



**CITY OF TRINIDAD
TRINIDAD, COLORADO**

The Regular Meeting of the City Council of the City of Trinidad, Colorado, will be held on Tuesday, September 6, 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 August 16, 2011
- 3) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 4) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
 - a) Introduction of Andrew Dunn, Commissioner of the Pecos League of Professional Baseball Clubs (an independent professional baseball league)
- 5) **COMMITTEE REPORTS**
- 6) **UNFINISHED BUSINESS**
 - a) Consideration of request for an extraterritorial water tap by New Elk Coal Company, LLC
- 7) **MISCELLANEOUS BUSINESS**
 - a) Retail liquor store license renewal request by Trinidad Plaza Liquors, Inc. d/b/a Main Street Liquors at 803 E. Main Street
 - b) Tavern liquor license renewal request by Great Wall, LLC d/b/a Great Wall at 321 State Street
 - c) Tavern liquor license renewal request by Donna J. and Robert Leonetti d/b/a The Park at 608 Arizona Avenue
 - d) Tavern liquor license renewal request by Mantelli Partnership d/b/a Mantelli's at 137 W. Main Street
 - e) Consideration of bid results for 2011 Asphaltic Paving Project
 - f) City Manager Evaluation
- 8) **BILLS**
- 9) **PAYROLL**, August 20, 2011 through September 2, 2011
- 10) **ADJOURNMENT**

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

AUGUST 16, 2011

CITY OF TRINIDAD
TRINIDAD, COLORADO

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, August 16, 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 Attorney	Beatty
	City Clerk	Garrett
Absent:	City Manager	Gil de Rubio

The pledge of allegiance was recited.

READING OF THE MINUTES. Regular Meeting of August 2, 2011 and Special Meeting of August 9, 2011. Mayor Garduno asked if there were any questions, corrections or additions to the minutes. There being none, a motion to approve the minutes as submitted was made by Councilmember Shew and seconded by Councilmember Pando. The motion carried unanimously.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. None.

REPORT BY CITY MANAGER. None, due to the absence of City Manager Gil de Rubio.

REPORT BY CITY ATTORNEY. City Attorney Beatty provided Council with a comprehensive report on sales tax receipts for the City indicative of the most recent month, June, 2011, which totaled \$438,088. He said that total represents an approximate 8.7% increase over June, 2010. He continued that reporting month by month can be misleading, so within his report he included graphs reflecting the City's sales tax receipts since 2000. He noted that one can see the trend with a relative steady increase until 2007 and then in 2008 and 2009 the City saw a pretty significant decline. 2010 was 4% below 2009 receipts. The second graph in the report shows sales tax receipts on a year-over-year basis. City Attorney Beatty said the City is able to calculate sales tax receipts for year beginning January 1, 2010 through June, 2011 and compare those figures to the prior ten years. He pointed out that within the past year sales tax receipts increased slightly by about 1.9%, totaling \$4.79 million, which represents a slight increase. However the City saw a very severe decline from July, 2009 to June 2010 period. He concluded that he felt a decade report would provide a more comprehensive picture of our sales tax. Finally he pointed to the third page of the report and said it reflects raw numbers for sales tax receipts on a month by month basis since January, 2000.

Councilmember Aragon asked for an update regarding ARPA (Arkansas River Power Authority). City Attorney Beatty reported that he and Councilmember Shew attended an ARPA teleconference special meeting this afternoon whereby a brief update was provided on the project. Also it was reported that the plant is off-line due to steam leaks and vibration in unit #8. However, unit #6, the older unit, is still running. ARPA anticipated that it will be back on-line tomorrow afternoon. ARPA also addressed an over-billing issue from our primary supplier of power, MEAN (the Municipal Energy Agency of Nebraska). MEAN caused a slight over-billing to occur in May and June. Consequently it was passed on to members in their energy cost adjustment and we will see an adjustment on our September invoice. The City should see a very nominal power cost adjustment in September which will likewise affect the City's customers. Councilmember Aragon asked if ARPA still doesn't know what they are doing as far as supplier in the long term. City Attorney Beatty said MEAN terminated their agreement with ARPA with a notification to ARPA issued at the beginning of this year. The City has been encouraging ARPA to issue an RFP (request for proposal) for an alternative power supply, however one has not yet been issued. Rick Rigel, Interim General Manager for ARPA, is now going forth and speaking to alternative suppliers.

COMMITTEE REPORTS. None.

UNFINISHED BUSINESS. Public hearing for consideration of an ordinance of the City of Trinidad, Colorado, submitting proposed Home Rule Charter amendments regarding elected officials' candidacy and term limitations to the registered electors of the City at the Regular Municipal Election to be held on November 1, 2011. Mayor Garduno declared the public hearing open and called for comment. There being none, the hearing was closed.

Second reading of an ordinance of the City of Trinidad, Colorado, submitting proposed Home Rule Charter amendments regarding elected officials' candidacy and term limitations to the registered electors of the City at the Regular Municipal Election to be held on November 1, 2011. The ordinance title was read aloud. City Attorney Beatty pointed out to Council that on page 2 of the ordinance he has made a small revision to the draft Council considered on first reading. The detail of the revision was provided in red-line. In Section 3, first sentence, rather than it reading "Subject to the provisions of this subsection..." he said it has been changed to "Subject to the provisions of this *paragraph*..." He explained that the long version ordinance that was being considered earlier had numbered paragraphs as subsections, but that is no longer relevant. He continued that in Section 4 he added a few additional words for the ballot language so that it reads "Shall Section 4.2, Paragraph 5, of Chapter IV ("Elected Officials") of the Home Rule Charter..." to now includes the chapter number and what it is entitled. He concluded that City staff recommends approval of the ordinance with those revisions. Councilmember Rino moved for the approval of the ordinance with those revisions on second reading. The motion was seconded by Councilmember Toupal and carried by a unanimous roll call vote. The ordinance was approved and will be effective on August 26, 2011 for submission to the voters on November 1, 2011.

AN ORDINANCE OF THE CITY OF TRINIDAD, COLORADO, SUBMITTING PROPOSED HOME RULE CHARTER AMENDMENTS REGARDING ELECTED OFFICIALS' CANDIDACY AND TERM LIMITATIONS TO THE REGISTERED ELECTORS OF THE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 1, 2011

Hotel and Restaurant with Optional Premises liquor license renewal request by Trinidad Golf, LLC d/b/a Cougar Canyon Golf Links at 306 Fairway Court. Mayor Garduno asked if the comments made by the Fire Chief and Building Inspector were addressed. Karl Gabrielson addressed Council and asked what the comments were. Mayor Garduno said they listed the fire suppression system over the stove and smoke detectors need checking, and a junction box cover is missing. She found in the report that the violations had been cleared. Fire Chief Perea addressed Council and confirmed that they were cleared. Mr. Gabrielson said the Building Inspector likewise had returned and said he no longer had any issues. Councilmember Toupal made a motion to approve the renewal and the motion was seconded by Councilmember Velasquez. Roll call was taken on the motion and carried unanimously.

MISCELLANEOUS BUSINESS. Special events permit request (malt, vinous and spirituous) by Trinidad Roundup Association at 206 N. Animas Street (Sebastiani Gym) for September 3, 2011. Mayor Garduno noted that the Building Inspector and Fire Chief have approved the premise and everything appears to be in order. She asked if any Council member had any questions. Councilmember Rino said this is a long-standing annual event and said the application is just for September 3rd, one day. Ron Galasso said the permit is just for the Queen's Dance on Saturday night. 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.

Hotel and restaurant liquor license renewal request by Rino's Restaurant, LLC d/b/a Rino's Restaurant at 400 E. Main Street. Mayor Garduno advised Council that the comments in their packets made by the Fire Chief and Building Inspector have been taken care of and everything is in order. Councilmember Toupal moved to approve the license renewal. Councilmember Shew seconded the motion. Roll call was taken and the motion carried with all Council members and the Mayor voting aye, excepting Councilmember Velasquez who abstained.

Consideration of request from New Elk Coal Company, LLC for additional water. Upon inquiry, City Attorney Beatty advised that there are no changes from their previous discussion at work session. He said that if Council wants to approve the request in part or in whole, staff's recommendation is that the approval include that the water will only be made available from Trinidad Reservoir and not any other source and that it is dependent upon water availability in Trinidad Reservoir. He concluded that staff recommends in consult with the City's water counsel and water engineer, the approval of an additional 100 acre feet of water, rather than the 200 requested. Councilmember Shew moved to approve an additional 100 acre feet. The motion was seconded by Councilmember Aragon and carried by a unanimous roll call vote.

