



CITY OF TRINIDAD  
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad,  
Colorado, will be held on Tuesday, September 1, 2015 at 7:00 P.M.  
in City Council Chambers at City Hall

The following items are on file for consideration of Council:

- 1) **ROLL CALL**
- 2) **APPROVAL OF MINUTES**, Regular Meeting of August 18, 2015 and Special Meeting of August 25, 2015
- 3) **PUBLIC HEARING** - New hotel and restaurant liquor license application filed by Double D's Grill, Inc. at 443 N. Commercial Street
  - i) Executive Session – Quasi Judicial Deliberation/Review
- 4) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**  
*Members of the public may comment on matters within the jurisdiction of the City but not on the agenda. The Council's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.*
- 5) **UNFINISHED BUSINESS**
  - a) Consideration of Intergovernmental Agreement for Shared Services with Las Animas County for Building Inspection
  - b) Public hearing for consideration of an ordinance of the City Council of the City of Trinidad, Colorado, to impose a moratorium upon the acceptance of applications for or the acceptance of conditional use permits in support of, and applications for retail marijuana stores, retail marijuana products manufacturing licenses, retail marijuana testing facility licenses, medical marijuana center licenses, and medical marijuana infused products manufacturing licenses
    - 1) Second reading of an ordinance of the City Council of the City of Trinidad, Colorado, to impose a moratorium upon the acceptance of applications for or the acceptance of conditional use permits in support of, and applications for retail marijuana stores, retail marijuana products manufacturing licenses, retail marijuana testing facility licenses, medical marijuana center licenses, and medical marijuana infused products manufacturing licenses
- 6) **MISCELLANEOUS BUSINESS**
  - a) Hotel and restaurant liquor license renewal request by Rino's Restaurant, LLC d/b/a Rino's Restaurant at 400 E. Main Street
  - b) Beer and Wine liquor license renewal request by Mattorano Enterprise, Inc. d/b/a Lee's Bar B-Q at 825 San Pedro Avenue
  - c) Appointment of Planning, Zoning and Variance Commission members
  - d) First reading of an ordinance correcting discrepancies in the legal description contained in Ordinance No. 1633, and setting a hearing for consideration of said ordinance
- 7) **COUNCIL REPORTS**
- 8) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 9) **BILLS**
- 10) **PAYROLL**, August 29, 2015 through September 11, 2015



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- 11) **EXECUTIVE SESSION** - For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Policy Matters
- 12) **ADJOURNMENT**

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

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, August 18, 2015, at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	City Manager	Engeland
	City Attorney	Downs
	Asst. City Clerk	Marquez

The pledge of allegiance was recited.

**APPROVAL OF THE MINUTES.** Regular Meeting of August 4, 2015 and Special Meeting of August 11, 2015. A motion to approve the minutes as written was made by Councilmember Torres and seconded by Councilmember Fletcher. The motion carried unanimously upon roll call vote excepting Councilmember Bonato who abstained due to his absence from the August 4<sup>th</sup> meeting.

**PETITIONS AND COMMUNICATIONS, ORAL OR WRITTEN.** Robert Fabec addressed Council concerning construction in Alley A. He told Council that he submitted a request for information regarding the same. He provided a synopsis of what he received as well as the letter he submitted requesting the information. He said he noticed a ramp being built along the Hausman Wholesale building in Alley A. Usually you cannot build improvements in a public right-of-way. He then submitted a request for information to the City Clerk to give him everything available regarding 122 W. First Street over the last couple of years, because he was looking for a transfer of the real estate or easement or something like that. He said he wanted to see what was done. Usually you can't construct in the middle of the street and usually there are vacates and hearings are required. He said he didn't see anything of that sort. The building permit said it was for an interior remodel. This work was exterior. The plans showed elevations on all sides except the east side. Some of the drawings are the exterior of the building. The north and south elevations show the ramp in the alley. Mr. Fabec asked how this took place. When he called, the City Clerk said there was some sort of an agreement but he wasn't provided a copy of an agreement with his request. The ramp encroaches on the alley by at least 25%. Mayor Reorda said the City would get him the information. Mr. Fabec said if the ramp as of August 14, 2015 was built in the alley in error and without authority he demanded that it be removed and that occupancy be denied until proper ADA access is provided to the building and not in the middle of the street. Councilmember Bonato asked what is going in the building. City Attorney Downs said his understanding is that it will house the Public Defender's Office.

Sean Sheridan addressed Council. He read the following: "Members of the Trinidad City Council, I hereby object on the record to any emergency proposal to adopt an ordinance limiting the number of non-cultivation recreational marijuana licenses available in Trinidad. First, I do not believe that marijuana business licensing is an actual emergency, as revenue from marijuana sales has been far more of a blessing than a curse to the city. Accordingly, I find the last-minute change of the Council's publicly posted agenda to be improper, and contrary to the notice requirements under existing law. Additionally, while I respect the council's authority to act in furtherance of the City's best interests, enacting emergency legislation that forecloses business opportunities and new revenue sources does not benefit the City at all. Should any such legislation be proposed, I ask that the public be given a meaningful opportunity to make comments and actively participate in the legislative process. Such is the proper way enshrined in our American democratic system, and I ask that the Council honor our cherished ideals of transparency, fairness, and equality under the rule of law." Mr. Sheridan added that he has heard a number of issues. A lot of people know what he is trying to do in town. He hasn't had a chance to present to Council. He said he is not applying for a license at this time, but may at a future date. Mr. Sheridan said he grew up in a small town. When he presented to the Planning Commission he said he made it very clear that he thought it to be in everybody's best interest to stop the unabashed growth of dispensaries across the City. He said he suggested to this Council two weeks ago that they enact a moratorium on new CUPs. He asked in his statement that the community be given fair notice, recommending 60 days before a moratorium was implemented on CUPs. He continued that he has heard conjecture that there are concerns about the Federal government wanting to intervene. He said in his mind there's no basis for that. They have not intervened in Fort Collins who is on the northern border of the state on I-25. He opined that the idea is folly and asked Council to look into that before making any decision. Further, Mr. Sheridan said one of his business partners is an architect and he designed the rest stop north of Trinidad. That is the level of artistic design that they would adhere to in their building construction. Before attempting to thwart any forward movement, he asked that this is given some time. There's a man who can't speak tonight who has been trying to sell his property since 2007. It is a local real estate agent who is closing on a property that he's been working on for eight years. He would be greatly affected by an inappropriate moratorium on CUPs and licenses because Mr. Sheridan is trying to buy a building from him and he hasn't had the chance to stand before the Planning Commission and make a proposal for a CUP for his building. Mr. Sheridan continued that he didn't find out about a change to the agenda until 9:00 p.m. last night. Even the City's director of planning was unaware at 7:00 p.m. He requested from the City at 4:31 p.m. yesterday a copy of the agenda which he received. After that, the agenda changed. You are required 24-hours notice. The agenda was sent to the newspaper after it was closed and he didn't believe it was covered by any media. He said his contention is that even the director of planning had no idea Council was going to talk about a moratorium on CUPs or licenses. He opined that they should stop CUPs but not as an emergency and that they should let people talk about it. He concluded that he, his partners and their prospective tenants have spent enormous amounts of money in reliance on the present laws and in reliance on the four CUPs that were previously issued to them. Should the Council pass legislation that prohibits them from being able to move forward with obtaining licensing, thereby depriving them of all opportunities upon which they have made substantial investments, they will have little choice but to resort to litigation to try to recoup their losses - losses that they will incur solely due to the Council's hasty decision to radically amend the present legal landscape. None of them wish to be forced into such a position, and would greatly prefer that the

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City stay the course and not adopt radical legislation that will force an adversarial battle.

