The outlets are:

3.2% - Off	J. R.'S Fuel Stop #810	731 E. Main Street
	J. R.'S #811	110 E. Colorado Avenue
	Safeway Store #722	457 W. Main Street
	Wal-Mart Supercenter #962	2921 Toupal Drive

Count: 4

3.2% - On/Off	Lee's Bar B Q	825 San Pedro
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Count: 1

Club	Eagles, Order #179	204 Pine Street
	Elks, BPOE	120 S. Maple

Count: 2

Hotel/Rest.	Black Jack's Saloon & Steakhouse	225 W. Main Street
	Chef Liu's Restaurant	1423 Santa Fe Trail
	Mission at the Bell Restaurant	134 W. Main Street
	Quality Inn	3125 Toupal Drive
	Rino's Restaurant	400 E. Main Street
	Wonderful House Restaurant	415 University Street
	Trinidad Golf, LLC	306 Fairway Court
	Bella Luna Pizzeria	121 W. Main Street
	Trinidad Holiday Inn	3130 Santa Fe Trail Drive
	Main St. Tap House	308 W. Main Street

Count: 10

Liquor Store	Veltri Arizona Liquor Store	847 Arizona Avenue
	Kit Carson Liquor	155 Elm Street

Main Street Liquors	803 E. Main Street
Mountain Liquor	1144 Robinson
Santa Fe Trail Hops & Vines	1530 Santa Fe Trail
Tire Shop Wine & Spirits	601 W. Main Street

Count: 6

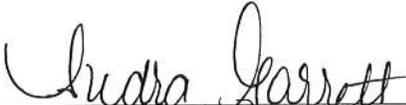
Tavern

Aultman Hall	137 Cedar Street
Delmonico Bar & Café	313 W. Main Street
Great Wall	321 State Street
El Rancho Cafe	1901 Santa Fe Trail
Gino's Sports Bar	991 E. Main Street
JuJo's Pub and Dance Hall	125 N. Chestnut Street
Mantelli's	137 W. Main Street
Monte Cristo Bar	124 Santa Fe Trail
Park Café	608 Arizona Avenue
Trinidad Lanes, LLC	823 Van Buren
Trinidad Lounge	421 N. Commercial St.
Ole's Tavern	2833 Toupal Drive

Count: 12

Dated this 15th day of March, 2011.

CITY OF TRINIDAD, COLORADO



Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of March, 2011, I mailed a copy of the Investigative Report, by Certified Mail, to:

Lumber Jacks Bar & Grill, LLC
1101 Portland Avenue
Trinidad, CO 81082
Certified Mail # 7008 3230 0003 3235 8023



Audra Garrett, City Clerk

APPLICATION DOCUMENTS CHECKLIST AND WORKSHEET

Instructions: This check list should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

ITEMS SUBMITTED, PLEASE CHECK ALL APPROPRIATE BOXES COMPLETED OR DOCUMENTS SUBMITTED

I. APPLICANT INFORMATION

- A. Applicant/Licensee identified.
- B. State sales tax license number listed or applied for at time of application.
- C. License type or other transaction identified.
- D. Return originals to local authority.
- E. Additional information may be required by the local licensing authority.

II. DIAGRAM OF THE PREMISES

- A. No larger than 8 1/2" X 11".
- B. Dimensions included (doesn't have to be to scale). Exterior areas should show control (fences, walls, etc.).
- C. Separate diagram for each floor (if multiple levels).
- D. Kitchen - identified if Hotel and Restaurant.

III. PROOF OF PROPERTY POSSESSION

- A. Deed in name of the Applicant ONLY (or)
- B. Lease in the name of the Applicant ONLY.
- C. Lease Assignment in the name of the Applicant (ONLY) with proper consent from the Landlord and acceptance by the Applicant.
- D. Other Agreement if not deed or lease.

IV. BACKGROUND INFORMATION AND FINANCIAL DOCUMENTS

- A. Individual History Record(s) (Form DR 8404-I).
- B. Fingerprints taken and submitted to local authority. (State authority for master file applicants.)
- C. Purchase agreement, stock transfer agreement, and or authorization to transfer license.
- D. List of all notes and loans.

V. CORPORATE APPLICANT INFORMATION (If Applicable)

- A. Certificate of Incorporation (and/or)
- B. Certificate of Good Standing if incorporated more than 2 years ago.
- C. Certificate of Authorization if foreign corporation.
- D. List of officers, directors and stockholders of parent corporation (designate 1 person as "principal officer").

VI. PARTNERSHIP APPLICANT INFORMATION (If Applicable)

- A. Partnership Agreement (general or limited). Not needed if husband and wife.

VII. LIMITED LIABILITY COMPANY APPLICANT INFORMATION (If Applicable)

- A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office).
- B. Copy of operating agreement.
- C. Certificate of Authority (if foreign company).