Consideration of request for an extraterritorial water tap by New Elk Coal Company, LLC. Utilities Supt. Fernandez addressed Council and said this item was discussed at work session and at that time the tap fee had not yet been determined. He said he did research and found what had been assessed for the U. S. Army's Pinon Canyon larger 8" water tap. He said the plant investment fee for this tap is \$50,000, which is the cost right between that charged for a six and eight inch tap. He added that personnel from New Elk Coal Company have been notified and agree to the fee. Councilmember Rino asked Supt. Fernandez if he had discussed with them the possibility of a four-inch tap rather than the six-inch tap they have requested. Supt. Fernandez said they were given the option and it appears they want to stay with the six-inch tap, but they could still change their mind. Mayor Garduno asked Supt. Fernandez if he recommends the six-inch tap. Supt. Fernandez responded affirmatively. Councilmember Rino expressed concerns that the City's going to have to drop North Lake by five to eight feet, and questioned if we'll be able to handle that drop in water. Supt. Fernandez said the demand for New Elk Coal Company is not that great and the figures provided would not be realized until they are at full build out and operation. That should buy time to re-build North Lake dam and get the water levels back up. He concluded that he feels confident that the City can do it. Councilmember Toupal agreed with Councilmember Rino and said he doesn't know why they would need that size of a tap. Councilmember Rino said if the demand is not there why do they need a six-inch tap and what will the water be used for. Supt. Fernandez said that according to Ron Thompson from the mine, it will be used for shower water for the crews as they change shifts. He added that they are seeking the larger tap because the mine is higher in elevation than the main on the North Fork Road. According to River City Engineering, they need to pump the water up and will need the bigger pipe to give them the velocity and the volume they need at the higher elevation. Going uphill changes the dynamics of the water hydraulics. The raw water request was for coal washing. Russ Palone, New Elk Coal Company, revisited their request for the raw water verifying that it was for washing the coal and the request was for 200 acre feet. He said he assumes the mine will come back again for the second 100 additional acre feet. He said Ron Thompson is out of the country. He continued that his understanding is they've talked about a 2" line going to the mine, so the mine may be amenable to a 4" tap. He clarified that Ron Thompson would have a better idea. He asked if part of the line is the City's and the City could then serve other users. Supt. Fernandez said the City will assume responsibility of the line. Russ Palone asked if the City will serve other uses. Supt. Fernandez said the potential is there, but the plans on file and reviewed by River City Engineering call for that 6" water tap. So, if they want to change it they should notify the City. Councilmember Rino asked if it was brought up to the mine that Council wanted them to consider a 4" tap rather than a 6" tap. Supt. Fernandez said he presented it to both Mr. Weaver and River City Engineering. Mr. Palone said his comments are based on conversation with the Assistant Mine Manager who is running things in Ron Thompson's absence. Supt. Fernandez said Council can delay action for a more affirmative answer. Councilmember Rino asked if it would be alright to postpone action to the next regular meeting. Mr. Palone and Supt. Fernandez both agreed. Councilmember Rino moved to table this item to the next regular meeting for an answer from the New Elk Coal Mine on the City's 4" water tap offer. Councilmember Pando seconded the motion. Councilmember Shew asked what kind of water tap is there now. Supt. Fernandez answered that there is none there at all. Roll call was taken and the motion carried unanimously.

Consideration of bid results for Gas shop parking lot concrete and asphalt paving project. Councilmember Aragon made a motion to accept the bid results for the project (low bid from Schultz Construction in the amount of \$55,183.20, as

AUGUST 16, 2011

revised). The motion was seconded by Councilmember Shew and carried by a unanimous roll call vote.

Consideration of Amended Water Agreement with Dochter Water Association. Supt. Fernandez said there's no changes since this was discussed at work session. City Attorney Beatty suggested if Council wants to approve the First Amendment to Water Purchase Contract, he requested they approve the water re-sale permit also. He explained the First Amendment proposes a change in use of water tap #3 which was initially reserved for residential use. Dochter Water Association is seeking a commercial use for a bulk water station for that tap. He pointed out that the First Amended Agreement references that Dochter Water Association would obtain approval from Council for their re-sale permit. He recommended they approve or disapprove both. Councilmember Rino made a motion to approve the re-sale permit and the First Amendment to Water Purchase Contract with Dochter Water Association. Councilmember Shew seconded the motion. Roll call was taken on the motion which carried unanimously.

BILLS. Mayor Garduno said that on different pages and accounts there are payments for vacation/sick buy down for \$12,700 and the amounts were different and also payment for life jackets, vests, first aid kits and it all totaled to just under \$4,000. City Clerk Garrett said the vacation/sick buy down was probably for an employee who terminated and aside from that if someone buys down their vacation balance it is charged to that line item. The first aid kits were probably listed by each department and is part of the City's safety plan the City Manager is implementing. He had to get everybody up to speed with respect to the hard hats and safety vests, eyewear, etc., so it is by department that Council is seeing that breakdown. A motion to approve the bills was made by Councilmember Aragon. The motion was seconded by Councilmember Shew. Roll call was taken on the motion. The motion carried unanimously.

PAYROLL, August 6, 2011 through August 19, 2011. A motion to approve the payroll was made by Councilmember Toupal and seconded by Councilmember Pando. The motion carried unanimously.

Mayor Garduno asked if any Council members have street lights in front of their houses or nearby. Councilmember Rino said he did and Councilmember Aragon said she has one across the street. Mayor Garduno said the light in front of her house was changed from a regular street light to an LED light and asked if there was a reason for it. Public Works Director Valentine said he believes a vendor provided several sample lights free of charge to the City and they fit into the overhead style of light. He said he can't speak to how the locations were decided. They would have placed them for a visual of the product. Mayor Garduno said she read that they've found West Nile Virus in Otero County and asked if the City sprayed this year. PWD Valentine said the City did not primarily because of the dry conditions. He reminded that the City works with the County Health Department. Mayor Garduno asked if there's no plan to spray. PWD Valentine said not at this time. Councilmember Rino said the Health Department has a meeting tomorrow and he would check, adding that he thinks they are responsible. PWD Valentine said they are, in cooperation with the City.

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

ATTEST:

JENNIE GARDUNO, Mayor

AUDRA GARRETT, City Clerk

ITEM NO. 6a

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON September 6, 2011

ITEM: Consideration of request for an extraterritorial water tap by New Elk Coal Company, LLC

**REQUEST
MADE BY:** New Elk Coal Company, LLC

**CONTENTS/
COMMENTS:** Letter from Mine Manager Ron Thompson dated 4/28/11

ITEM NO. 6a

NEW ELK COAL COMPANY



April 28, 2011

Mr. Jim Fernandez
Utility Superintendent
City of Trinidad
P.O. Box 880
Trinidad, CO 81082

Re: Water Tap
New Elk Mine

Dear Mr. Fernandez,

It is my understanding that a six inch water line will be run from the City's Main Line approximately at the junction of State Highway 12 and the North Fork Valley continuing up to the New Elk Mine.

This is to advise that New Elk Coal Company is requesting a four (4) inch water tap off from that line to service the New Elk facility. The water will be used predominately to service the bathhouse/office complex requiring potable water. The four inch tap will be adequate to meet our long term needs.

If there are any other questions or concerns, please contact me personally at 719-859-0111

Best Regards,

Mine Manager

122 W. First Street
Trinidad, CO 81082

PHONE	(719) 845-0090
FAX	((719) 845-0077
E-MAIL	ronthompson@newelkcoal.com

ITEM NO. **7a**

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON September 6, 2011

ITEM: Retail liquor store license renewal request by Trinidad Plaza Liquors, Inc. d/b/a
Main Street Liquors at 803 E. Main Street

**REQUEST
MADE BY:** Trinidad Plaza Liquors, Inc.

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

ITEM NO. **7a**

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



TRINIDAD PLAZA LIQUORS INC
 MAINSTREET LIQUORS
 803 MAIN ST EAST
 TRINIDAD CO 81082-2722

License Number 09-60409-0000	License Type 1940
Liability Information 05 102 445310 C 120991	
Business Location 803 MAIN STREET EAST TRINIDAD CO	
Current License Expires DEC 08, 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>Norina Lemmon Wiggie</i>	Date 08.09.11	Business Phone 719-846-3525
Title <i>President, Main Street Liquor, Inc.</i>	Sales Tax Number 84-1178502 0001	
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.