**UNFINISHED BUSINESS.** Public hearing - New Medical Marijuana Optional Premise Cultivation Operation license application filed by Dessimals, Inc. d/b/a Lucky Monkey Buds at 137 W. Cedar Street. Mayor Reorda declared the hearing open and announced that anyone in the audience is allowed to speak for or against the request. Ken Waller and Dr. Markus Hamm addressed Council and were sworn in. To City Attorney Downs' questioning, Ken Waller testified that he was representing the applicant. Dr. Hamm stated that he is the medical consultant for the facility and acknowledged that he represented Dessimals, Inc. in past hearings. Mr. Waller testified that Dessimals, Inc. has a number of licenses from the Colorado Department of Revenue. This license type is a Medical Optional Premise Cultivation Operation. He could not name the license types held by Dessimals, Inc. when asked. The organization is a corporation consisting of Mr. Waller and his wife at 50/50. They have a partnership agreement for the conduct of the business. Regarding the \$50,000 promissory note, Dr. Hamm's financial interest in the business is now secured with a new promissory note, accepted by the Department of Revenue. Dr. Hamm having a possible ownership interest in the business was never in question. The plan of operation includes Dr. Hamm creating products to treat patients of a medical nature. The retail aspect is to support it. He will perform research and development and will create unique strains. Dr. Hamm testified that he is a licensed physician in Colorado but is not practicing. He will not be issuing medical red cards at this time. It would be a conflict of interest since he is involved with Dessimals, Inc. He emphasized that he will not do referrals. The proposed premise is located at 137 W. Cedar Street and is within the Historic Preservation zoning district. Mr. Waller acknowledged the requirement to meet all other obligations and requirements of the City and State. He said they hoped to open within the next couple of months. He testified that they have no interest in any other marijuana facilities. This cultivation license will be tied to the number of patients they have. They anticipate having approximately four employees initially. Ken Waller testified that he is the President of the Corporation and his wife, Karen, is the Vice President/Secretary and both are directors. They have a lease for the property with Purgatoire River LLC but another lease is pending at this time. The original lease is still operational. Their new lease will be pretty much the same, however with a new building owner. He acknowledged their legal obligations and requirement to cooperate with City officials and that they cannot possess any quantity of marijuana until they have their license. Also acknowledged was that their water may be shut off in times of water austerity and that there must be a separation of the medical and retail facilities. Mayor Reorda called for comments in opposition to the license application. There were none. Councilmember Miles reminded of the previous issue regarding the very open-ended promissory note and pointed out that they have now been provided one with specific terms that now looks like debt rather than equity. She confirmed this promissory note supersedes the previous one. There being no further questions or testimony the hearing was closed. A motion to approve the Medical Marijuana Optional Premise Cultivation Operation license requested by Dessimals, Inc. d/b/a Lucky Monkey Buds at 137 W. Cedar Street was made by Councilmember Miles and seconded by Councilmember Mattie. The motion carried unanimously excepting Councilmember Bonato who cast a dissenting vote. Councilmember Bolton read into the record the following findings:

This matter came on for a rehearing on the application of Dessimals, Inc. d/b/a Lucky Monkey Buds, 137 W. Cedar Street, in Trinidad, Colorado, for a Medical Marijuana Optional Premise Cultivation Operation, before the City Council of the City of Trinidad, Colorado, acting in its capacity as the local licensing authority on August 18, 2015, in City Council Chambers in City Hall. The City Council having reviewed the application and supporting documents, reports of the City Clerk and other City staff, evidence at the hearing and testimony taken during the first hearing, makes the following **FINDINGS:**

1. The application is complete and signed by the applicant, and the applicant has paid the appropriate application and license fees.
2. The application appears to be in substantial compliance with all of the requirements of Article 11, of Chapter 14 of the Trinidad Municipal Code. The applicant has testified to their willingness to comply with any and all areas of said Article whereby compliance at this time cannot be fully attained or substantiated.
3. According to the testimony of the applicant, the application does not contain any material misrepresentations.
4. The proposed marijuana business complies with applicable zoning regulations. The City Council hereby finds that based upon the testimony of the applicant, the building in which the proposed marijuana business will be located will conform to the Trinidad City Codes, including the zoning code and all International Codes adopted by the City.
5. Ken Waller and Markus Hamm testified in favor of granting the license. No other persons testified in favor of or in opposition to the granting of the licenses.
6. The applicant, through the facts and evidence adduced as a result of the City's investigation and testimony provided, has made a prima facie showing that the applicant owners are of good moral character and any employees of this entity will likewise be of good moral character.
7. The City Clerk's report showed that there are currently 30 medical and retail marijuana licenses overall approved within the City of Trinidad, with 11 ownerships, at 12 addresses.
8. Based on the evidence presented at the hearings and the investigative materials provided for the hearings, the City Council finds that the location of the businesses is appropriate, and that the applicant is of satisfactory moral character and there is a willingness by the applicant to fully cooperate with the officials of the City in the operation of this business.

**THEREFORE,** the City Council of the City of Trinidad, Colorado, as the local marijuana licensing authority, hereby approves and grants a Medical Marijuana Optional Premise Cultivation Operation license at 137 W. Cedar Street in Trinidad, Colorado. The issuance of said license shall be withheld until a certificate of occupancy is issued by the Chief Building Official and upon his absolute confirmation of compliance with all codes adopted by the City of Trinidad. The licensee is not permitted to possess product in advance of the license being issued.

Executive Session – Quasi Judicial Deliberation/Review. No executive session was held.

Expansion of retail marijuana cultivation square footage application filed by Dessimals, Inc. d/b/a Lucky Monkey Buds at 137 W. Cedar Street. Mr. Ken Waller said they have to have patients for their medical cultivation. They will have to build that. Medical is their main aspect. They have come to realize that they will need the retail aspect to finance the medical portion and build patients. Councilmember Bonato asked if the square footage was presented to the Planning Commission. Mr. Waller responded affirmatively. Asst. City Manager Garrett advised Council that this is an expansion of the retail grow area from what was previously identified and paid. Director of Developmental Services Tara Marshall further clarified that they are not modifying their site plan. Kristy Chatman spoke in opposition to the request. She told Dr.

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Hamm that he can't be a physician and recommend patients if he's involved with a business. Dr. Hamm answered that he will be a medical consultant guiding what they will be doing but will not be referring patients. Mike Garrett spoke briefly on the issue of a moratorium and the number of businesses. He was advised that that was not relative to this item. A motion to approve the expansion was made by Councilmember Bolton and seconded by Councilmember Fletcher. Upon roll call vote the motion carried by majority with all Council Members voting aye except Councilmember Bonato who voted no.

Public hearing (continued) - New Retail Marijuana Store application filed by Main Street Cannabis at 401 W. Main Street. Mayor Reorda opened the hearing and Jason and Erin Schierling approached and were sworn in. City Attorney Downs reminded that this is a continuation to seek more information regarding Erin Schierling's prior criminal history. He noted that there was a consideration amount of information provided accordingly to Council. He reminded Council that he asked questions previously, including that this is the former Cress Cleaners building, their business entity is Main Street Cannabis, that they are the only two owners in the business. Jason Schierling testified that they are current owners of a medical marijuana facility in Pueblo with a cultivation facility attached to it. They would like to open a recreational marijuana facility here at the former Cress Cleaners with City Council's approval. The business name in Pueblo is Steel City. They have had no violations in Pueblo. Jason Schierling told Council that their license was the first issued in Pueblo and that they have had no violations in the three to four years they have been open. Erin Schierling, in response to questions from City Attorney Downs, testified that of the five DUIs he received, one was a conviction and the others were dismissed. City Attorney Downs reminded Council that Mr. Schierling is a veteran who suffered from PTSD. Councilmember Miles advised that with the court records provided it confirms what was self-reported. She noted that there was no evidence prior to this being submitted. The information checks out. Mayor Reorda called for testimony against the license application. There was none and the hearing was closed. A motion to approve the license was made by Councilmember Mattie and seconded by Councilmember Bolton. Upon roll call vote the motion carried unanimously excepting Councilmember Bonato who cast a dissenting vote. Councilmember Bolton read the following into the record:

This matter came on for a rehearing on the application of Main Street Cannabis 401 W. Main Street, in Trinidad, Colorado, for a Retail Marijuana Store, before the City Council of the City of Trinidad, Colorado, acting in its capacity as the local licensing authority on July 21, 2015, and continued to August 18, 2015, in City Council Chambers in City Hall. The City Council having reviewed the application and supporting documents, reports of the City Clerk and other City staff, evidence at the hearing and testimony taken during the first hearing, makes the following **FINDINGS**:

1. The application is complete and signed by the applicant, and the applicant has paid the appropriate application and license fees.
2. The application appears to be in substantial compliance with all of the requirements of Article 11, of Chapter 14 of the Trinidad Municipal Code. The applicant has testified to their willingness to comply with any and all areas of said Article whereby compliance at this time cannot be fully attained or substantiated.
3. According to the testimony of the applicant, the application does not contain any material misrepresentations.
4. The proposed marijuana business complies with applicable zoning regulations. The City Council hereby finds that based upon the testimony of the applicant, the building in which the proposed marijuana business will be located will conform to the Trinidad City Codes, including the zoning code and all International Codes adopted by the City.
5. Jason Schierling and Erin Schierling testified in favor of granting the license. No other persons testified in favor of or in opposition to the granting of the licenses.
6. The applicant, through the facts and evidence adduced as a result of the City's investigation and testimony provided, has made a prima facie showing that the applicant owners are of good moral character and any employees of this entity will likewise be of good moral character.
7. The City Clerk's report showed that there are currently 30 medical and retail marijuana licenses overall approved within the City of Trinidad, with 11 ownerships, at 12 addresses.
8. Based on the evidence presented at the hearings and the investigative materials provided for the hearings, the City Council finds that the location of the businesses is appropriate, and that the applicant is of satisfactory moral character and there is a willingness by the applicant to fully cooperate with the officials of the City in the operation of this business.

THEREFORE, the City Council of the City of Trinidad, Colorado, as the local marijuana licensing authority, hereby approves and grants a Retail Marijuana Store license at 401 W. Main Street in Trinidad, Colorado. The issuance of said license shall be withheld until a certificate of occupancy is issued by the Chief Building Official and upon his absolute confirmation of compliance with all codes adopted by the City of Trinidad. The licensee is not permitted to possess product in advance of the license being issued.