VIII. MANAGER REGISTRATION FOR HOTEL AND RESTAURANT, TAVERN LICENSES WHEN INCLUDED WITH THIS APPLICATION

- A. \$75.00 fee.
- B. Individual History Record (DR 8404-I).

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*
MICHAEL B. TYLER	[REDACTED] Trinidad, CO. 81082	[REDACTED]	owner/ MANAGER	98
JOYCE A. PAINE	[REDACTED] Trinidad, CO 81082	[REDACTED]	Limited Passive Partner	2

*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

Michael B. Tyler

Title

owner - manager

Date

2-10-11

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

Date application filed with local authority

2/15/2011

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.

4/5/2011

THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

That each person required to file DR 8404-I (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 *3/15/2011*

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

- TOWN, CITY
 COUNTY

Signature

Title

Date

Signature (attest)

Title

Date

ITEM NO. 8a

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON April 5, 2011

ITEM: Permit Application and Report of Changes – Manager’s Registration – filed by
Alfred L. Mantelli d/b/a Trinidad Lounge at 421 N. Commercial Street

**REQUEST
MADE BY:** Alfred L. Mantelli

**CONTENTS/
COMMENTS:** Permit Application and Report of Changes
Individual History Record
Letters of reference
Background check

ITEM NO. 8a

INSTRUCTION SHEET

FOR ALL SECTIONS, COMPLETE QUESTIONS 1-4 LOCATED ON PAGE 1

Section A

To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

Section B

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

Section C

Check the appropriate box in section C and proceed below.

- 1) *For a Retail Warehouse Storage Permit*, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 2) *For a Wholesale Branch House Permit*, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 3) *To Change Trade Name or Corporation Name*, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 4) *To modify Premise*, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) *For Optional Premises or Related Facilities* go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) *To Change Location*, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

STORAGE PERMIT

5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit

Retail Warehouse Permit for:

- On-Premises Licensee (Taverns, Restaurants etc.)
- Off-Premises Licensee (Liquor stores)

Wholesalers Branch House Permit

Address of storage premise: _____

City _____, County _____, Zip _____

Attach a deed/ lease or rental agreement for the storage premises.
 Attach a detailed diagram of the storage premises.

CHANGE TRADE NAME OR CORPORATE NAME

6. Change of Trade Name or Corporation Name

- Change of Trade name / DBA only
- Corporate Name Change (Attach the following supporting documents)
 1. Certificate of Amendment filed with the Secretary of State, or
 2. Statement of Change filed with the Secretary of State, and
 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name	New Trade Name
----------------	----------------

Old Corporate Name	New Corporate Name
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CHANGE OF LOCATION

7. Change of Location

NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.

Date filed with Local Authority _____ Date of Hearing _____

(a) Address of current premises _____

City _____ County _____ Zip _____

(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)

Address _____

City _____ County _____ Zip _____

(c) New mailing address if applicable.

Address _____

City _____ County _____ State _____ Zip _____

(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.

CHANGE OF MANAGER

8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)

Former manager's name ALFRED L MANTELLI

New manager's name ANTONIA M. MANTELLI

(b) Date of Employment 2-16-11

Has manager ever managed a liquor licensed establishment?..... Yes No

Does manager have a financial interest in any other liquor licensed establishment?..... Yes No

If yes, give name and location of establishment _____

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed _____

(b) If the modification is temporary, when will the proposed change:

Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located 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?

(If yes, explain in detail and describe any exemptions that apply)..... Yes No

(d) Is the proposed change in compliance with local building and zoning laws?..... Yes No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?

..... Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

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 <u>Alfred L Mantelli</u>	Title <u>owner</u>	Date <u>2/16/11</u>
---------------------------------------	-----------------------	------------------------

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / 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 applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	Date filed with Local Authority
--	---------------------------------

Signature	Title	Date
-----------	-------	------

REPORT OF STATE LICENSING AUTHORITY

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
-----------	-------	------

Wilks Foster
43500 U.S. Hwy 160
Trinidad, Co 81082
(719)846-4960

To whom it may concern,

This letter is in reference to Antonia Mantelli. I am a head clerk at Safeway and have worked with Toni for 5 ½ years. In that time Toni has been the head booth clerk as well as the Floral Manager.

As the head booth clerk Toni ran the booth with a very efficient hand. Part of her job was training many people including myself how to work in the booth. She also was in charge of the front end – a job which included managing the checker's and the courtesy clerk's breaks and lunches. There were many times when Toni was left in charge of the store when the manager left for lunch or had to leave for the day. She is responsible and knows how to handle tuff situations.

As the Floral Manager, Toni has continued to help train booth clerks and check as well as manage her department. She is willing to set aside what she is doing for the benefit of the store when she is needed somewhere else.