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Business Name MAINSTREET LIQUORS	LICENSE NUMBER (Use for all reference) 09-60409-0000		PERIOD 12-12
TYPE OF LICENSE ISSUED RETAIL LIQUOR STORE LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 1940-750(999) \$ 50.00	CITY 85% OAP 2180-100(999) \$ 127.50

SUB-TOTAL \$ 227.50
 ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$.
 TOTAL AMOUNT DUE \$.

City of Trinidad \$97.50

BEFORE THE EXECUTIVE DIRECTOR, DEPARTMENT OF REVENUE

STATE OF COLORADO

STIPULATION, AGREEMENT, AND ORDER

IN THE MATTER OF:

**TRINIDAD PLAZA LIQUORS, INC.
D/B/A MAINSTREET LIQUORS
803 MAIN STREET EAST
TRINIDAD, COLORADO 81082**

LICENSE NO. 09-60409-0000

THIS AGREEMENT BETWEEN the State of Colorado, Liquor Enforcement Division ("Division") and Trinidad Plaza Liquors, Inc., d/b/a Mainstreet Liquors, 803 Main Street East, Trinidad, Colorado 81082 ("Licensee"), is offered for the purpose of settlement of the matters detailed in the Order to Show Cause, Notice of Hearing, and Forfeiture Action attached hereto as Exhibit 1 (hereinafter "Notice"). The above-named parties submit and agree as follows:

1. The facts and allegations contained in the Notice are true and accurate.
2. The Licensee agrees to a **fifteen (15)** day suspension of its **retail liquor store license** as a penalty for its violation of the Colorado Liquor Code as set forth in paragraph 1 of this stipulation and agreement. Said suspension of Licensee's **retail liquor store license** to take place as follows:
 - A. License to be actively suspended for **five (5)** days from 12:01 a.m. on **July 20, 2011** until 11:59 p.m. on **July 24, 2011**.
 - B. During any period of active license suspension, Licensee will post its premises in compliance with Regulation 47-600(F), 1 C.C.R. 203-2.
 - C. **Ten (10)** days of the suspension to be held in abeyance for a period of one (1) year, from the date of approval of this agreement by the state licensing authority, pending no further violations of the Colorado Liquor Code during this period.
3. The Licensee has filed a written petition to the Division in accordance with 12-47-601(3), C.R.S. requesting that the Licensee be allowed to pay a fine in lieu of active suspension. The petition supports the following:

- A. That the public welfare and morals would not be impaired by permitting the Licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes; and
 - B. That the books and records of the Licensee are kept in such a manner that loss of sales of alcohol beverages which the Licensee would have suffered had the suspension gone into effect, can be determined with reasonable accuracy therefrom; and
 - C. That the Licensee has not had its license suspended or revoked, nor had any suspensions stayed by the payment of a fine, during the two (2) years immediately preceding the date of the complaint which has resulted in this stipulation and agreement.
4. The parties agree that the fine shall be the equivalent of twenty percent (20%) of the Licensee's estimated gross revenues from the sales of alcohol beverages during a period of five days, except that the fine shall not be less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00). The parties agree that the average days' sales for the month of **February 2011** shall be the appropriate measure of said estimated gross revenues. Based upon these records, the amount of the fine has been determined to be **\$3,538.00**.
 5. Payment of the fine pursuant to the provisions of this agreement shall be in the form of a **certified check or a cashier's check** made payable to the Colorado Department of Revenue. Said fine shall be paid to the Department of Revenue on or before **June 30, 2011**.
 6. Upon the payment of the fine as agreed upon in paragraph 5, Licensee's five-day suspension as set forth in paragraph 2 of this stipulation and agreement shall be deemed automatically stayed.
 7. If the Licensee fails to make payment in a timely manner as detailed in paragraph 5 of this stipulation and agreement, the full five-day suspension shall be served as detailed in paragraph 2.
 8. The alcohol beverages that were sold or used in the violation described in the Notice are hereby forfeited.

If at any subsequent hearing or stipulation in lieu of hearing, the state licensing authority should find that the Licensee, during the aforesaid one-year period, violated any provision of the Colorado Beer or Liquor Codes, including all regulations thereunder, then the state licensing authority shall, in addition to any other penalty imposed, order Licensee to serve all or any days of suspension presently held in abeyance, pursuant to this agreement.

This Stipulation, Agreement, and Order shall not be effective unless and until approved by the state licensing authority.

Laura K. Harris
Laura K. Harris
Director
Liquor Enforcement Division

Norma Wiggins
Norma Wiggins
Mainstreet Liquors

6/16/11
Date

06.25.2011
Date

APPROVED and ORDERED this 6th day of July 2011.

Roxy Huber
Roxy Huber
Executive Director
Department of Revenue
State Licensing Authority

8/10/11

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

Applicant: Trinidad Plaza Liquors, Inc.

dba: Main Street Liquors

Address: 803 E. Main Street

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

ok

approve

8-12-11
Date

Jeroy Perea
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/10/11

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

Applicant: Trinidad Plaza Liquors, Inc.

dba: Main Street Liquors

Address: 803 E. Main Street

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE:

September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: 1) light covers in cooler

2) Keep rear door and electrical panels clean
a walk way of 36" min

3) repair hole in wall in storage area

4) install electrical cover on cooler defrost terminal

8-23-11
Date

Shi Kelly
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/10/2011

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

Applicant's Name: Trinidad Plaza Liquors, Inc.

DBA: Main Street Liquors

Business Address: 803 E. Main Street

Type of License: Retail Liquor Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

<u>Date</u>	<u>Sequence Number</u>	<u>Call Type</u>	<u>Case Number</u>
1/15/2011	TPD201100625	Theft	No report
2/15/2011	TPD201101886	Assault	No report

8-16-11
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

CAD Abstract

Number of Responses : 1

Sequence Number: TPD201100625

Call Answered 01/15/2011 18:52:03	Call Code THEFTS	Case Number
Created 01/15/2011 18:52:02	Dispatched 01/15/2011 18:52:08	Completed 01/15/2011 19:09:39
		Disposed 01/16/2011 01:37:48

Response Information

Response Type : THEFTS
Reason for Stop :
Stop Statute :
Primary Resource : 109
Primary Trooper : KNEZEL, TRAVIS
Response Origin : CAD
Disposition Codes : RPT

Incident Information

Validated Address : : True

Common Place : Zone :
House Number : 803 City :
Street Name : MAIN State:
Suffix : E ZIP Code :
Street Type : ST X Coordinate 3291990.2285248600
Cross Streets: DENVER LINDEN Y Coordinate 1185405.1122670500
Free Format Address : 803 E MAIN ST (S DENVER ST/N LINDEN AVE)

Location History

<u>Date/Time</u>	<u>Address</u>	<u>Municipality</u>	<u>Dispatcher / Position</u>
01/15/2011 18:52:02	803 E MAIN ST (S DENVER ST/N LINDEN AVE)		ZUNIGA,KRISTINA / POSITION1

Resource Activity Statuses

<u>Date/Time</u>	<u>Unit ID</u>	<u>Status</u>	<u>Dispatcher / Position</u>
01/15/2011 18:52:08	109	DP	ZUNIGA,KRISTINA / POSITION1
01/15/2011 18:52:10	109	EN	ZUNIGA,KRISTINA / POSITION1
01/15/2011 18:55:24	109	AR	ZUNIGA,KRISTINA / POSITION1
01/15/2011 19:09:39	109	CL	ZUNIGA,KRISTINA / POSITION1
01/15/2011 18:56:20	302	DP	SCHLENSKER,MANDI / POSITION2
01/15/2011 18:56:22	302	AR	SCHLENSKER,MANDI / POSITION2
01/15/2011 19:09:39	302	CL	ZUNIGA,KRISTINA / POSITION1

Response Notes

<u>Response Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
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Incident Notes

<u>Incident Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
Incident Premises History check returns 1 occurrence(s) of the same location.	ZUNIGA	POSITION1	01/15/2011 18:52:03
RP STATED THAT THEY JUST HAD A MALE PT STEAL A BOTTLE OF WINE AND THEY HAVE HIM ON TAPE	ZUNIGA	POSITION1	01/15/2011 18:52:30