Executive Session - Quasi Judicial Deliberation/Review. No executive session was held.

Public hearing for consideration of an ordinance annexing certain territory to the City - Parcel D Trinidad Industrial Park. Mayor Reorda declared the public hearing open and called for comment for or against the annexation. Christine Barela, Superintendent of Hoehne School District, addressed Council. She asked if the annexation changes the school district lines. She was told that it does not and it was later further clarified Ms. Barela said of all of the school district in Las Animas County theirs has the hardest time collecting taxes to sustain their school system. She asked if the tax money from BNSF go to the City if this is annexed. City Manager Engeland answered if the district boundaries don't change the tax revenue would remain the same. She then stated that she was opposed to the annexation if the school district lines don't change because the school runs a rural route up that road and she would like to stop and pick up students on that road. She reiterated that she is opposed as of today. Asst. City Manager Garrett advised that the property being annexed is proposed for development and if the development happens the value should increase and so will the taxes which would benefit the school. There being no further comments, Mayor Reorda closed the hearing.

Second reading of an ordinance annexing certain territory to the City - Parcel D Trinidad Industrial Park. The ordinance title was read aloud. Councilmember Bolton moved to approve the ordinance on second reading. The motion was seconded by Councilmember Miles and carried unanimously upon roll call vote.

ORDINANCE NO. 1984

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY

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Public hearing for consideration of an ordinance amending the zone map by establishing by establishing the zone class of certain land annexed into the City of Trinidad to Community Commercial. Mayor Reorda declared the public hearing open. There being no comment, the hearing was closed.

Second reading of an ordinance amending the zone map by establishing by establishing the zone class of certain land annexed into the City of Trinidad to Community Commercial. The ordinance title was read aloud. Councilmember Fletcher moved to approve the ordinance on second reading. The motion was seconded by Councilmember Miles and carried unanimously upon roll call vote.

ORDINANCE NO.1985

AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF TRINIDAD,  
COLORADO, BY ESTABLISHING THE ZONE CLASSIFICATION OF CERTAIN  
LAND ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF TRINIDAD,  
COLORADO

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Public hearing for consideration of an ordinance establishing special revenue funds for the purposeful funding of specific government functions to assist the City in long-range planning and in ensuring current and future solvency. City Manager Engeland reminded that Council that this is the accompanying ordinance to the Responsible Financial Management Policy and that this ordinance would create the four funds in that policy – the contingency fund, repair and replacement fund for infrastructure and buildings and fleet and rolling stock, economic development reserve fund and information technology equipment fund. Mayor Reorda determined that no one else wished to offer comment and closed the hearing.

Second reading of an ordinance establishing special revenue funds for the purposeful funding of specific government functions to assist the City in long-range planning and in ensuring current and future solvency. The ordinance title was read aloud. A motion to approve the ordinance on second reading was made by Councilmember Mattie and seconded by Councilmember Bolton. Upon roll call vote the motion carried unanimously.

ORDINANCE NO. 1986

AN ORDINANCE ESTABLISHING SPECIAL REVENUE FUNDS FOR THE PURPOSEFUL  
FUNDING OF SPECIFIC GOVERNMENT FUNCTIONS TO ASSIST THE CITY IN LONG-  
RANGE PLANNING AND IN ENSURING CURRENT AND FUTURE SOLVENCY

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Authorize City Manager to execute purchase contract for the Street, Bridge and Parks facility. City Manager Engeland reminded that this was discussed two weeks ago and again last week at work session. It will give him the authorization to finish the negotiations and enter into the \$249,000 contract. Councilmember Bonato made a motion to authorize City Manager Engeland to execute the purchase contract and Councilmember Torres seconded the motion. Upon roll call vote the motion carried unanimously.

**MISCELLANEOUS BUSINESS.** Modification of premises application filed by Trinidad's Higher Calling U, LLC at 1000 Independence Road. Robert Schultz advised Council that this is to switch one room, their previous retail room, for another, to be their new medical room, to serve the needs of the locals. Councilmember Bolton made a motion to approve the modification and the motion was seconded by Councilmember Fletcher. The motion carried unanimously upon roll call vote.

Hotel and restaurant liquor license renewal request by David J. Liu d/b/a Chef Liu's Chinese Restaurant at 1423 Santa Fe Trail. David Liu was present. Councilmember Bolton moved for the license renewal and Councilmember Miles seconded the motion. Upon roll call vote the motion carried unanimously.

Consideration of extra-territorial water tap request from LSC Southeast Colorado, LLC to serve 13805 County Rd. 73.6. A motion to approve the extra-territorial water tap was made by Councilmember Bolton. Councilmember Fletcher seconded the motion. The motion carried unanimously upon roll call vote.

Consideration of Intergovernmental Agreement for Shared Services with Las Animas County for Building Inspection. City Manager Engeland advised Council that staff recommends that this item be tabled to the next meeting because the County Commissioners in their approval made two non-substantial changes that staff would like Council to see before taking action. Councilmember Bolton moved to table consideration of the IGA to the September 1<sup>st</sup> regular meeting at 7:00 p.m. and the motion was seconded by Councilmember Bonato. The motion carried unanimously upon roll call vote.

Authorize City Manager to approve purchases in excess of his authority pursuant to Trinidad Municipal Code 7-51 for the Cedar Street Project up to the City's budgeted Capital Improvement Project Fund allocation for that project. City Manager Engeland apologized for this not being included on the previous work session agenda. He explained that DOLA awarded a grant to the City for the Cedar Street Project of just under \$600,000. It has a very tight timeline. The City has to order three pieces of equipment that will total \$71,000 and it will take 17 weeks for delivery. He said the request is to allow him to exceed his normal purchasing authority to make this purchase and purchases that do not exceed the total amount which Council has already approved up to the \$240,000. Councilmember Miles asked the time required to process the purchase. City Manager Engeland explained that if the equipment is needed Wednesday it would take two weeks to get Council's approval said the equipment is needed two weeks before City Council's approval. So, 17 weeks would have gone to 19 weeks. Councilmember Miles confirmed that the process for purchases will still be transparent, with open bids. City Manager Engeland added that staff doesn't anticipate other purchases will exceed the \$30,000 limit and will bring the purchases before Council if timing allows. If not, it will be reported to Council and will not exceed the \$240,000. Councilmember Mattie asked if the authorization is sought for this project only. City Manager Engeland responded

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affirmatively. Councilmember Bolton made a motion to authorize City Manager Engeland to approve purchases in excess of his authority pursuant to Trinidad Municipal Code 7-51 for the Cedar Street Project up to the City's budgeted Capital Improvement Project Fund allocation for that project. The motion was seconded by Councilmember Bonato and carried unanimously upon roll call vote, with Councilmember Mattie confirming again that it is with the understanding that this is a one-time event.

Emergency ordinance, filed under Section 5.7 of the Trinidad Home Rule Charter, of the City Council of the City of Trinidad, Colorado, to impose a moratorium upon the acceptance of applications for, or the acceptance of conditional use permits in support of, and applications for retail marijuana stores, retail marijuana products manufacturing licenses, retail marijuana testing facility licenses, medical marijuana center licenses, and medical marijuana infused products manufacturing licenses. Councilmember Miles asked if it is necessary to have the moratorium exceed three months, noting that she is trying to minimize the harm. City Manager Engeland answered that staff put in six months to make sure the reworking of the ordinance can be completed appropriately. The time can be extended or reduced, however. He added that staff would do their best to meet the 90-day request if that's what Council wants. Councilmember Miles pointed out that people are trying to hold deals together. City Manager Engeland said they can set the moratorium at three months and extended it if it is not enough time. Councilmember Bolton pointed out that the emergency ordinance being considered is only for 30 days. She introduced the ordinance and it was read aloud in its entirety. A motion to approve the ordinance was made by Councilmember Bonato and seconded by Councilmember Bolton. The motion carried unanimously, however with Councilmember Miles recusing herself because her business is located within the allowable marijuana zone. The emergency ordinance was approved.