Toni is a well-known person in Trinidad who can take care of herself and others that she is in charge of. Toni has a knack for managing and can see what needs to be done without being told and steps forward to get the job done whether that means doing it herself or assigning someone else to the job. As a teacher Toni is patient and will go out of her way to make sure people understand the proper way of accomplishing the task even if that means showing them over and over again. She leads by example and there is no job that she will not do.

If there are any questions concerning Toni's ability as a manager that needs to be answered please do not hesitate to give me a call.

Sincerely,


Wilks Foster

verified
3/7/11

Metro Studio Salon

210 E. Godding Avenue; Trinidad, CO 81082
Telephone: 719.846.4731; Cellular: 719-859.0127
Email: mrlt1980@comcast.com

February 28, 2011

City of Trinidad, City Council
c/o Mr. Ed Gil de Rubio, City Manager
135 N. Animas Street
P.O. Box 880
Trinidad, Colorado 81082

RE: Character Reference of Ms. Antonia Mantelli

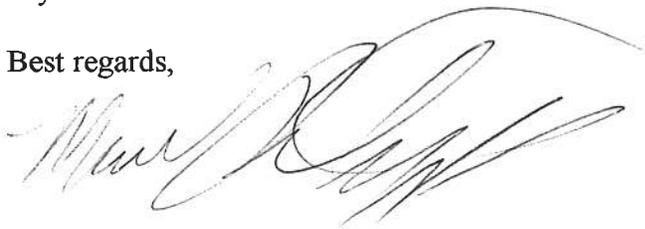
To Whom It May Concern:

I am pleased to submit this letter of reference for Ms. Antonia (Toni) Mantelli, as I have worked with her at the Trinidad Lounge where I served as a bar tender; furthermore, as the owner and operator of Metro Studio Salon, Ms. Mantelli has been a client of mine for the last two years, and six years prior to that at Commercial Street Salon and Day Spa.

Personally, I have known Ms. Mantelli for many years, and perceive her to be a well adjusted individual, demonstrating positive characteristics including a highly ethical and moral stance towards conducting business. Additionally, her logical approach to interaction with family, friends and cliental has proven to be a solid base for her beliefs. I look to Ms. Mantelli as a friend first, but also a trusted and wise business mentor and confidant.

Should you have any additional questions or concerns, please feel free to contact me at anytime.

Best regards,



Manuel Trujillo, Jr.
Owner, Metro Studio Salon

verified
3/2/11

EDWARD L. GRIEGO

715 E. 5TH ST.
TRINIDAD, CO 81082
(719) 846-7013

MARCH 1, 2011

CITY OF TRINIDAD
135 N. ANIMAS
TRINIDAD, CO 81082

RE: ANTONIA MANTELLI

I HAVE KNOWN ANTONIA (TONI) MANTELLI FOR MORE THAN 35 YEARS. DURING THAT PERIOD OF TIME, WE CREATED A CLOSE RELATIONSHIP AS FRIENDS AND FROM A BUSINESS STANDPOINT.

WITHOUT RESERVATION, I AN ATTEST TO HER CHARACTER AND BUSINESS ETHIC. SHE WAS DIRECTLY INVOLVED IN THE OPERATION AND MANAGEMENT OF THE TRINIDAD LOUNGE. HER MANY YEARS OF EXPERIENCE IN THAT TYPE OF BUSINESS PROVIDE HER WITH A WORKING KNOWLEDGE REQUIRED FOR THE PROPER OPERATION OF SUCH AN ESTABLISHMENT.

I FEEL THAT SHE IS WELL QUALIFIED TO CONTINUE AS AN OPERATOR / MANAGER OF A LIQUOR ESTABLISHMENT AND I ENCOURAGE ANY CONSIDERATION THAT CAN BE GIVEN TO THE REQUESTED LIQUOR LICENSE APPLICATION.

I MAY BE CONTACTED AT THE ABOVE ADDRESS IF THERE ARE ANY QUESTIONS OR IF I CAN PROVIDE ADDITIONAL COMMENT.

SINCERELY,


EDWARD L. GRIEGO

verified
3/2/11

ITEM NO. 8b

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON April 5, 2011

ITEM: Hotel and restaurant liquor license renewal request by Bella Luna, LLC d/b/a Bella Luna Pizzeria at 121 W. Main Street

**REQUEST
MADE BY:** Bella Luna, LLC

**CONTENTS/
COMMENTS:** Renewal application
Departmental reports
Fees have been paid

ITEM NO. 8b

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



BELLA LUNA LLC
 BELLA LUNA PIZZERIA
 PO BOX 6
 TRINIDAD CO 81082-0006

License Number 42-59362-0000	License Type 1970
Liability Information 05 102 722110 B 050808	
Business Location 121 W MAIN ST TRINIDAD CO	
Current License Expires MAY 07, 2011	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application.** If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.