CAD Abstract

Number of Responses : 1

Sequence Number: TPD201101886

Call Answered 02/15/2011 11:57:46	Call Code ASSLTS	Case Number
Created 02/15/2011 12:01:07	Dispatched 02/15/2011 12:04:19	Completed 02/15/2011 12:12:07
		Disposed 02/16/2011 01:13:27

Response Information

Response Type : ASSLTS
Reason for Stop :
Stop Statute :
Primary Resource : DE20
Primary Trooper : VIGIL,ARCHIE
Response Origin : P911
Disposition Codes : CC

Incident Information

Validated Address : : No Value

Common Place :
House Number :
Street Name :
Suffix :
Street Type :
Cross Streets:
Free Format Address : 803 E MAIN

Zone :
City :
State:
ZIP Code :
X Coordinate
Y Coordinate

Location History

<u>Date/Time</u>	<u>Address</u>	<u>Municipality</u>	<u>Dispatcher / Position</u>
02/15/2011 12:01:07	145 HWY 350, TOWER MNTN ST ATE SITE, TRINIDAD, CO	TOWER MNTN ST ATE SITE	MANTELLI,BRYAN / POSITION2
02/15/2011 12:01:48	803 E MAIN		MANTELLI,BRYAN / POSITION2

Person 1 of 2

Last Name : SALAZAR First Name : LAURA Middle Name : LAURA
Suffix : DOB : 01/01/1900 SOC :
Involvement : SUBJECT DL State : CO DL Number :
Perceived Race : Perceived Gender : Address :
Race : Gender : FEMALE Phone :
Notes :

Person 2 of 2

Last Name : ULIBARRY First Name : ALICIA Middle Name : ALICIA
Suffix : DOB : 01/01/1900 SOC :
Involvement : REPORTING PARTY DL State : CO DL Number :
Perceived Race : Perceived Gender : Address :
Race : Gender : FEMALE Phone :
Notes :

Resource Activity Statuses

<u>Date/Time</u>	<u>Unit ID</u>	<u>Status</u>	<u>Dispatcher / Position</u>
02/15/2011 12:04:18	DE20	DP	MANTELLI,BRYAN / POSITION2
02/15/2011 12:04:20	DE20	EN	MANTELLI,BRYAN / POSITION2
02/15/2011 12:05:29	DE20	AR	MANTELLI,BRYAN / POSITION2
02/15/2011 12:12:07	DE20	CL	MANTELLI,BRYAN / POSITION2

Response Notes

<u>Response Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
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Incident Notes

<u>Incident Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
RP ALICIA ULIBARRY STATES SHE WAS ASSAULTED BY A LORI SALAZAR AT MAIN ST LIQUOR	MANTELLIB	POSITION2	02/15/2011 12:01:34
Address of TPD201101886 has been modified from 145 HWY 350, TOWER MNTN ST ATE SITE, TRINIDAD, CO to 803 E MAIN.	MANTELLIB	POSITION2	02/15/2011 12:01:48
DE20-CLEAR SPOKE TO ALICIA SHE WANTS TO LET PD OFFICER KNOW SHE WAS PUSHED BY SALAZAR NO INJURIES LAURA IS GOA	MANTELLIB	POSITION2	02/15/2011 12:11:09
WILL PROBABLY CALL FOR A CIV STANDBY TO GET CLOTHES FROM GEORGE SALAZAR	MANTELLIB	POSITION2	02/15/2011 12:11:30

ITEM NO. 7b

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON September 6, 2011

ITEM: Tavern liquor license renewal request by Great Wall, LLC d/b/a Great Wall at 321 State Street

**REQUEST
MADE BY:** Great Wall, LLC

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

ITEM NO. 7b

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

GREAT WALL
 XU SHIMING
 321 STATE ST
 TRINIDAD CO 81082

License Number 42-87330-0000	License Type 2010
Liability Information 05 102 722110 B 122310	
Business Location 321 STATE ST TRINIDAD CO	
Current License Expires DEC 22, 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 	Date 8.12.2011	Business Phone 719-846-1688
Title Owner	Sales Tax Number 42-87330	

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.

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Business Name	LICENSE NUMBER (Use for all reference)		PERIOD
GREAT WALL	42-87330-0000		12-12
TYPE OF LICENSE ISSUED TAVERN LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND	STATE FEE	CITY 85% OAP
	2320-100(999)	2010-750(999)	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	\$ _____

BEFORE THE EXECUTIVE DIRECTOR, DEPARTMENT OF REVENUE

STATE OF COLORADO

STIPULATION, AGREEMENT, AND ORDER

IN THE MATTER OF:

**GREAT WALL, L.L.C.
D/B/A GREAT WALL
321 STATE STREET
TRINIDAD, COLORADO 81082**

LICENSE NO. 42-87330-0000

THIS AGREEMENT BETWEEN the State of Colorado, Liquor Enforcement Division ("Division") and Great Wall, L.L.C., d/b/a Great Wall, 321 State Street, Trinidad, Colorado 81082 ("Licensee"), is offered for the purpose of settlement of the matters detailed in the Order to Show Cause, Notice of Hearing, and Forfeiture Action attached hereto as Exhibit 1 (hereinafter "Notice"). The above-named parties submit and agree as follows:

1. The facts and allegations contained in the Notice are true and accurate.
2. The Licensee agrees to a **fifteen (15)** day suspension of its **tavern liquor license** as a penalty for its violation of the Colorado Liquor Code as set forth in paragraph 1 of this stipulation and agreement. Said suspension of Licensee's **tavern liquor license** to take place as follows:
 - A. License to be actively suspended for **five (5)** days from 12:01 a.m. on **June 28, 2011** until 11:59 p.m. on **July 2, 2011**.
 - B. During any period of active license suspension, Licensee will post its premises in compliance with Regulation 47-600(F), 1 C.C.R. 203-2.
 - C. **Ten (10)** days of the suspension to be held in abeyance for a period of one (1) year, from the date of approval of this agreement by the state licensing authority, pending no further violations of the Colorado Liquor Code during this period.
3. The alcohol beverages that were sold or used in the violation described in the Notice are hereby forfeited.

If at any subsequent hearing or stipulation in lieu of hearing, the state licensing authority should find that the Licensee, during the aforesaid one-year period, violated any provision of the Colorado Beer or Liquor Codes, including all regulations thereunder, then the state licensing authority shall, in addition to any other penalty imposed, order Licensee to serve all or any days of suspension presently held in abeyance, pursuant to this agreement.

This Stipulation, Agreement, and Order shall not be effective unless and until approved by the state licensing authority.



Laura K. Harris
Director
Liquor Enforcement Division



Shiming Xu
Great Wall

6/10/11
Date

6/21/11
Date

APPROVED and ORDERED this 21 day of June 2011.



Roxy Huber
Executive Director
Department of Revenue
State Licensing Authority

8/15/11

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

Applicant: Great Wall, LLC

dba: Great Wall

Address: 321 State Street

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Label electrical box

Too many extension cords on same outlet

8.22-11
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/15/11

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

Applicant: Great Wall, LLC

dba: Great Wall

Address: 321 State Street

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: 1) C.O tank needs to be fasten to wall
2) light waight Extinction cords need to be removed

8-22-11
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/15/2011

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

Applicant's Name: Great Wall, LLC

DBA: Great Wall

Business Address: 321 State Street

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

<u>Date</u>	<u>Sequence Number</u>	<u>Call Type</u>	<u>Case Number</u>
1/15/2011	TPD201100619	Disturbance in progress	11-00129

8-16-11
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

CAD Abstract

Number of Responses : 1

Sequence Number: TPD201100619

Call Answered 01/15/2011 17:15:53	Call Code DISPRG	Case Number TPD201100129
Created 01/15/2011 17:17:16	Dispatched 01/15/2011 17:17:21	Completed 01/15/2011 17:38:01
		Disposed 01/16/2011 01:37:50

Response Information

Response Type : DISPRG
Reason for Stop :
Stop Statute :
Primary Resource : 109
Primary Trooper : KNEZEL, TRAVIS
Response Origin : P911
Disposition Codes : RPT

Incident Information

Validated Address :: True

Common Place :
House Number : 321
Street Name : STATE
Suffix :
Street Type : ST
Cross Streets :
Free Format Address : 321 STATE ST

Zone :
City :
State :
ZIP Code :
X Coordinate 3287976.8317381502
Y Coordinate 1185015.7098536100