ORDINANCE NO. 1987

AN EMERGENCY ORDINANCE, FILED UNDER SECTION 5.7 OF THE TRINIDAD HOME RULE CHARTER, OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO TO IMPOSE A MORATORIUM UPON THE ACCEPTANCE OF APPLICATIONS FOR, OR THE ACCEPTANCE OF CONDITIONAL USE PERMITS IN SUPPORT OF, AND APPLICATIONS FOR RETAIL MARIJUANA STORES, RETAIL MARIJUANA PRODUCTS MANUFACTURING LICENSES, RETAIL MARIJUANA TESTING FACILITY LICENSES, MEDICAL MARIJUANA CENTER LICENSES, AND MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURING LICENSES

First reading of an ordinance of the City Council of the City of Trinidad, Colorado, to impose a moratorium upon the acceptance of applications for or the acceptance of conditional use permits in support of, and applications for retail marijuana stores, retail marijuana products manufacturing licenses, retail marijuana testing facility licenses, medical marijuana center licenses, and medical marijuana infused products manufacturing licenses, and setting a hearing date for consideration of said ordinance. The ordinance was introduced by Councilmember Bolton. City Manager Engeland asked Council's preference on the duration of the moratorium and noted that staff recommends six months. Councilmember Miles suggested three months, based on what she is hearing from other people. Councilmember Bolton suggested three months is sufficient and can be extended if need be. City Manager Engeland asked that Council amend the ordinance from six to three months for its adoption. The ordinance was read aloud in its entirety with a three month moratorium period. Councilmember Bolton moved to approve the ordinance as read and set it for further consideration at a public hearing at 7:00 p.m. on September 1, 2015. The motion was seconded by Councilmember Bonato and carried unanimously excepting Councilmember Miles who recused herself.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO TO IMPOSE A MORATORIUM UPON THE ACCEPTANCE OF APPLICATIONS FOR, OR THE ACCEPTANCE OF CONDITIONAL USE PERMITS IN SUPPORT OF, APPLICATIONS FOR RETAIL MARIJUANA STORES, RETAIL MARIJUANA PRODUCTS MANUFACTURING LICENSES, RETAIL MARIJUANA TESTING FACILITY LICENSES, MEDICAL MARIJUANA CENTER LICENSES, AND MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURING LICENSES

**COUNCIL REPORTS.** Councilmember Mattie commented about recent social media regarding the condition of Simpson's Rest, in part by people who don't live here now but did in the 1960s. Things don't stay the same. The thread continued about how poorly we maintain the City. He said that a person by the name of Bruce Clay suggested they fix it, provided his phone number and asked for people to call him. Councilmember Mattie said he called Mr. Clay. Mr. Clay's intention is to amass a group of volunteers to clean up the graffiti on Simpson's Rest. He thanked him for taking an interest and a positive flavor to the conversation. He also suggested he speak to City Manager Engeland to see how the City can help in this effort. He offered kudos to Mr. Clay for stepping forward. The City will provide refreshments and insurance. He said this resulted in a happy partnership between citizens and government to make our community look better. He provided Mr. Clay's phone number to volunteer.

Councilmembers Bonato and Torres had nothing to report.

Councilmember Fletcher reported that the Relay of Life event held on August 8<sup>th</sup> was successful. She also reported that last evening there was a lot of energy in Council Chambers, explaining that Development Services Director Tara Marshall hosted a public meeting about ArtSpace and the Space to Create project. There are so many positive things that will happen in this community when we begin this endeavor. She thanked Ms. Marshall. She told Council that the Parks & Recreation Advisory Board meeting held last evening was also a good meeting and that she was pleased to hear that the tennis courts will be a go, either one or two new ones probably at South Side Park. Also the dog park on Linden Avenue will be established.

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Councilmember Miles reported that ARPA has entered into negotiations on the repowering project rail spur.

Councilmember Bolton reported that she attended the Space to Create meeting and she was pleased to see the turnout. This meeting had double the attendance from the previous one. She said she hoped it will double again for the next. She urged City Council Members to attend the next meeting at 5:30 p.m. on August 31<sup>st</sup>.

Mayor Reorda reported on his, Councilmember Bonato and staff members' attendance of the AeroSpace meeting. He suggested it should be rescheduled. He told Council that representatives from a number of the aerospace industries attended as well as from the University of Colorado, the State office of Economic Development, etc. He said he commented at the meeting that the City needs to get industry in focus. We are not talking about one thousand jobs. There are 400 aerospace businesses in Colorado, some with less than 10 employees. He reiterated that they should be invited to attend a work session.

**REPORTS BY CITY MANAGER.** City Manager Engeland deferred to Asst. City Manager Garrett to discuss the AeroSpace visit. She reminded Council of the breakfast tomorrow morning at 8:00 a.m. She told Council that it's not too late for them to join the group. They have offered a lot of information about employment and educational opportunities. After the breakfast the group will tour two local businesses and the County airport.

City Manager Engeland deferred to Human Resources Director Dona Valencich regarding his six-month review process. HR Director Valencich pointed out at Council's seating places information about the City Manager's six-month review. He was also reviewed by the Directors. They all answered one question and then a panel of four met and had a discussion. He received a pretty decent review from staff. Staff is excited. For years they have been thirsting for leadership. She pointed out that she provided a brief explanation of the format the City wants to use in the future for review of all of the City employees, which she hoped to roll out in the next year to year and one-half. She said employees need feedback on how they are doing so they can change and be effective. It will let administration know how engaged employees are and let us determine how we can affect that positively so that everyone becomes a promoter. City Manager Engeland added that his six-month review will be done in executive session on August 25<sup>th</sup>.

Mayor Reorda pointed out the responses to Council's questions from the August 11<sup>th</sup> meeting at their seating places.

City Manager Engeland announced that the last day the swimming pool will be open this season is August 23<sup>rd</sup>. He also announced that the library community room will be opening on Thursday and will have an open house from 3:00 p.m. to 6:00 p.m. that day. He continued that he and Clay Bruce are meeting this Friday. The City will provide refreshments, insurance and graffiti removal and generally sprucing Simpson's Rest up.

Mayor Reorda suggested naming the community room in honor of Jack Bearden. He said he talked to the Library Director about it who said she would discuss it with the board.

**REPORTS BY CITY ATTORNEY.** None.

**BILLS.** Councilmember Bolton moved to approve the bills and Councilmember Bonato seconded the motion. The motion carried unanimously upon roll call vote.

**PAYROLL,** August 15, 2015 through August 28, 2015. A motion to approve the payroll was made by Councilmember Bonato and seconded by Councilmember Bolton. Roll call was taken and the motion carried unanimously.

Councilmember Bonato asked City Manager Engeland to relay to the Gas Department employees his appreciation for their work in installing the natural gas line to his house in 98-degree weather. They did an outstanding job.

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

ATTEST:

\_\_\_\_\_  
JOSEPH A. REORDA, Mayor

\_\_\_\_\_  
KIMBERLY MARQUEZ, ASST. CITY CLERK

August 25, 2015

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, August 25, 2015 immediately following the Work Session at 1:30 p.m. in the Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD  
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Tuesday, August 25, 2015 immediately following the Work Session at 1:30 p.m. in the Council Chambers at City Hall

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

- 1) Authorize the Mayor's execution of letters seeking DOLA Administrative Grant funds to conduct a Feasibility Study and Market Analysis for the Space to Create Initiative
- 2) Consideration of Memorandum of Understanding between the City and Walden Mills, Inc. to facilitate the management of the Regional Wayfinding Grant
- 3) Executive Session
  - a) For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – City Manager Evaluation
  - b) To discuss the purchase acquisition, lease, transfer, or sale of real, personal, or other property interest under C. R. S. Section 24-6-402(4)(a) – Rice School Building and current Street & Bridge property

The meeting was called to order at approximately 2:00 p.m.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	City Manager	Engeland
	City Attorney	Downs
	Asst. City Clerk	Marquez

Authorize the Mayor's execution of letters seeking DOLA Administrative Grant funds to conduct a Feasibility Study and Market Analysis for the Space to Create Initiative. Development Services Director Tara Marshall addressed Council regarding two letters for Mayor Reorda to sign and stated generally when ArtSpace does the Space to Create Feasibility Study and Market Analysis it's a little more expensive than the price they are giving us. They've combined those into a lower price. The Betcher Foundation has agreed to pay a portion of the cost, DOLA will pay a portion and our portion will be \$2,500 for each, \$2,500 for the Feasibility Study and \$2,500 for Market Analysis. This will come out of the capital improvement budget and this will get us started for the September 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> visit. What will come out of this with a complete Feasibility Study and a Market Analysis for artist live-work space within our community. Mayor Reorda asked if this was separate from the Downtown Creative District. Councilmember Bolton answered this is the Space to Create. Tara Marshall added this is the Space to Create, which is a \$5 to \$7 million dollar project. Councilmember Bonato asked if they were the group from Minnesota. Tara Marshall stated this was the large group we did the presentation for in January and they were here recently. Councilmember Bolton moved to authorize the Mayor to execute the letters. Councilmember Fletcher seconded the motion, which upon roll call vote carried unanimously.

Consideration of Memorandum of Understanding between the City and Walden Mills, Inc. to facilitate the management of the Regional Wayfinding Grant. Development Services Director Tara Marshall advised Councilmember Miles the hourly rate for Walden Mills is \$130 per hour. Councilmember Miles asked if that's what we're paying and it is no more than other communities. Tara Marshall answered that's exactly what the standard rate is and it's the same amount that's being paid in the contract in the Southeast. Councilmember Fletcher asked what range of hours. Tara Marshall answered it's a set amount within the grant that she is allowed to draw down upon. Even though it's an hourly rate is established it's really a Memorandum of Understanding that she will complete the tasks for this amount of money. Councilmember Bonato asked if staff has looked into this quite a bit. Tara Marshall stated the staff feels very confident. Mayor Reorda asked Tara Marshall if with this we will have more opportunities for grants. Tara Marshall said this is a CDOT grant; it is a pilot project. It will be very nice for us to have this project. Councilmember Bolton made a motion to approve the Memorandum of Understanding. Councilmember Miles seconded the motion. Upon roll call vote the motion carried unanimously.