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.		
Authorized Signature <i>[Signature]</i>	Date 3/14/11	Business Phone 719-846-2750
Title OWNER	Sales Tax Number EIN 20-4567503 42-59362-0000	
REPORT AND 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

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

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 of Revenue may collect the payment amount directly from your banking account electronically.

21

Business Name BELLA LUNA PIZZERIA	LICENSE NUMBER (Use for all reference) 42-59362-0000		PERIOD 05-12
TYPE OF LICENSE ISSUED HOTEL AND RESTAURANT LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999)	STATE FEE 1970-750(999)	CITY 85% OAP 2180-100(999)
	\$ 50.00	\$ 25.00	\$ 425.00

SUB-TOTAL \$ 500.00
 ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$
 TOTAL AMOUNT DUE \$ 500.00

ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

**This page must be completed and attached to your signed renewal application form.
 Failure to include this page with the application may result in your license not being renewed.**

Trade Name of Establishment BELLA LUNA LLC - BELLA LUNA PIZZERIA		State License Number 42-593620000	
1. Operating Manager JOHN J. GUINN / SANDRA R. NICHOLS		Home Address TRINIDAD CO. FROEZ	
		Date of Birth [REDACTED]	
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <u>RENTED</u> If rented, expiration date of lease: <u>5/31/2012</u>		Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation.		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
7. Corporation or Limited Liability Company (LLC) or Partnership applicants must answer these questions. Since the date of filing of the last annual license application:		Yes	No
(a) Are there, or have there been: any officers or directors; or managing members; or general partners added to or deleted from applicant for renewal of a 3.2 beer or liquor license?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Are there or have there been: any stockholders with 10% or more of the issued stock of the Corporation; or any members with 10% or more membership interest in the LLC; or any partners with 10% or more interest in the partnership added to or deleted from the applicant for renewal of a 3.2 beer or liquor license?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If Yes to (a) or (b), complete and attach Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, and all supporting documentation, and fees your Local Licensing Authority immediately.			
8. Sole proprietorships, Husband-Wife Partnerships or Partners in General Partnerships:			
EVIDENCE OF LAWFUL PRESENCE			
Each person identified above must complete and sign the following affidavit. Please make additional copies if necessary. Each person must also provide a copy of their driver's license or state issued identification card.			
In lieu of form DR 4679, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):			
<input checked="" type="checkbox"/> I am a United States Citizen			
<input type="checkbox"/> I am not a United States Citizen but I am a Permanent Resident of the United States			
<input type="checkbox"/> I am not a United States Citizen but I am lawfully present in the United States pursuant to Federal Law			
<input type="checkbox"/> I am a foreign national not physically present in the United States			
I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, or fraudulent statement or misrepresentation in this sworn affidavit is punishable under the criminal laws of Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.			
Signature [Handwritten Signature]		Printed name JOHN J. GUINN SANDRA R. NICHOLS	
		Date 3/14/11 3/14/11	

3/15/11

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

Applicant: Bella Luna, LLC

dba: Bella Luna Pizzeria

Address: 121 W. Main Street

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: April 5, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: see approval

Date 3-18-11 Signature [Signature]

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 25, 2011

3/15/11

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

Applicant: Bella Luna, LLC

dba: Bella Luna Pizzeria

Address: 121 W. Main Street

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: April 5, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: no change

Date 3-17-11 Signature [Signature]

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 25, 2011

3/15/2011

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

Applicant's Name: Bella Luna, LLC

DBA: Bella Luna Pizzeria

Business Address: 121 W. Main Street

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: April 5, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

Date	Sequence Number	Call Type	Case Number
No records found			

Date

Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 25, 2011

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Tuesday, March 15, 2011 11:34 AM
To: Audra Garrett
Subject: RE: liquor license renewal

Hi Audra,

Bella Luna, LLC located at 121 W. Main Street Trinidad, CO has renewed license and been inspected by this Department and is approved.

John Martinez
Environmental Health Specialist III
[jmartinez@la-h-health.org]

Las Animas-Huerfano Counties District Health Department

<u>Trinidad Office</u> 412 Benedicta Ave Trinidad, CO 81082 (Ph) 719-846-2213 (Fax) 719-846-4472	<u>Walsenburg Office</u> 119 E. Fifth Street Walsenburg, CO 81089 (Ph) 719-738-2650 (Fax) 719-738-2653
--	--

From: Audra Garrett [mailto:audra.garrett@trinidad.co.gov]
Sent: Tuesday, March 15, 2011 8:36 AM
To: John Martinez
Subject: liquor license renewal

Hi John,

Please verify compliance with your department for Bella Luna, LLC at 121 W. Main Street with respect to their liquor license renewal.