Location History

<u>Date/Time</u>	<u>Address</u>	<u>Municipality</u>	<u>Dispatcher / Position</u>
01/15/2011 17:17:17	321 STATE, TRINIDAD, CO	TRINIDAD	ZUNIGA, KRISTINA / POSITION1
01/15/2011 17:29:34	321 STATE		ZUNIGA, KRISTINA / POSITION1
01/15/2011 17:29:39	321 STATE ST		ZUNIGA, KRISTINA / POSITION1

Person 1 of 1

Last Name : SANTISTEVAN	First Name : MICHAEL JOE	Middle Name : MICHAEL JOE
Suffix :	DOB : ██████████	SOC : ██████████
Involvement : SUBJECT	DL State : CO	DL Number : ██████████
Perceived Race :	Perceived Gender :	Address :
Race : WHITE	Gender : MALE	Phone :
Notes :		

Resource Activity Statuses

<u>Date/Time</u>	<u>Unit ID</u>	<u>Status</u>	<u>Dispatcher / Position</u>
01/15/2011 17:17:20	103	DP	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:17:23	103	EN	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:21:56	103	AR	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:29:28	103	ED	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:31:44	103	AD	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:38:01	103	CL	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:17:20	109	DP	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:17:22	109	EN	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:21:50	109	AR	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:31:48	109	AD	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:38:01	109	CL	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:17:21	302	DP	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:17:25	302	EN	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:21:18	302	AR	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:23:36	302	C4	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:31:46	302	AD	ZUNIGA,KRISTINA / POSITION1
01/15/2011 17:35:58	302	CL	ZUNIGA,KRISTINA / POSITION1

Response Notes

<u>Response Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
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Incident Notes

<u>Incident Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
RP STATED THAT THERE IS A CUSTOMER WHO IS ZUNIGA TRYING TO LEAVE WITHOUT PAYING AND TAKE ALCOHOL BOTTLE WITH HIM		POSITION1	01/15/2011 17:17:11
302-MALE PT DETAINED AND 205 WILL TRANSPORT TO DETOX	ZUNIGA	POSITION1	01/15/2011 17:29:24
Address of TPD201100619 has been modified from 321 STATE, TRINIDAD, CO to 321 STATE.	ZUNIGA	POSITION1	01/15/2011 17:29:34
Address of TPD201100619 has been modified from 321 STATE to 321 STATE ST.	ZUNIGA	POSITION1	01/15/2011 17:29:39
205-PT HAD ENOUGH MONEY TO PAY HIS BILL AND GREAT WALL WAS OK WITH THAT, THEY JUST WANT HIM ADVISED THAT HE IS NOT WELCOME THERE, HE WAS GIVEN A VERBAL TRESPASS WARNING AND THEN PLACED AT CMCS SINCE HE WAS INTOXICATED	ZUNIGA	POSITION1	01/15/2011 17:37:44

~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Monday, August 15, 2011 1:21 PM
To: Audra Garrett
Subject: RE: Liquor license

Audra,

Great Walls located at 321 State Street, Has their food license was inspected on 6-10-11, they are in compliance with this agency.

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

Las Animas-Huerfano Counties District Health Department

Trinidad Office

412 Benedicta Ave
Trinidad, CO 81082
(Ph) 719-846-2213
(Fax) 719-846-4472

Walsenburg Office

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: Monday, August 15, 2011 10:02 AM
To: John Martinez
Subject: Liquor license

Hi John,

Please confirm compliance with your office for Great Wall at 321 State Street with respect to their liquor license renewal.

Thanks,

Audra Garrett, City Clerk
City of Trinidad
135 N. Animas Street
Trinidad, CO 81082
(719) 846-9843 ext. 135
(719) 846-4140 fax
audra.garrett@trinidad.co.gov

ITEM NO. 7c

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON September 6, 2011

ITEM: Tavern liquor license renewal request by Donna J. and Robert Leonetti d/b/a The Park at 608 Arizona Avenue

**REQUEST
MADE BY:** Donna J. and Robert Leonetti

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

ITEM NO. 7c

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



LEONETTI DONNA J LEONETTI ROBERT
 THE PARK
 608 ARIZONA
 TRINIDAD CO 81082-2406

License Number 41-45206-0000	License Type 2010
Liability Information 05 102 445310 P 082003	
Business Location 608 ARIZONA TRINIDAD CO	
Current License Expires AUG 19, 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>Donna J Lemetti</i>	Date 8-15-11	Business Phone 719 846 7012
Title CO-OWNER	Sales Tax Number 41-45206-0000	
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.

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Business Name THE PARK	LICENSE NUMBER (Use for all reference) 41-45206-0000		PERIOD 08-12
TYPE OF LICENSE ISSUED TAVERN LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 2010-750(999) \$ 25.00	CITY 85% DAP 2180-100(999) \$ 425.00

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

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: <u>The Park</u>		State License Number: <u>41-45206-0000</u>	
1. Operating Manager: <u>Donna Leonetti</u>		Home Address: <u>1 Remidaa CO 81082</u>	
Date of Birth: <u>[REDACTED]</u>			
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <u>OWNED</u> If rented, expiration date of lease: _____			Yes <input checked="" type="checkbox"/> No <input 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. <u>Pd fine/NO SUSPENSION</u>			Yes <input checked="" 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:			
(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?			Yes <input type="checkbox"/> No <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?			Yes <input type="checkbox"/> No <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: <u>Donna Leonetti</u>		Printed name: <u>Donna Leonetti</u>	
		Date: <u>6/9/11</u>	

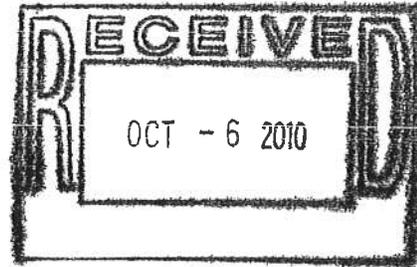
BEFORE THE EXECUTIVE DIRECTOR, DEPARTMENT OF REVENUE

STATE OF COLORADO

STIPULATION, AGREEMENT, AND ORDER

IN THE MATTER OF:

**DONNA J. LEONETTI AND ROBERT LEONETTI
D/B/A THE PARK
608 ARIZONA AVENUE
TRINIDAD, COLORADO 81082**



LICENSE NO. 41-45206-0000

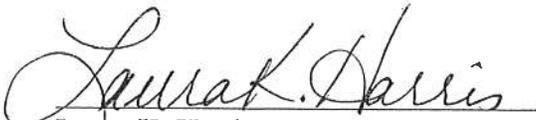
THIS AGREEMENT BETWEEN the State of Colorado, Liquor Enforcement Division ("Division") and Donna J. Leonetti and Robert Leonetti, d/b/a The Park, 608 Arizona Avenue, Trinidad, Colorado 81082 ("Licensee"), is offered for the purpose of settlement of the matters detailed in the Order to Show Cause and Notice of Hearing attached hereto as Exhibit 1 (hereinafter "Notice"). The above-named parties submit and agree as follows:

1. The facts and allegations contained in the Notice are true and accurate.
2. The Licensee agrees to a **eleven (11)** day suspension of their **tavern liquor license** as a penalty for their violation of the Colorado Liquor Code as set forth in paragraph 1 of this stipulation and agreement. Said suspension of Licensees' **tavern liquor license** to take place as follows:
 - A. License to be actively suspended for **four (4)** days from 12:01 a.m. on **November 11, 2010** until 11:59 p.m. on **November 14, 2010**.
 - B. During any period of active license suspension, Licensee will post its premises in compliance with Regulation 47-600(F), 1 C.C.R. 203-2.
 - C. **Seven (7)** days of the suspension to be held in abeyance for a period of one (1) year, from the date of approval of this agreement by the state licensing authority, pending no further violations of the Colorado Liquor Code during this period.
3. The Licensee has filed a written petition to the Division in accordance with 12-47-601(3), C.R.S. requesting that the Licensee be allowed to pay a fine in lieu of active suspension. The petition supports the following:

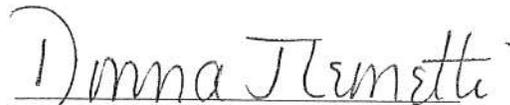
- A. That the public welfare and morals would not be impaired by permitting the Licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes; and
 - B. That the books and records of the Licensee are kept in such a manner that loss of sales of alcohol beverages which the Licensee would have suffered had the suspension gone into effect, can be determined with reasonable accuracy therefrom; and
 - C. That the Licensee has not had its license suspended or revoked, nor had any suspensions stayed by the payment of a fine, during the two (2) years immediately preceding the date of the complaint which has resulted in this stipulation and agreement.
4. The parties agree that the fine shall be the equivalent of twenty percent (20%) of the Licensee's estimated gross revenues from the sales of alcohol beverages during a period of four days, except that the fine shall not be less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00). The parties agree that the average days' sales for the month of **June 2010** shall be the appropriate measure of said estimated gross revenues. Based upon these records, the amount of the fine has been determined to be **\$268.19**.
 5. Payment of the fine pursuant to the provisions of this agreement shall be in the form of a **certified check or a cashier's check** made payable to the Colorado Department of Revenue. Said fine shall be paid to the Department of Revenue on or before **October 15, 2010**.
 6. Upon the payment of the fine as agreed upon in paragraph 5, Licensee's four-day suspension as set forth in paragraph 2 of this stipulation and agreement shall be deemed automatically stayed.
 7. If the Licensee fails to make payment in a timely manner as detailed in paragraph 5 of this stipulation and agreement, the full four-day suspension shall be served as detailed in paragraph 2.
 8. The alcohol beverages that were sold or used in the violation described in the Notice are hereby forfeited.