Executive Session - For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – City Manager Evaluation; and To discuss the purchase acquisition, lease, transfer, or sale of real, personal, or other property interest under C. R. S. Section 24-6-402(4)(a) – Rice School Building and current Street & Bridge property. A motion to enter into executive session for the stated purposes was made by Councilmember Bonato and seconded by Councilmember Miles. The motion carried unanimously upon roll call

August 25, 2015

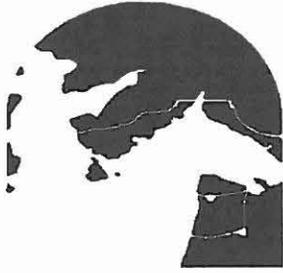
vote. The executive session ensued at 3:05 p.m. and was recorded pursuant to the Colorado Open Meetings Law. Upon conclusion of the executive session at 4:35 p.m., Councilmember Bolton moved to go out of executive session and resume the special meeting. Councilmember Fletcher seconded the motion. The motion carried by a unanimous roll call vote.

There being no further business, Councilmember Bolton moved to adjourn and Councilmember Bonato seconded the motion. The motion carried unanimously and the meeting was adjourned.

ATTEST:

\_\_\_\_\_  
JOSEPH A. REORDA, Mayor

\_\_\_\_\_  
KIMBERLY MARQUEZ, Asst. City Clerk



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

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**CITY COUNCIL MEETING:** September 1, 2015 Regular Mtg.  
**PREPARED BY:** Audra Garrett, ACM/City Clerk  
**PRESENTER:** Double D's Grill, Inc.  
representative

**DEPT. HEAD SIGNATURE:**  
**CITY MANAGER SIGNATURE:** *Audra Garrett*

**SUBJECT:** PUBLIC HEARING - New hotel and restaurant liquor license application filed by Double D's Grill, Inc. at 443 N. Commercial Street

**RECOMMENDED CITY COUNCIL ACTION:** Conduct of the public hearing. City Council may take up to 30 days thereafter to render a decision on the application.

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

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

**ALTERNATIVE:** N/A

**BACKGROUND INFORMATION:**

- The application packet is the record for the hearing.
- This is a quasi-judicial matter and as such Council should only consider evidence and testimony provided during the public hearing.

**CONTACT FOR INFORMATION:**

Audra Garrett, Asst. City Manager/City Clerk  
(719) 846-9843, ext. 135  
OR Les Downs, City Attorney  
(719) 846-9843, ext. 120

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## INVESTIGATIVE REPORT

**Applicant:** Double D's Grill, Inc.

**Business Name:**

**Business Address:** 443 N. Commercial Street

**Date of Application:** July 13, 2015

**Date Application Filed with Local Authority:** July 21, 2015

**Type of Request:** New License

**Type of License:** Hotel and Restaurant

**Hearing Date:** Tuesday, September 1, 2015, 7:00 p.m.

### APPLICATION CONTENTS -

**Applicant's Documents:** Liquor License Application - Form #DR8404  
Diagram of Premises  
Commercial Lease  
Articles of Incorporation  
Individual History Record-Form #DR8404-I  
Letters of Reference  
Fingerprints

**City Documents:** Notice of Public Hearing  
Certificate of Mailing  
Proof Publication on 7/27/2015  
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 Samantha Quintana received from:

Anthony Abeyta, Trinidad, CO  
Sheri Files, Trinidad, CO  
Cy Michaels, Trinidad, CO

Three letters of reference have been verified, as required by ordinance.

**FINGERPRINTING -**

Fingerprint cards were submitted to CBI/FBI on 7/15/15. Results have been received for and are consistent with the information disclosed on the Individual History Record.

**COMMERCIAL LEASE AGREEMENT -**

The lease agreement dated 7/1/2015 is between Quintana Land Properties, LLC (landlord) and Double D's Grill Inc., (tenant). It is for the occupancy of 443 N. Commercial Street (Main level-first floor and basement storage only). The lease commences July 1, 2015 and continues through July 31, 2017.

**DIAGRAM OF PREMISES -**

The diagram identifies the proposed premises. It identifies the seating areas, kitchen, and a second-floor office as the proposed premises. Alcohol is proposed to be served throughout the proposed premise.

## **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

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## **DIAGRAM OF PREMISES -**

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## **SALES TAX LICENSE -**

Sales Tax License #30508160-0000 was verified.

## **FOOD SERVICE LICENSE -**

A copy of the food service license receipt was provided. The Health Department verified compliance by Double D's Grill, Inc. on 7/24/15.

## **NOTICE OF HEARING -**

Mailed to applicant – 7/23/15.

Published – 7/27/2015.

Posted on the premises – 8/7/2015.

## **DEPARTMENTAL REPORTS -**

Fire Chief Tim Howard on behalf of the Fire and Building Inspection Departments, advised that an inspection is on file. The report is dated 7/27/2015.

The Police Department reported having no concerns with the application on 7/28/2015.

## **CORRESPONDENCE TO APPLICANT -**

A letter dated 8/7/2015 was sent to Double D's Grill, Inc. advising of the procedures to follow at the hearing. A sample petition was also provided.

## **ZONING –**

The proposed premise is zoned Historic Preservation.

## **SCHOOL DISTANCES –**

There is a 500-foot limitation from a school for a Tavern license type specifically. While the limitation does not exist for a Hotel and Restaurant license, information is provided for informational purposes only. The nearest school property is Goal Academy which is approximately 1,551 feet from the nearest point of this property.

## **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 the thirty-

five (35) licensed premises, twelve (12) are licensed as Hotel and Restaurant. (Creative Sales, Inc. and Drop City Liquor have either not renewed their license and are in the 120-day late renewal period or have closed, however are counted in the total).

The outlets are:

3.2% - Off	J. R.'S Fuel Stop #810 Safeway Store #722 Wal-Mart #962 Count: 3	731 E. Main Street 457 W. Main Street 2921 Toupal Drive
3.2% - On Premises	<del>Creative Sale, Inc.</del> Count: 1	<del>700 Smith Street</del>
Club	Elks, BPOE Count: 1	120 S. Maple
Hotel/Rest.	Royse's Black Jack Steakhouse Chef Liu's Restaurant Mission at the Bell Restaurant Quality Inn Rino's Restaurant Wonderful House Restaurant Bella Luna Pizzeria Trinidad Holiday Inn Brix Café What a Grind Ristras Restaurant and Cantina, LLC Tequila's Mexican Family Restaurant Count: 12	225 W. Main Street 1423 Santa Fe Trail 134 W. Main Street 3125 Toupal Drive 400 E. Main Street 415 University Street 121 W. Main Street 3130 Santa Fe Trail Drive 231 E. Main Street 341 N. Commercial Street 1415 Nolan Drive 9900 Santa Fe Trail
Liquor Store	<del>Drop City Liquor</del> Main Street Liquors Mountain Liquor Santa Fe Trail Hops & Vines Tire Shop Wine & Spirits Trinidad Beer, Liquor & Wine Depot Arizona Liquor El Paso Liquor Count: 8	<del>155 Elm Street</del> 803 E. Main Street 1144 Robinson 1530 Santa Fe Trail 601 W. Main Street 111 E. Kansas Avenue 847 Arizona Avenue 1101 E. Main Street
Tavern	Great Wall	321 State Street

El Rancho Cafe  
Gino's Sports Bar  
JuJo's Pub and Dance Hall  
Mantelli's  
The Park  
Trinidad Lanes, LLC

1901 Santa Fe Trail  
991 E. Main Street  
125 N. Chestnut Street  
137 W. Main Street  
608 Arizona Avenue  
823 Van Buren

Count: 7

Arts

Southern Colorado Repertory  
Theatre

131 W. Main Street

Count: 1

Beer and Wine

Mt. Carmel Health, Wellness &  
Community Center  
Lees' Bar B-Q

911 Robinson Avenue  
1133 North Linden Avenue

Count: 2

Disclosure statements are provided by Councilmember Michelle Miles and  
Councilmember Liz Torres.

Dated this 25th day of August, 2015.