Thank you,

Audra Garrett, City Clerk

City of Trinidad
135 N. Animas Street
Trinidad, CO 81082
(719) 846-9843 ext. 135
(719) 846-4140 fax

ITEM NO. 8c

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON April 5, 2011

ITEM: Special Events Permit request by Trinidad State Junior College Educational Foundation (Malt, Vinous, and Spirituous) at the gymnasium at 600 Prospect Street on April 16, 2011

**REQUEST
MADE BY:** Trinidad State Junior College Educational Foundation

**CONTENTS/
COMMENTS:** Application
Departmental reports
Fees have been paid

ITEM NO. 8c

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

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

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

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	
2110 <input checked="" type="checkbox"/>	MALT, VINOUS AND SPIRITUOUS LIQUOR	\$25.00 PER DAY
2170 <input type="checkbox"/>	FERMENTED MALT BEVERAGE (3.2 Beer)	\$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

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

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE
 (include street, city/town and ZIP)

600 Prospect Street
 Trinidad, CO 81082

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT
 (include street, city/town and ZIP)

600 Prospect Street
 Trinidad, CO 81082

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

5. EVENT MANAGER Toni DeAngelis	[REDACTED]	[REDACTED] Trinidad, CO 81082	[REDACTED]
------------------------------------	------------	-------------------------------	------------

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
 NO YES HOW MANY DAYS? _____

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?
 NO 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	
April 16, 2011	Hours	From	Hours	From	Hours	From
	5:00	p.m.				
	To	10:00				

OATH OF APPLICANT

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

SIGNATURE <i>Toni DeAngelis</i>	TITLE Executive Director	DATE 03/11/2011
------------------------------------	-----------------------------	--------------------

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

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

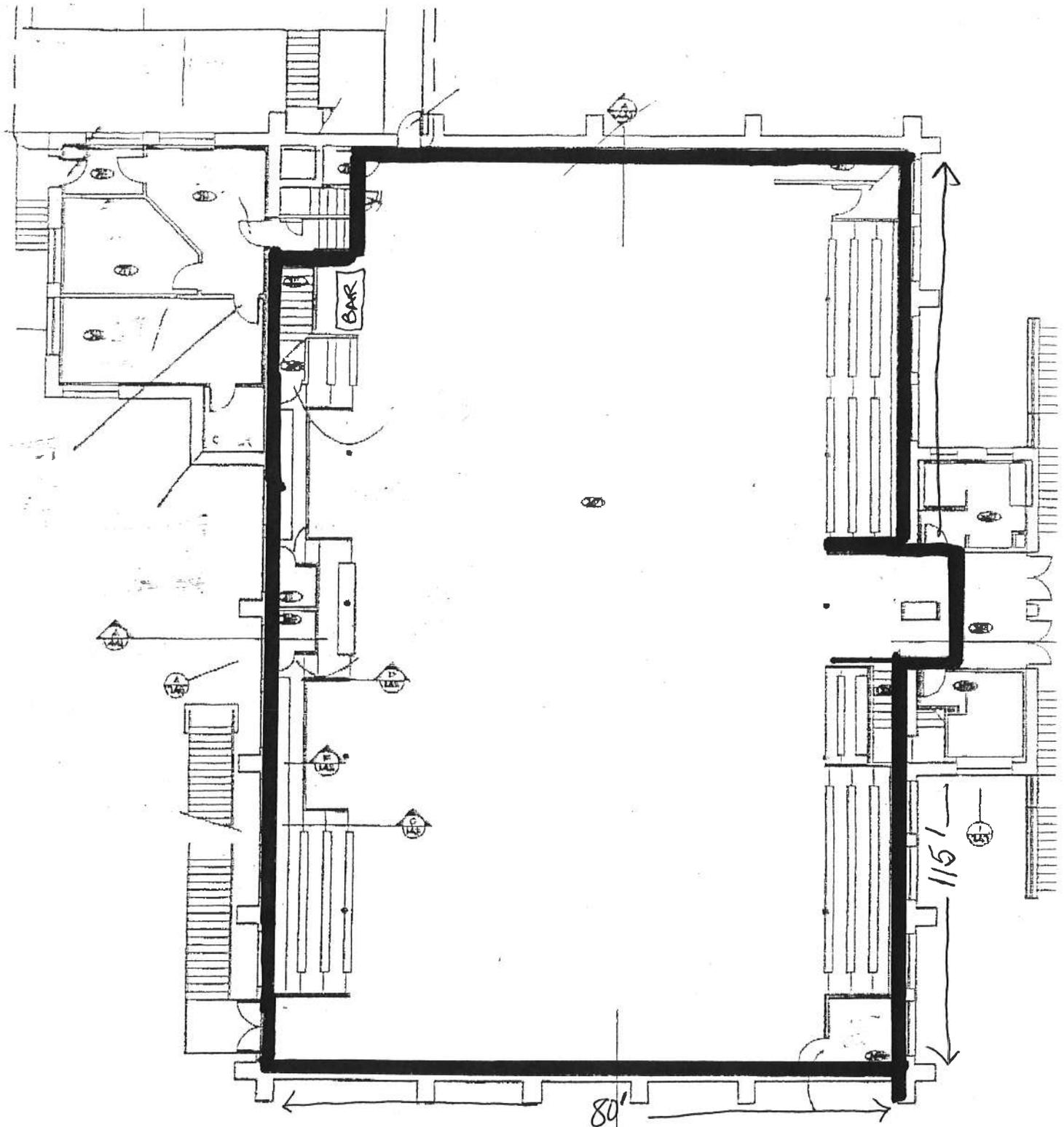
THEREFORE, THIS APPLICATION IS APPROVED.