If at any subsequent hearing or stipulation in lieu of hearing, the state licensing authority should find that the Licensee, during the aforesaid one-year period, violated any provision of the Colorado Beer or Liquor Codes, including all regulations thereunder, then the state licensing authority shall, in addition to any other penalty imposed, order Licensee to serve all or any days of suspension presently held in abeyance, pursuant to this agreement.

This Stipulation, Agreement, and Order shall not be effective unless and until approved by the state licensing authority.



Laura K. Harris
Director
Liquor Enforcement Division



Donna Leonetti
The Park

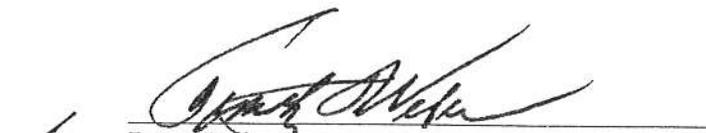
9/27/10

Date

10.6.10

Date

APPROVED and ORDERED this 18th day of October 2010.



for Roxy Huber
Executive Director
Department of Revenue
State Licensing Authority

8/16/11

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

Applicant: Donna J. & Robert Leonetti

dba: The Park

Address: 608 Arizona Avenue

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Exit light NOT ILLUMINATED

Chaw CO2 bottle

8-22-11
Date

Seroy Perea
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/16/11

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

Applicant: Donna J. & Robert Leonetti

dba: The Park

Address: 608 Arizona Avenue

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: 1) C.O tank needs to be fastened to wall
2) exit light needs to be replaced not working

8-22-11
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/16/2011

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

Applicant's Name: Donna J. and Robert Leonetti

DBA: The Park

Business Address: 608 Arizona Avenue

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

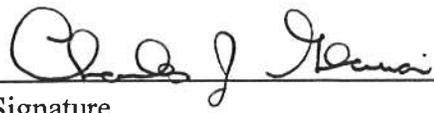
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

<u>Date</u>	<u>Sequence Number</u>	<u>Call Type</u>	<u>Case Number</u>
12/2/2010	TPD201017796	Restraining order violation	10-03600
4/21/2011	TPD201105304	Harassment	No report

8-16-11
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

Detail Report

Response Detail

Seq Number	Agency	Creation Time
TPD201017796	TPD	12/02/2010 16:49:08

Identification

Free Format Address	Response Type	Priority
608 ARIZONA#THE PARK CAFE	RESORD	P1

Caller Info

Name	Phone Number	Ext	Address
BERNADETTE ARRAZOLA	[REDACTED]		

Question & Answer

Question	Answer	Agent	Workstation
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Caller Notes

Call Note	Agent	Workstation	Time Stamp
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Response Notes

Response Note	Agent	Workstation	Time Stamp
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Confidential Notes

Confidential Note	Agent	Workstation	Time Stamp
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Response Detail

Incident Notes

Incident Note	Agent	Workstation	Time Stamp
RP BERNADETTE ARRAZOLA CALLED AND ADV THAT SHE AND A FRIEND HAD GONE TO THE PARK CAFE TO HAVE A FEW DRINKS AND NOTICED THAT JOSEPH MORGAN CAME IN AFTER HER	RIVAS	POSITION1	12/02/2010 16:50:03
RP ADV THAT SHE IS PROTECTED FROM THE MORGAN PT AND HAD ASKED THE BARTENDER TO ASK HIM TO LEAVE	RIVAS	POSITION1	12/02/2010 16:50:28
RP ADV THAT MORGAN PT TOLD BARTENDER THAT THE RO HAD BEEN DROPPED	RIVAS	POSITION1	12/02/2010 16:50:48
RP ADV THAT MORGAN PT IS STILL THERE	RIVAS	POSITION1	12/02/2010 16:51:00
Address of TPD201017796 has been modified to 608 ARIZONA.	RIVAS	POSITION1	12/02/2010 16:51:32
THERE IS AN ACTIVE RO IN SYSTEM	RIVAS	POSITION1	12/02/2010 16:53:46
Address of TPD201017796 has been modified from 608 ARIZONA to 608 ARIZONA#THE PARK CAFE .	RIVAS	POSITION1	12/02/2010 16:54:40
AIRED	RIVAS	POSITION1	12/02/2010 16:57:05
209 AR	RIVAS	POSITION1	12/02/2010 16:57:54
209- REQ COVER DISTURBANCE STARTING	RIVAS	POSITION1	12/02/2010 17:05:28
305 EN	RIVAS	POSITION1	12/02/2010 17:05:57
305 AR	RIVAS	POSITION1	12/02/2010 17:07:14
209-10-95 EN TO LASO 305 WILL BE STANDING BY GETTING OTHER HALFS INFORMATION	BATCHELDE R	POSITION2	12/02/2010 17:12:07
209-MALE PT 10-95 WILL BE STANDING BY TALKING TO RP FOR INFO	RIVAS	POSITION1	12/02/2010 17:12:59
305- 10-8 CODE 4 AT THIS TIME	RIVAS	POSITION1	12/02/2010 17:22:51

Disposition Notes

Disposition Note	Agent	Workstation	Time Stamp
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Response Detail

Modification

Attribute	Value	Agent	Time Stamp
STATUS	Disposed	SCHLENSKER	12/03/2010 01:50:37
STATUS	CL	RIVAS	12/02/2010 17:27:09
HANDLINGUNIT	(T)209	RIVAS	12/02/2010 17:27:09
UNIT STATUS	Unit 207: CL	RIVAS	12/02/2010 17:27:09
STATUS	AC	RIVAS	12/02/2010 17:27:07
UNIT STATUS	Unit 207: AC	RIVAS	12/02/2010 17:27:06
DISPOSITION CODE	AR	RIVAS	12/02/2010 17:23:10
UNIT STATUS	Unit 103: CL	RIVAS	12/02/2010 17:23:00
DISPOSITION CODE	CC	RIVAS	12/02/2010 17:22:54
UNIT STATUS	Unit 207: AJ	BATCHELDER	12/02/2010 17:17:26
STATUS	AJ	BATCHELDER	12/02/2010 17:17:26
CAD Incident #	TPD201003600	RIVAS	12/02/2010 17:13:15
UNIT STATUS	Unit 103: AR	BATCHELDER	12/02/2010 17:06:19
UNIT STATUS	Unit 103: EN	RIVAS	12/02/2010 17:05:45
UNIT STATUS	Unit 103: DP	RIVAS	12/02/2010 17:05:41
PERSON ADD/MODIFY (FIRSTNAME)	JOSEPH	BATCHELDER	12/02/2010 17:00:14
PERSON ADD/MODIFY (LASTNAME)	MORGAN	BATCHELDER	12/02/2010 17:00:12
UNIT STATUS	Unit 207: AR	RIVAS	12/02/2010 16:57:42
STATUS	AR	RIVAS	12/02/2010 16:57:42
STATUS	DP	RIVAS	12/02/2010 16:57:34
HANDLINGUNIT	(A)209	RIVAS	12/02/2010 16:57:34
PRIMARYUNIT	207	RIVAS	12/02/2010 16:57:34
UNIT STATUS	Unit 207: DP	RIVAS	12/02/2010 16:57:34
ADDRESS	608 ARIZONA#THE PARK CAFE	RIVAS	12/02/2010 16:54:40
PERSON ADD/MODIFY (FIRSTNAME)	BERNADETTE	RIVAS	12/02/2010 16:51:59