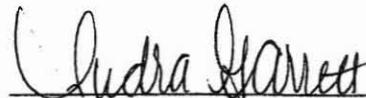
CITY OF TRINIDAD, COLORADO

  
Audra Garrett, City Clerk

**CERTIFICATE OF MAILING**

I hereby certify that on the 25th day of August, 2015, I mailed a copy of the Investigative Report, by Certified Mail, to:

Double D's Grill, Inc.  
2039 Pinon Street  
Trinidad, CO 81082  
Certified Mail # 7015 0640 0006 3841 6115

  
\_\_\_\_\_  
Audra Garrett, City Clerk

## Colorado Liquor Retail License Application

<input type="checkbox"/> New License <input checked="" type="checkbox"/> <b>New-Concurrent</b> <input type="checkbox"/> Transfer of Ownership			
• All answers must be printed in black ink or typewritten • Applicant must check the appropriate box(es) • Applicant should obtain a copy of the Colorado Liquor and Beer Code: <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a> • Local License Fee \$ _____			
1. Applicant is applying as a/an <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships)		<input type="checkbox"/> Individual <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Association or Other	
2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation			FEIN Number [REDACTED]
2a. Trade Name of Establishment (DBA) Double D'S Grill Inc		State Sales Tax Number [REDACTED]	Business Telephone 719-846-1716
3. Address of Premises (specify exact location of premises, include suite/unit numbers) 443 North Commercial Street			
City Trinidad	County Las Animas	State CO	ZIP Code 81092
4. Mailing Address (Number and Street) 2039 Piñon Street		City or Town Trinidad	State CO ZIP Code 81082
5. Email Address redwingale@comcast.net			
6. If the premises currently has a liquor or beer license, you must answer the following questions			
Present Trade Name of Establishment (DBA)	Present State License Number	Present Class of License	Present Expiration Date
<b>Section A Nonrefundable Application Fees</b>		<b>Section B (Cont.) Liquor License Fees</b>	
<input type="checkbox"/> Application Fee for New License ..... \$ 600.00 <input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review ..... \$ 700.00 <input type="checkbox"/> Application Fee for Transfer ..... \$ 600.00		<input type="checkbox"/> Liquor Licensed Drugstore (City) ..... \$227.50 <input type="checkbox"/> Liquor Licensed Drugstore (County) ..... \$312.50 <input type="checkbox"/> Manager Registration - H & R ..... \$ 75.00 <input type="checkbox"/> Manager Registration - Tavern ..... \$ 75.00 <input type="checkbox"/> Master File Location Fee ..... \$ 25.00 X _____ Total _____ <input type="checkbox"/> Master File Background ..... \$250.00 X _____ Total _____ <input type="checkbox"/> Optional Premises License (City) ..... \$500.00 <input type="checkbox"/> Optional Premises License (County) ..... \$500.00 <input type="checkbox"/> Racetrack License (City) ..... \$500.00 <input type="checkbox"/> Racetrack License (County) ..... \$500.00 <input type="checkbox"/> Resort Complex License (City) ..... \$500.00 <input type="checkbox"/> Resort Complex License (County) ..... \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County) ..... \$500.00 <input type="checkbox"/> Retail Liquor Store License (City) ..... \$227.50 <input type="checkbox"/> Retail Liquor Store License (County) ..... \$312.50 <input type="checkbox"/> Tavern License (City) ..... \$500.00 <input type="checkbox"/> Tavern License (County) ..... \$500.00 <input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00 <input type="checkbox"/> Vintners Restaurant License (County) ..... \$750.00	
<b>Section B Liquor License Fees</b>			
<input type="checkbox"/> Add Optional Premises to H & R ..... \$100.00 X _____ Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex ..... \$ 75.00 X _____ Total _____ <input type="checkbox"/> Arts License (City) ..... \$308.75 <input type="checkbox"/> Arts License (County) ..... \$308.75 <input type="checkbox"/> Beer and Wine License (City) ..... \$351.25 <input type="checkbox"/> Beer and Wine License (County) ..... \$436.25 <input type="checkbox"/> Brew Pub License (City) ..... \$750.00 <input type="checkbox"/> Brew Pub License (County) ..... \$750.00 <input type="checkbox"/> Club License (City) ..... \$308.75 <input type="checkbox"/> Club License (County) ..... \$308.75 <input type="checkbox"/> Distillery Pub License (City) ..... \$750.00 <input type="checkbox"/> Distillery Pub License (County) ..... \$750.00 <input checked="" type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00 <input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) ..... \$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) ..... \$600.00			
Questions? Visit: <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a> for more information			
Do not write in this space - For Department of Revenue use only			
Liability Information			
License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$

## Application Documents Checklist and Worksheet

**Instructions:** This checklist 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.

**Questions? Visit:** [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information

Items submitted, please check all appropriate boxes completed or documents submitted	
<b>I.</b>	<b>Applicant information</b> <input type="checkbox"/> A. Applicant/Licensee identified <input type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input type="checkbox"/> C. License type or other transaction identified <input type="checkbox"/> D. Return originals to local authority <input type="checkbox"/> E. Additional information may be required by the local licensing authority
<b>II.</b>	<b>Diagram of the premises</b> <input type="checkbox"/> A. No larger than 8 1/2" X 11" <input type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) <input type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input type="checkbox"/> D. Kitchen - identified if Hotel and Restaurant <input type="checkbox"/> E. Bold/Outlined Licensed Premises
<b>III.</b>	<b>Proof of property possession (One Year Needed)</b> <input type="checkbox"/> A. Deed in name of the Applicant (or) (matching question #2) date stamped / filed with County Clerk <input type="checkbox"/> B. Lease in the name of the Applicant (or) (matching question #2) <input type="checkbox"/> C. Lease Assignment in the name of the Applicant with proper consent from the Landlord and acceptance by the Applicant <input type="checkbox"/> D. Other Agreement if not deed or lease. (matching question #2) (Attach prior lease to show right to assumption)
<b>IV.</b>	<b>Background information and financial documents</b> <input checked="" type="checkbox"/> A. Individual History Records(s) (Form DR 8404-I) <input type="checkbox"/> B. Fingerprints taken and submitted to local authority (State Authority for Master File applicants) <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and or authorization to transfer license <input type="checkbox"/> D. List of all notes and loans (Copies to also be attached)
<b>V.</b>	<b>Sole proprietor / husband and wife partnership</b> <input type="checkbox"/> A. Form DR4679 <input type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant
<b>VI.</b>	<b>Corporate applicant information (if applicable)</b> <input type="checkbox"/> A. Certificate of Incorporation dated stamped by the Secretary of State <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation <input type="checkbox"/> D. List of officers, directors and stockholders of Applying Corporation (If wholly owned, designate a minimum of one person as Principal Officer of Parent)
<b>VII.</b>	<b>Partnership applicant information (if applicable)</b> <input type="checkbox"/> A. Partnership Agreement (general or limited). Not needed if husband and wife <input type="checkbox"/> B. Certificate of Good Standing (If formed after 2009)
<b>VIII.</b>	<b>Limited Liability Company applicant information (if applicable)</b> <input type="checkbox"/> A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office) <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Copy of operating agreement <input type="checkbox"/> D. Certificate of Authority if foreign company
<b>IX.</b>	<b>Manager registration for hotel and restaurant, tavern licenses when included with this application</b> <input type="checkbox"/> A. \$75.00 fee <input type="checkbox"/> B. Individual History Record (DR 8404-I) <input type="checkbox"/> C. If owner is managing, no fee required

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):				
(a) Been denied an alcohol beverage license?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
(b) Had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
10. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
Waiver by local ordinance? _____ or Other: _____		<input type="checkbox"/> <input type="checkbox"/>		
11. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
12. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement? ___ Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____		<input checked="" type="checkbox"/> <input type="checkbox"/>		
a. If leased, list name of landlord and tenant, and date of expiration, <b>exactly</b> as they appear on the lease:				
Landlord <i>Quintana Land Properties, LLC</i>	Tenant <i>Double D's Grill, Inc.</i>	Expires <i>7/31/17</i>		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.				
Last Name <i>NONE</i>	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
<b>Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.</b>				
14. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: Has a local ordinance or resolution authorizing optional premises been adopted?		<input type="checkbox"/> <input type="checkbox"/>		
Number of additional Optional Premise areas requested. (See license fee chart)		<input type="text"/>		
15. Liquor Licensed Drug Store applicants, answer the following: (a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? If "yes" a copy of license must be attached.		<input type="checkbox"/> <input type="checkbox"/>		
16. Club Liquor License applicants answer the following: <b>Attach a copy of applicable documentation</b>				
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?		<input type="checkbox"/> <input type="checkbox"/>		
(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?		<input type="checkbox"/> <input type="checkbox"/>		
(c) How long has the club been incorporated?		<input type="text"/>		
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?		<input type="checkbox"/> <input type="checkbox"/>		
17. Brew-Pub License or Vintner Restaurant Applicants answer the following: (a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)		<input type="checkbox"/> <input type="checkbox"/>		
18a. For all on-premises applicants. (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-I)				
Last Name of Manager <i>Quintana</i>	First Name of Manager <i>Samantha</i>	Date of Birth <i>[REDACTED]</i>		
18b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.				
Name	Type of License	Account Number		
19. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
If yes, provide an explanation and include copies of any payment agreements.				

20. 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 fingerprint cards to the local licensing authority.