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

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

LIABILITY INFORMATION

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



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



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

SCOTT GYMNASIUM
 TRINIDAD STATE JUNIOR COLLEGE
 TRINIDAD, COLORADO

A great place to start...



...or start over!

March 11, 2011

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

RE: Permission for Use of Premises and Security

To Whom It May Concern:

In reference to the Trinidad State Junior College Educational Foundation's request for a special events permit, this letter shall serve as notice that Trinidad State Junior College hereby gives permission for use of the Scott Gymnasium by the TSJC Educational Foundation for its upcoming social event on April 16, 2011. In addition, the College's campus security staff will provide security service for the above mentioned event.

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

Sincerely,

Felix Lopez
President

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

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

TRINIDAD STATE JUNIOR COLLEGE EDUCATIONAL FOUNDATION

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

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/09/2011 that have been posted, and by documents delivered to this office electronically through 03/11/2011 @ 14:49:16.

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 03/11/2011 @ 14:49:16 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 7889790.



A handwritten signature in black ink, appearing to read "Scott Gessler".

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."

3/16/11

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

Applicant: Trinidad State Junior College Educational Foundation

dba: Annual Fundraiser on April 16, 2011

Address: 600 Prospect Street - Gymnasium

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: April 5, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspected ok no violations

3-22-11
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 28, 2011

3/16/11

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

Applicant: Trinidad State Junior College Educational Foundation

dba: Annual Fundraiser on April 16, 2011

Address: 600 Prospect Street - Gymnasium

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: April 5, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Approved

3-17-11
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 28, 2011

3/16/2011

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

Applicant's Name: Trinidad State Junior College Educational Foundation

DBA: Annual Fundrasier on April 16, 2011

Business Address: 600 Prospect Street - Gymnasium

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: April 5, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

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

3.22.11
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 28, 2011

**Operations Plan
TSJC "Friends in Fun Fundraiser"**

Date of Operation: April 16, 2011
Operational Period's: 1800-2200

Location of operation: TSJC Scott Gym

Operation Objectives: This is a fundraiser held by TSJC to raise funds for the TSJC Alumni Foundation. During this event, a silent auction is held, along with guest speakers. A dinner will also be provided at a cost to the event guests. Alcoholic beverages will also be sold at this event. It is anticipated that approximately 150-200 guests will attend this event.

This event will be held on April 16, 2011 from 1800-2200 hours. It will be confined to the TSJC Scott gym.

Radio Frequency: TSJC Security will utilize the TPD 800 Mhz radio frequency for notification of TPD of any incident requiring the response of law enforcement to the event.

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

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

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

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

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

NO PERSON WHO IS NOT DESIGNATED AS A BAR EMPLOYEE WILL BE ALLOWED BEHIND THE BAR. Any unauthorized person found behind the bar will be removed from the Gym. Security will notify TPD for appropriate enforcement action.

The event will have in place an accounting system for tracking all bar receipts and tip receipts. A "TIP" Jar will not be left where it can be accessed by unauthorized persons. TIP jars will be emptied and accounted for during normal cash drops.

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

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

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

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

Prepared by: Steve Kanni

Date: 03-14-11

Approved by: Cog

Date: 3-14-11

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

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, and the ordinances of the City of Trinidad, Trinidad State Junior College Educational Foundation, 600 Prospect Street, Trinidad, Colorado, which business has applied for a Special Events Permit, to sell and dispense Malt, Vinous and Spirituous Liquors at 600 Prospect Street, Trinidad, Colorado, on April 16, 2011, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 16th day March, 2011.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 16th day of March, 2011.

CITY OF TRINIDAD, COLORADO

(S E A L)



Audra Garrett, City Clerk

ITEM NO. 8d

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON April 5, 2011

ITEM: Consideration of request to revise Tastings Permit by Opera House Wine & Spirits
d/b/a Tire Shop Wine & Spirits

**REQUEST
MADE BY:** Opera House Wine & Spirits

**CONTENTS/
COMMENTS:** E-mail request

ITEM NO. 8d

Audra Garrett

From: Michelle Miles [tireshopwines@gmail.com]
Sent: Thursday, March 17, 2011 1:34 PM
To: audra.garrett@trinidad.co.gov
Subject: Tasting Permit Revision Request

Dear Audra,

As we discussed on the phone, I would like to formally request that my current hours for tasting (every Friday and Saturday from 4 to 6pm) be expanded to: every Friday and Saturday from 3 to 7pm.