Response Detail

PERSON ADD/MODIFY (LASTNAME)	ARRAZOLA	RIVAS	12/02/2010 16:51:57
ADDRESS	608 ARIZONA	RIVAS	12/02/2010 16:51:32
CALLER NAME	BERNADETTE ARRAZOLA	RIVAS	12/02/2010 16:51:17
CALLER PHONE NUMBER	[REDACTED]	RIVAS	12/02/2010 16:51:05
MVR ACTIVE	1	RIVAS	12/02/2010 16:49:08
CALL CODE	RESORD	RIVAS	12/02/2010 16:49:08
PRIORITY	P1	RIVAS	12/02/2010 16:49:08
STATUS	PENDING	RIVAS	12/02/2010 16:49:08
CREATION TIME	2010-12-02T16:49:08.000	RIVAS	12/02/2010 16:49:08
SEQUENCENUMBER	TPD201017796	RIVAS	12/02/2010 16:48:12

Activity Log

Status	Agent	Workstation	Time Stamp
PENDING	RIVAS	POSITION1	12/02/2010 16:49:08
DP	RIVAS	POSITION1	12/02/2010 16:57:34
AR	RIVAS	POSITION1	12/02/2010 16:57:42
AJ	BATCHELD ER	POSITION2	12/02/2010 17:17:26
AC	RIVAS	POSITION1	12/02/2010 17:27:07
CL	RIVAS	POSITION1	12/02/2010 17:27:09
Disposed	SCHLENSK ER	POSITION2	12/03/2010 01:50:37

Case Number

Case Number	Note	Agent
TPD201003600		ADAMS

Primary Unit Information

Resource	Agent	Workstation	Time Stamp
207	RIVAS	POSITION1	12/02/2010 16:57:34

Response Detail

Assigned Resources & Agents

Resource Name	Agent	Badge Number
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103	CURRIER	103
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207	ADAMS	107
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Disposition Codes

Dispositon Code	Agent	Time Stamp
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CC	RIVAS	12/02/2010 17:22:54
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AR	RIVAS	12/02/2010 17:23:10
----	-------	---------------------

Affected Person

Name	Gender	Race	Hair Color	Weight	Height
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ARRAZOLA, BERNADETTE

MORGAN, JOSEPH MALE

Vehicle Affected

VIN	Model	Year	Color	Owner	License Number
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Affected Property

Name	Type	Serial Number	Quantity	Description
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Affected Building

Name	Floor	Structure	Involvement	Owner
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[REDACTED] CAD Abstract

Number of Responses : 1

Sequence Number: TPD201105304

Call Answered 04/21/2011 17:38:56	Call Code HARPER	Case Number
Created 04/21/2011 17:38:56	Dispatched 04/21/2011 17:40:00	Completed 04/21/2011 17:57:14
Disposed 04/22/2011 00:24:31		

Response Information

Response Type : HARPER
Reason for Stop :
Stop Statute :
Primary Resource : 109
Primary Trooper : KNEZEL, TRAVIS
Response Origin : CAD
Disposition Codes : CC

Incident Information

Validated Address : : True

Common Place : Zone :
House Number : 608 City :
Street Name : ARIZONA State:
Suffix : ZIP Code :
Street Type : AVE X Coordinate 3288811.9324079100
Cross Streets: Y Coordinate 1186036.0728004400
Free Format Address : 608 ARIZONA AVE (/BROOM ST)

Location History

<u>Date/Time</u>	<u>Address</u>	<u>Municipality</u>	<u>Dispatcher / Position</u>
04/21/2011 17:38:56	608 ARIZONA		RIVAS, AMANDA / POSITION1
04/21/2011 17:43:59	608 ARIZONA AVE (/BROOM ST)		RIVAS, AMANDA / POSITION1

Person 1 of 3

Last Name : VIALPANDO	First Name : JOSE FERNANDO	Middle Name : JOSE FERNANDO
Suffix :	DOB : 01/01/1900	SOC :
Involvement : SUBJECT	DL State : CO	DL Number :
Perceived Race :	Perceived Gender :	Address :
Race :	Gender :	Phone :
Notes :		

Person 2 of 3

Last Name : BORREGO	First Name : PHYLLIS ANN	Middle Name : PHYLLIS ANN
Suffix :	DOB : [REDACTED]	SOC :
Involvement : SUBJECT	DL State : CO	DL Number :
Perceived Race :	Perceived Gender :	Address :
Race :	Gender :	Phone :
Notes :		

Person 3 of 3

Last Name :	BORREGO	First Name :	SAMMY ISIDORE	Middle Name :	SAMMY ISIDORE
Suffix :		DOB :	[REDACTED]	SOC :	
Involvement :	REPORTING PARTY	DL State :	CO	DL Number :	
Perceived Race :		Perceived Gender :		Address :	
Race :		Gender :		Phone :	
Notes :					

Resource Activity Statuses

<u>Date/Time</u>	<u>Unit ID</u>	<u>Status</u>	<u>Dispatcher / Position</u>
04/21/2011 17:43:50	103	DP	RIVAS,AMANDA / POSITION1
04/21/2011 17:43:52	103	AR	RIVAS,AMANDA / POSITION1
04/21/2011 17:57:14	103	CL	RIVAS,AMANDA / POSITION1
04/21/2011 17:40:00	109	DP	RIVAS,AMANDA / POSITION1
04/21/2011 17:42:49	109	EN	RIVAS,AMANDA / POSITION1
04/21/2011 17:57:13	109	CL	RIVAS,AMANDA / POSITION1
04/21/2011 17:43:45	302	DP	RIVAS,AMANDA / POSITION1
04/21/2011 17:43:47	302	AR	RIVAS,AMANDA / POSITION1
04/21/2011 17:57:13	302	CL	RIVAS,AMANDA / POSITION1

Response Notes

<u>Response Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
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Incident Notes

<u>Incident Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
RP STATES THAT HIS WIFE IS HARASSING HIM AT RIVAS THE PARK CAFE AND SHE IS DRINKING		POSITION1	04/21/2011 17:38:05
RP ADS THAT SHE SHOULD HAVE AN RO	RIVAS	POSITION1	04/21/2011 17:38:12
RP IS SAMMY BORREGO	RIVAS	POSITION1	04/21/2011 17:38:18
Address of TPD201105304 has been modified from 608 ARIZONA to 608 ARIZONA AVE (/BROOM ST).	RIVAS	POSITION1	04/21/2011 17:43:59
10-8 PTS ADV TO STAY AWAY FROM EACH OTHER	RIVAS	POSITION1	04/21/2011 17:56:58
NO VIOLATION OF RO	RIVAS	POSITION1	04/21/2011 17:57:03
Response TPD201105304. Call code changed from DRUNKS to HARPER.	RIVAS	POSITION1	04/21/2011 17:57:10

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Tuesday, August 16, 2011 8:28 AM
To: Audra Garrett
Subject: RE: liquor license

Hi Audra;

The Park located at 608 Arizona Avenue is license thru this agency and is approved by us.

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

Las Animas-Huerfano Counties District Health Department

Trinidad Office

412 Benedicta Ave
Trinidad, CO 81082
(Ph) 719-846-2213
(Fax) 719-846-4472

Walsenburg Office

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, August 16, 2011 8:17 AM
To: John Martinez
Subject: liquor license

Hi John,

Please confirm compliance with the requirements of your office for The Park, Donna J. & Robert Leonetti, 608 Arizona Avenue.