Name	Home Address, City & State	DOB	Position	% Owned
Samantha Quintana	[REDACTED], Trinidad, CO 81083	[REDACTED]	Owner	100%
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned

\*\* If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20  
 \*\* Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)  
 \*\* 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, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

**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 	Printed Name and Title Samantha Quintana, Owner	Date 6/16/15
--------------------------	--	-----------------

**Report and Approval of Local Licensing Authority (City/County)**

Date application filed with local authority 7/21/15	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.) 9/11/2015
--	--

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

- 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

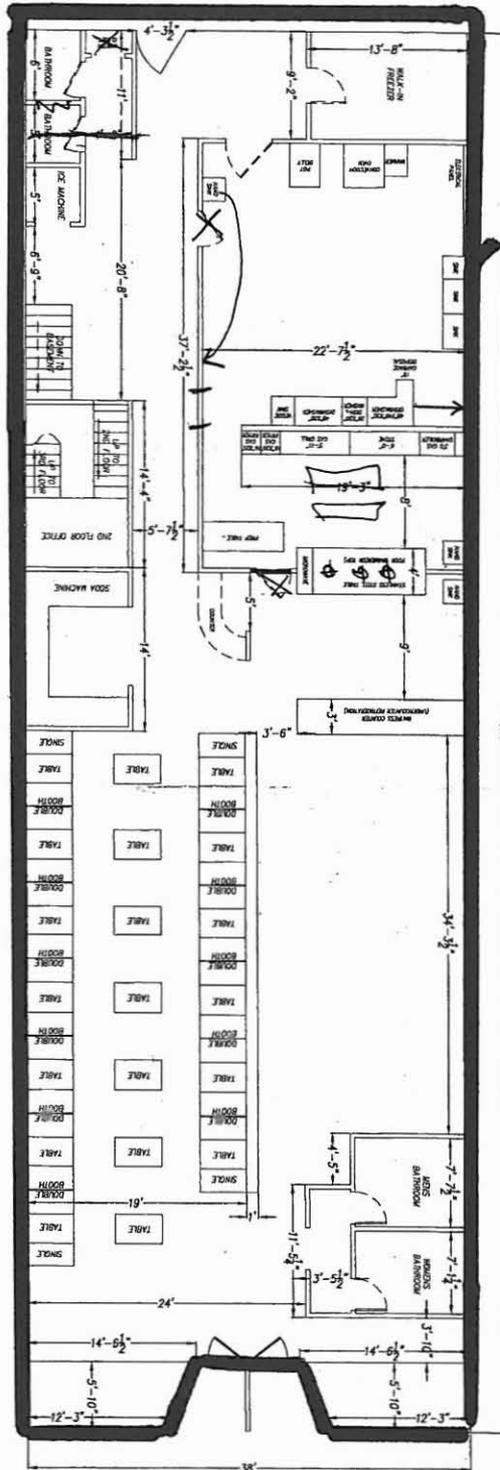
(Check One)

- Date of inspection or anticipated date 8/10/2015
- Will conduct inspection upon approval of state licensing authority

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

**Therefore, this application is approved.**

Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title
Signature (attest)	Print	Title
		Date
		Date



**PROPOSED FLOOR PLAN**  
 SCALE 3/16" = 1' (22'X34" FULL SIZE)  
 SCALE 3/32" = 1' (11'X17" HALF SIZE)

DRAWN BY LAP CHECKED BY RDJ DESIGNED BY RDJ APPROVED BY  DATE MAY 17, 2013 SCALE AS SHOWN SHEET NO. FLRPLN OF 1	<b>FLOOR PLAN</b> <b>PROPOSED BUILDING RESTORATION</b> <b>COMMERCIAL ST.</b> <b>TRINIDAD, CO 81082</b> <b>REDWING ELECTRIC</b>	<b>JUST Architectural &amp; Engineering</b> <b>Robert D. Just, P.E.</b> <b>719-845-1566</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	REVISIONS			NO.	DESCRIPTION	DATE												
REVISIONS																					
NO.	DESCRIPTION	DATE																			
			CALL UTILITY NOTIFICATION CENTER OF COLORADO <b>1-800-922-1987</b> CALL 2-48 HOURS IN ADVANCE BEFORE YOU DIG. ALWAYS CALL BEFORE FOR THE HANGING WARNING BY PROFESSIONAL LICENSE HOLDERS. <b>SCALE VERIFICATION</b> BAR IS ONE INCH ON ORIGINAL DRAWING IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY																		

## COMMERCIAL LEASE AGREEMENT

This Lease Agreement (this "Lease") is dated July 1, 2015, by and between Quintana Land Properties, LLC, (hereinafter called the "Landlord"), and Double D's Grill Inc., (hereinafter called the "Tenant"). The Parties agree as follows:

**WITNESS** that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Tenant, his/her heirs, executors, administrators, successors and assigns to be paid, observed and performed, the Landlord hereby leases unto the Tenant, his/her heirs, executors, administrators, successors and assigns for use and occupation as commercial Premises and for no other purpose, all those certain Premises known municipally as:

443 N. Commercial Street (Main Level-First Floor and Basement Storage only)  
Trinidad, CO 81082

(hereinafter called the "Premises") upon the following terms and conditions:

1. **RENTAL AMOUNT:** Commencing August 1, 2015 through August 31 2016, Tenant agrees to pay Landlord the sum of Four Thousand Dollars (\$4000.00) per month on the 1<sup>st</sup> day of each month or One Thousand Dollars (\$1,000.00) per week on Monday of each Week. Said Rent shall be delivered by Tenant to Landlord or the Landlord's designated agent at the following location:

225 E. Goddard Ave.  
Trinidad, CO 81082

Rent must be actually received by Landlord, or the Landlord's designated agent, in order to be considered in compliance with the terms of this agreement.

2. **TERM:** The Premises are leased for a lease term beginning on July 01, 2015 and continuing for 12 (Twelve) Months, until July 31, 2017.
3. **SECURITY DEPOSIT:** Tenant shall deposit with landlord the sum of Zero Dollars as a security deposit to secure Tenant's faithful performance of the terms of this lease (the "Deposit"). Tenant may not use the Deposit for Rent owed during the lease term. After the Tenant has vacated, leaving the Premises vacant, the Landlord may use the Deposit for the cleaning of the Premises and repair any unusual wear and tear to the Premises or common areas. Within 7 Days of the Tenant vacating the Premises, Landlord shall furnish Tenant a written statement indicating any amounts deducted from the Deposit and return the unused balance to the Tenant. If Tenant fails to furnish a forwarding address to Landlord, then Landlord shall send said statement and any security deposit refund to the Premises.
4. **INITIAL PAYMENT:** Tenant shall pay the first month rent of Four Thousand Dollars (\$4000.00) and the Deposit in the amount of Zero Dollars. Said payment shall be made in the

form of cash, cashier's check or Electronic Funds Transfer and is due in full prior to occupancy.

5. **USE OF PREMISES:** Tenant shall use the Premises exclusively for the following business/commercial purposes: To Operate a Restaurant in the space provided. The premises may not be used for any other commercial purposes absent landlord consent and shall not use or permit anyone to use the Premises or any part thereof for any other purpose or business or by any persons other than Tenant. Tenant may also use the Premises for any other purposes related to the main use. The Premises shall not be used for any illegal purpose, or in violation of any rules or regulations, or in any manner to create any nuisance or trespass.
6. **SUBLETTING OR ASSIGNMENTS:** The Tenant will not assign, set over, transfer, sublet, or sub-lease, hypothecate, encumber or in any way deal with or part with the whole of the Premises to anyone, for or during the whole or any part of this term, without written consent first being obtained from the Landlord, but such consent shall not be unreasonably withheld, provided, however, and it is made a condition to the giving of such consent that:
  - (a) The proposed assignee or sub-lessee of this Lease shall agree in writing to assume and perform all of the terms, covenants, conditions and agreements by this Lease imposed upon the Tenant herein in the form to be approved by the solicitor for the Landlord;
  - (b) No assignments or sub-lease shall in any manner release the Tenant from its covenants and obligations hereunder; it is understood however, that no sub-letting or sub-leasing or parting with possession of a part or parts of the Premises shall take place except with the written consent of the Landlord which consent shall not be unreasonably withheld.
  - (c) It is understood and agreed that any sub-leasing of part or all of the Premises must be accordance with the municipal zoning and building code requirements at Tenant's or Sub-Tenant's expense.
7. **UTILITIES:** Tenant acknowledges to pay as the same become due respectively, all charges for public utilities, including water, gas, electrical power or energy, steam or hot water used upon or in respect of the Premises and for fittings, machines, apparatus, meters or other things leased in respect thereof and for all work or services performed by any company or commission in connection with such public utilities, including Refuse Disposal.
8. **TAXES: During the Term of this Agreement, real estate taxes, personal property taxes, and documentary and rental taxes will accrue and become due. The following parties will be responsible for tax payments:**
  - (a) **Real Estate Taxes and Assessment:** Tenant shall pay for all real estate taxes and tax assessments, which may be levied or assessed by any federal, state, municipal and local taxing authorities against the Premises. Payment of all such real estate taxes must be made directly to the concerned taxing authority.