Thank you,

Michelle Miles

ITEM NO. 8e

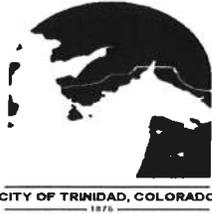
ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON April 5, 2011

ITEM: Final plat request by Viaero Wireless on behalf of Moltrier Brothers, LLC of 38.4 acres located west of Oak Street, approximately south of East 10th Street, and approximately north of Alamo Street

**REQUEST
MADE BY:** Viaero Wireless

**CONTENTS/
COMMENTS:** Memo from staff dated 4/5/11
Public Notice

ITEM NO. 8e



MEETING DATE: Tuesday, April 5th, 2011

TO: City Council

FROM: City Staff

SUBJECT: Request from Edward M. Gonzalez, Viaero Wireless, representing property owner Moltrrer Brothers LLC - Request for a final plat of 38.4 acres located west of Oak Street, approximately south of East 10th Street, and approximately north of Alamo Street.

PLANNING COMMISSION MEETING: March 14th, 2011

GENERAL INFORMATION:

Applicant(s): Edward M. Gonzalez, Viaero Wireless

Property Owner(s): Moltrrer Brothers LLC

Purpose of Application: Request for a final plat of 38.4 acres to allow for the development of a portion of the land area as a telecommunications facility.

Location: The subject plat includes much of the northern, eastern, and southern slopes of Reservoir Hill.

Size: 38.4 acres

Existing Land Use: Undeveloped

Surrounding Land Uses: North: Single-Family Homes
East: Single-Family Homes
South: Undeveloped
West: City's Water Tank; Undeveloped

Existing Zoning: G-O, Growth-Open District

Previous Applications: A preliminary plat and CUP application were approved by the Planning, Zoning and Variance Commission on September, 14th, 2011. The preliminary plat application was approved by the City Council on October 5th, 2011.

REQUIRED CORRECTIONS/CONDITIONS

In accordance with the requirements of the subdivision procedures listed in Chapter 14, Section 14-8 of the City of Trinidad Code of Ordinances, the following corrections are to be made to the final plat:

1. A statement or certificate, in separate writing, executed by the person who prepared the plat map, which certifies that all existing easements, rights-of-way, and significant topographical features on the proposed subdivision are fully shown and accurately identified on the face of the map, and further stating whether the map being submitted includes all of the contiguous land which the subdivider owns directly or indirectly, or has a legal or beneficial interest in, or whether the subdivider owns or has a legal interest in any adjacent property.
2. All adjacent properties must be identified by property owner, subdivision name, and zoning district.
3. A note must be placed on the final plat stating that development of the plat is subject to the Code of Ordinances of the City of Trinidad.

The following corrections must also be made prior to final approval:

4. Note number '4' on the final plat must be changed to read: "Upon further development of Lot 1, the access easement labeled 'Oakview Drive' will be realigned so as not to bisect Lot 1 and/or Lot 2. Said access easement shall be dedicated for public use to the City of Trinidad at the request of said City."
5. A note shall be placed on the final plat indicating that maintenance of the access easement labeled "Oakview Drive" shall be the sole responsibility of the property owner until such time that said easement has been dedicated to and accepted by the City of Trinidad.
6. A note shall be placed on the final plat indicating that the City shall have full and complete access to any and all private roads to ensure access to the City's water storage tank which borders the western boundary of the plat.
7. A plan for the proposed telecommunications facility and lands remaining must be submitted as a condition of final approval.
8. A grading plan and drainage plan must be submitted to the City of Trinidad at the time of ultimate development.

OTHER ISSUES/CONDITIONS PERTAINING TO THE APPLICATION

- A. DEVELOPMENT POTENTIAL.** The proposed use of a wireless communications facility on Lot 1 was approved by the Planning Commission on September 14th, 2010. The remaining land area will require rezoning before it can be developed unless the proposed use is permitted by right in the O, Open District.
- B. ZONING.** The applicant is proposing a use that was approved by the Planning Commission as a conditional use in the O, Open District. As referenced above, the remaining land area will require rezoning before any additional platting can occur unless the proposed use is permitted by right in the O, Open District.
- C. BUILDING REGULATIONS.** The construction of any buildings and structures shall comply with the applicable building and fire codes adopted by the City of Trinidad.
- D. HEIGHT AND AREA REGULATIONS.** Unless otherwise approved by the Commission in a CUP application, the standards contained in Sections 14-33 and 14-34 apply to the subject plat.

It is also noted that the provisions of Section 14-26, General District Regulations, for G, Growth Districts, will apply to new buildings and structures within the plat, unless otherwise approved by the Commission in a CUP application or administratively by the City Manager.