Audra Garrett, City Clerk
City of Trinidad
135 N. Animas Street
Trinidad, CO 81082
(719) 846-9843 ext. 135
(719) 846-4140 fax
audra.garrett@trinidad.co.gov

ITEM NO. 7d

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON September 6, 2011

ITEM: Tavern liquor license renewal request by Mantelli Partnership d/b/a Mantelli's at
137 W. Main Street

**REQUEST
MADE BY:** Mantelli Partnership

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

ITEM NO. 7d

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



MANTELLI
 MANTELLI'S
 137 W MAIN
 TRINIDAD CO 81082-2617

License Number 09-60535-0000	License Type 2010
Liability Information 05 102 722110 P 122691	
Business Location 137 W MAIN TRINIDAD CO	
Current License Expires DEC 25, 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>Pat Mantelli</i>	Date 8-15-11	Business Phone 546-9923
Title <i>Owner</i>	Sales Tax Number 00960535-0000	
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	LICENSE NUMBER (Use for all reference)		PERIOD
MANTELLI'S	09-60535-0000		12-12
TYPE OF LICENSE ISSUED	CASH FUND	STATE FEE	
TAVERN LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	2320-100(999) \$ 50.00	2010-750(999) \$ 25.00	CITY 85% OAP 2180-100(999) \$ 425.00

SUB-TOTAL \$ 500.00

ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$ _____

TOTAL AMOUNT DUE \$ _____

DR 8401 (0797)

COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
1881 PIERCE
LAKEWOOD, CO 80261
(303) 205-2300

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 <i>Mantelles</i>		State License Number <i>09-60535-0000</i>	
1. Operating Manager <i>Gal Mantelle</i>	Home Address [REDACTED]	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>owned</u> If rented, expiration date of lease: _____			Yes <input checked="" type="checkbox"/> No <input 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. Sole owners or husband-wife partnerships answer this question. Since the date of filing of the last annual license application: Has ownership changed in whole or in part, from a sole owner to any other person, partnership, corporation, or limited liability company other than the licensee listed on your state liquor license? If yes, this license must be transferred to the new owner and may not be renewed. Contact your Local Authority immediately.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
8. Partnership applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any general partners added to, or deleted from the partnership? If yes, this license must be transferred to the new partnership and may not be renewed. Contact your Local Authority immediately. (b) Are there, or have there been any limited partners with a 10% or more interest, added or deleted from the partnership? If yes, this license must be transferred to the new partnership and may not be renewed. Contact your Local Authority immediately.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
9. Corporate applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any officers or directors added to, or deleted from the corporation? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (b) Are there, or have there been any stockholders with 10% or more of the issued stock, added to, or deleted from the corporation? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (c) Date of filing last annual corporate report with the Colorado Secretary of State: _____			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
10. Limited Liability Company applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any managing members added to, or deleted from the company? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (b) Are there, or have there been any members with 10% or more membership interest, added to, or deleted from the company? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (c) Date of filing last annual LLLCO report with the Colorado Secretary of State: _____			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
11. Bed and Breakfast applicants must answer this question and certify compliance with 12-47-118.5 C.R.S., to the state licensing authority by initialing the following listed questions: _____ That it has no more than 20 sleeping rooms, and _____ That it provides at least 1 meal per day at no charge other than for overnight lodging, and _____ That it does not sell alcoholic beverages by the drink or in sealed containers, and _____ That it shall not serve alcoholic beverages for more than 4 hours in any one day , as follows:			
MONDAY HOURS From: <i>9:00 A.m.</i> To: <i>5:00 P.m.</i>	TUESDAY HOURS From: <i>7:00 A.m.</i> To: <i>3:00 P.m.</i>	WEDNESDAY HOURS From: <i>9:00 A.m.</i> To: <i>5:00 P.m.</i>	THURSDAY HOURS From: <i>9:00 A.m.</i> To: <i>5:00 P.m.</i>
FRIDAY HOURS From: <i>9:00 A.m.</i> To: <i>5:00 P.m.</i>	SATURDAY HOURS From: <i>9:00 A.m.</i> To: <i>3:00 P.m.</i>	SUNDAY HOURS From: <i>9:00 A.m.</i> To: <i>5:00 P.m.</i>	

8/17/11

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

Applicant: Mantelli Partnership

dba: Mantelli's

Address: 137 W. Main Street

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

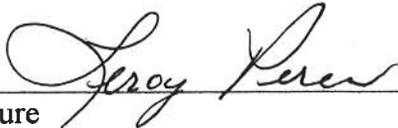
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Electrical box must be labeled

CO2 Bottle must be chained secure

8.22.11
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/17/11

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

Applicant: Mantelli Partnership

dba: Mantelli's

Address: 137 W. Main Street

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: 1) C.O tank needs to be fastened to wall
2) occupancy load need to be reduced
3) electrical panel needs to be labeled

8-22-11
Date

Thi Kelly
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

8/17/2011

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

Applicant's Name: Mantelli Partnership

DBA: Mantelli's

Business Address: 137 W. Main

Type of License: Tavern

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: September 6, 2011, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

<u>Date</u>	<u>Sequence Number</u>	<u>Call Type</u>	<u>Case Number</u>
7/20/2011	TPD201110335	Bar Disturbance	No report

8.23.11
Date

Charles J. Meana
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 31, 2011

CAD Abstract

Number of Responses : 1

Sequence Number: TPD201110335

Call Answered 07/20/2011 14:48:22	Call Code BARDIS	Case Number
Created 07/20/2011 14:48:44	Dispatched	Completed 07/20/2011 14:49:45
		Disposed 07/20/2011 14:49:52

Response Information

Response Type : BARDIS
Reason for Stop :
Stop Statute :
Primary Resource :
Primary Trooper :
Response Origin : P911
Disposition Codes : CC

Incident Information

Common Place :
House Number : 137
Street Name : MAIN
Suffix : W
Street Type :
Cross Streets:
Free Format Address : 137 W MAIN, TRINIDAD, CO

Zone :
City : TRINIDAD
State:
ZIP Code :
X Coordinate
Y Coordinate

Validated Address : : No Value

Location History

<u>Date/Time</u>	<u>Address</u>	<u>Municipality</u>	<u>Dispatcher / Position</u>
07/20/2011 14:48:44	137 W MAIN, TRINIDAD, CO	TRINIDAD	SALAS,CLIFFORD / POSITION3

Response Notes

<u>Response Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
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Incident Notes

<u>Incident Note</u>	<u>Agent</u>	<u>Workstation</u>	<u>Time Stamp</u>
A RAYMOND	SALAS	POSITION3	07/20/2011 14:48:59
WOULD NOT LEAVE BUT WHILE ON HE WAS LEAVING	SALAS	POSITION3	07/20/2011 14:49:17
NO NEED TO SEND OFFICERS	SALAS	POSITION3	07/20/2011 14:49:24

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Thursday, August 18, 2011 9:04 AM
To: Audra Garrett
Subject: RE: liquor license renewal

Hi Audra;

Mantelli's located at 137 W. Main is licensed by this agency and is in compliance with this agency.

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

Las Animas-Huerfano Counties District Health Department

Trinidad Office

412 Benedicta Ave
Trinidad, CO 81082
(Ph) 719-846-2213
(Fax) 719-846-4472

Walsenburg Office

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: Wednesday, August 17, 2011 11:31 AM
To: John Martinez
Subject: liquor license renewal

Hi again, John,

Please confirm compliance with your office for Mantelli's at 137 W. Main Street.

Audra Garrett, City Clerk

City of Trinidad
135 N. Animas Street
Trinidad, CO 81082
(719) 846-9843 ext. 135
(719) 846-4140 fax
audra.garrett@trinidad.co.gov

ITEM NO. 7e

ITEM TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF THE CITY COUNCIL TO
BE HELD ON September 6, 2011

ITEM: Consideration of bid results for 2011 Asphaltic Paving Project

**REQUEST
MADE BY:** PWD Mike Valentine

**CONTENTS/
COMMENTS:** Memo from PWD Valentine dated 9/2/11
Bid summary

ITEM NO. 7e



Memo

To: Ed Gil de Rubio, Mayor Garduno, City Council Members
From: Mike Valentine, Public Works Director *MV*
Date: 9/2/2011
Re: Consideration of City Wide Street paving

Competitive bids were received on September 2, 2011 for the 2011 Asphaltic Paving project. Two bids were submitted as documented on the attached bid schedules.

The Capital Improvement Project (CIP) budget for asphalt paving is \$500,000.00.

It is my recommendation that Council approve the low bid from A & S Construction, AKA All-Rite Paving.

**BID TAB SHEET
PROJECT 03-2011
ASPHALTIC PAVING**

WALSENBURG SAND AND GRAVEL

A & S CONSTRUCTION CO.

<u>ITEM #</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL AMOUNT</u>	<u>UNIT PRICE</u>	<u>TOTAL AMOUNT</u>
1	Street Overlay - 2" Hot Bituminous Pavement	Ton	4,500	\$ 84.67	\$381,015.00	\$ 78.70	\$354,150.00
	Mobilization	LS	1	\$ 2,500.00	\$ 2,500.00	\$13,700.00	\$ 13,700.00
	TOTAL				\$383,515.00		TOTAL \$367,850.00