- E. UTILITIES, INCLUDING DRAINAGE, WATER, AND SEWER SERVICE, ELECTRICITY.** All utilities shall comply with the City's Code of Ordinances, and are provided by the City. Any extension or upgrades for utilities will be at the owner's expense. It is understood that only electricity will be required for the proposed telecommunications facility.

The site is located within the Purgatoire River watershed. The river is a FEMA-designated floodplain, and is located at this point within the jurisdiction of the City of Trinidad. Drainage from the site cannot impact adjacent properties. Increased flows from the sites resulting from future construction may require detention in order to maintain the flow off the properties at historic rates. Future construction within the site will prompt the need for the submittal of drainage plans, including flow directions and calculations.

As the proposal is not one of ultimate development, reviewing utility requirements for the remaining land area will be postponed until that time.

- F. ACCESS, EGRESS & INGRESS.** The applicant is proposing the construction of a private road from Oak Street to access the proposed telecommunications site. As stated above, responsibility for the maintenance of this road shall be indicated in a plat note. A note shall also be placed on the final plat indicating that the City shall have full and complete access to any and all private roads to ensure access to the City's water storage tank which borders the western boundary of the plat.

- G. CURB, GUTTER & SIDEWALKS.** As the proposal is not one of ultimate development, review of curb, gutter, and sidewalk requirements for the remaining land area will be postponed until that time.
- H. OFF-STREET PARKING.** The requirements of Section 14-100, Off-Street Parking, of the City's Code of Ordinances shall apply at the time of ultimate development.
- I. PARKLAND REQUIREMENTS.** Section 14-10, Dedication of land for mini-parks, neighborhood parks, community parks, district parks, linear parks in the form of trails, and regional open space will be applicable if the development of the remaining area includes a residential component.
- J. PUBLIC SAFETY.** The subject site is located within the City's existing service area.
- K. ENCROACHMENTS.** Reconciling encroachments must be completed prior to the approval of any final plat application.
- L. MISCELLANEOUS.**
1. The applicant must meet all conditions adopted by the City Council for this application.
 2. The applicant must meet all conditions of the associated preliminary plat and conditional use permit approvals prior to receiving final approval for this application.
 3. The City will incur some costs associated with noticing and publishing regarding this application. The applicant shall reimburse the City for these costs.

LEGAL ISSUES

Because this is a quasi-judicial matter, decision-makers shall not have direct contact with each other, or with parties involved in this matter prior to a decision to avoid the potential for ex parte communication. Any possible or potential ex parte communication or conflict of interest should be disclosed and/or discussed with the City Attorney prior to any public hearing on the matter. If you have any questions, please contact the City Attorney.

CONFORMANCE WITH THE CITY'S COMPREHENSIVE PLAN

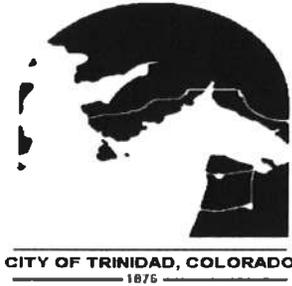
The Commission must determine whether the application is in conformance with the following portions of the 2008 Trinidad Comprehensive Plan Update:

Direction: Protect scenic view sheds within Trinidad.

Direction: Promote the progressive economic development of Trinidad.

PLANNING, ZONING AND VARIANCE COMMISSION RECOMMENDATION

The City Council should adopt the above as its findings and conditions, amended as necessary.



City of Trinidad
Planning Department
135 N. Animas
Trinidad, Colorado 81082
Telephone (719) 846-9843 X 130
Fax (719) 846-4140
planning@historictrinidad.com

NOTICE OF PUBLIC HEARING

The City Council of the City of Trinidad will consider the following item at the regularly scheduled meeting on Tuesday, April 5th, 2011 at 7:00 p.m.:

- A. Edward M. Gonzalez, Viaero Wireless, representing property owner Moltreer Brothers LLC - Request for a final plat of 38.41 acres located west of Oak Street, approximately south of East 10th Street, and approximately north of Alamo Street. The subject plat includes much of the northern, eastern, and southern slopes of Reservoir Hill.

All public hearings/meetings are scheduled to be held in the City Council Chambers, located in City Hall, at 135 North Animas Street, Trinidad, CO 81082.

Additional information pertaining to listed agenda items is available in the City's Planning Department.

You may submit signed comments in writing prior to the meetings via U.S. mail, hand delivery, fax (719-846-4140) or email (planning@historictrinidad.com).

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the Planning Department, at 719-846-9843 ext. 130, fax to 719-846-4140, or email to planning@historictrinidad.com, at least 48 hours prior to the meeting to set up the aid(s).

PUBLISH: FRIDAY, MARCH 25TH, 2011
LEGAL AD – NO LOGO