(b) Personal Property Taxes and Assessments: Tenant shall pay all federal, state, municipal, and local taxes, including any fees in lieu of taxes, which may be assessed against any of the fixtures, furnishings, equipment, installed or used on the Premises.

(c) Documentary and Rental Taxes: Tenant shall pay any levy charges assessed or imposed by any governmental taxing authority including any documentary stamp tax, excise and/or assessment imposed due to the execution of this Agreement, either by way of substitution or in addition to any existing tax on land and buildings or otherwise.

9. LATE CHARGE/BAD CHECKS: A late charge of Eighteen Percent (18%) of the currently due Rent amount shall be incurred if Rent is paid after its due date. If Rent is not paid when due and landlord issues a "Notice To Pay Rent Or Quit", Tenant must tender cash or a cashier's check only. Additionally, absent the issuance of a "Notice To Pay Rent Or Quit", if Tenant at any time tenders a check, which is dishonored by a banking institution, than Tenant shall only tender cash or cashier's check for all future payments. This shall continue until such time as written consent to pay via check is obtained from Landlord. In addition, Tenant shall be liable in the sum of One Hundred Fifty Dollars (\$150.00) for each check that is returned to Landlord because the check has been dishonored.
10. CONDITION OF PREMISES: Tenant acknowledges that the Premises have been inspected. Tenant acknowledges that the Premises have been cleaned and all items, fixtures, appliances, and appurtenances are in complete working order. Tenant promises to keep the **Premises in a neat and sanitary condition** and to immediately reimburse Landlord for any sums necessary to repair any item, fixture or appurtenance that needs service due to Tenant's, or Tenant's invitee's, misuse or negligence. Tenant shall be responsible for any and all cleaning or repair to any plumbing fixture where a stoppage has occurred.
11. MAINTENANCE AND REPAIR: Both parties equally Tenant shall be responsible for conducting all maintenance and repairs necessary to maintain the Premises and the utilities in a good and operating condition. Both parties equally will maintain and make all necessary repairs to: the roof, windows, doors, ceilings, floor coverings, structural components, exterior walls, and interior walls of the Premises, and the plumbing, electrical, heating, ventilating, and air-conditioning systems. The Tenant will also clean and maintain (including snow removal) the parking areas, yards, common areas, and exterior of the Premises so that the Premises will be kept in a safe and attractive condition. The Tenant shall repair or restore any damage or injury to all or any part of the Premises caused by Tenant or Tenant's agents, employees, invitees, or visitors. Tenant shall have the Ansell Hood System Cleaned/Serviceed by Licensed Professional, a minimum of one time per year per HVAC recommendation or as needed to prevent potential fire hazard.
12. TRADE FIXTURES: The Tenant may install its usual trade fixtures in the usual manner, provided such installation does not damage the structure of the building of which the Premises forms part, and provided the Tenant has paid the rent hereby reserved and performed the covenants herein contained and on its part to be performed, the Tenant shall have the right at expiration or other termination of this Lease to remove its own signs and

such trade fixtures, but the Tenant shall make good the damage or injury caused to the Premises that shall have resulted from such installation and removal. Provided that any additions, alterations or improvements which in any manner are or shall be attached to the floors, walls or ceilings and floor covering cemented or otherwise affixed to the floor of the Premises and removal of said additions, alterations, or improvements will cause substantial damage to the Premises then the additions, alterations or improvements shall at the option of the Landlord remain and become the property of the Landlord at the expiry of this Lease.

13. **TENANT WASTE:** The Tenant will not bring upon the Premises or any part thereof any machinery, equipment, article or thing that by reason of its weight or size might damage the Premises and will not at any time overload the floors of the Premises and that if any damage is caused to the Premises by any machinery, equipment, article or thing or by overloading or any act, neglect or misuse on the part of the Tenant or any of its servants, agents or employees or any person having business with the Tenant, Tenant will forthwith pay to the Landlord the costs of making good the same.
14. **LANDLORD'S RIGHT OF ENTRY:** That it shall be lawful for the Landlord and its agents with no notice, and at all reasonable times so as to not disrupt Tenant's business during the said term, to enter the Premises to inspect the condition thereof.
15. **TENANT'S SIGN INSTALLATION:** The Tenant may install in, upon or about the Premises signs, which shall remain the property of the Tenant, provided that any damage caused thereby or by the removal thereof to the Premises shall be immediately repaired by the Tenant. All sign location and sizes must be first approved in writing by the Landlord (which approval will not be unreasonably withheld) and must conform to all local municipal by-laws. The Tenant may place its name on the sign pylon exhibiting the name of all the Tenants in the Commercial Building, provided space is available. The Tenant shall comply at its cost with all Municipal By-Laws respecting its signs and shall be responsible at its cost to repair any damages to the Premises and building related to or caused by the installation of its signs.
16. **TENANT ALTERATIONS:** The Tenant shall have the right to make alterations and installations at its own expense from time to time during the Lease term, or any renewal thereof, provided it has the prior written consent of the Landlord, which is not to be unreasonably withheld. Any erection, addition or improvement placed upon the Premises shall at the option of the Landlord be removed at the expiry of the Lease or any renewal thereof and shall be subject to all the provisions of this Lease. The Tenant agrees to repair at its cost any damages to the Premises, beyond normal wear and tear, including flooring, walls, electrical, plumbing and HVAC equipment at the expiry of the Lease or any renewal thereof. The Tenant and Landlord shall make a final inspection of the Premises within fifteen (15) days of the expiry of the Lease or any renewal thereof and vacant possession by the Landlord.
17. **HOLD HARMLESS:** The Tenant agrees that the Landlord shall not, in any event whatsoever, be liable or responsible in any way for any personal injury or death that may be suffered or sustained by any employee, servant or agent of the Tenant, any sub-lessee or licensee of the Tenant or any person on the business of the Tenant or its sub-lessees or licensees who may

be upon the Premises or the Commercial Building of which the Premises form part or any part, or for any loss of, or damage or injury to, any property, including cars and contents thereof, belonging to the Tenant, any employee, servant or agent of the Tenant, any sub-lessee or licensee of the Tenant or any person on the business of the Tenant or its sub-lessees or licensees in or about the Premises while such property is on the Premises or said Commercial Building and which may be caused or occasioned by any cause or matter whatsoever.

18. **INSURANCE:** Tenant shall during the term of this Agreement, maintain a public liability and property damage insurance with respect to the Premises. Such policy shall name Landlord, as insured. The insurance shall be taken from an insurance company approved by Landlord, and a copy of the said policy shall be delivered to Landlord prior to commencement of this Agreement. The Tenant also shall maintain personal property insurance, at its sole expense, protecting against all risks of physical loss, insuring fixtures, furnishings, equipment and all other items of personal property of Tenant.
19. **EXTENSION OF LEASE TERM:** In the event the Tenant remains in possession of the Premises after the end of the term herein and without the execution and delivery of a new Lease, and the term hereby granted, and the Tenant shall be deemed to be using the Premises as a Tenant from month to month at a monthly rental, as determined by the Landlord, payable in advance, and otherwise upon the same terms and conditions and provisions as are set forth in this Lease insofar as the same are applicable to a month to month tenancy.
20. **POSSESSION:** If the Premises cannot be delivered to Tenant on the agreed date due to loss, total or partial destruction of the Premises, or failure of previous Tenant to vacate, either party may terminate this agreement upon written notice to the other party at their last known address. It is acknowledged that either party shall have no liability to each other except that all sums paid to Landlord will be immediately refunded to Tenant.
21. **ABANDONMENT:** It shall be deemed a reasonable belief by the Landlord that an abandonment of the Premises has occurred where rent has been unpaid for 30 consecutive days and the Tenant has been absent from unit for 14 consecutive days. In that event, Landlord may serve written notice if Tenant does not comply with the requirements of said notice in 30 days, the Premises shall be deemed abandoned.
22. **SUBORDINATION:** This Lease and everything contained shall be deemed to be subordinate to any charge or charges from time to time created by the Landlord with respect to the Premises by way of mortgage or charge and the Tenant hereby covenants and agrees that it will promptly at any time and from time to time, as required by the Landlord during the term hereof, execute all documents and give all further assurances to this proviso as may be reasonably required to effectuate the postponement of its rights and privileges hereunder to the holder or holders of any such charge or charges, provided that such mortgage or mortgages shall permit the Tenant to continue in quiet possession of the Premises in accordance with the terms and conditions hereof as long as the Tenant is not in default hereunder and whether or not such mortgage or mortgages are in default.

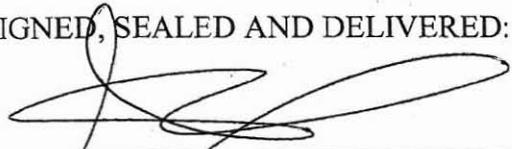
23. CERTIFICATES OF TENANCY: The Tenant agrees to provide the Landlord upon request from time to time a certificate or certificates that the Lease herein is in full force and effect and that the term has not been varied, amended or waived if such is the case and that the rents hereunder are not in arrears.
24. WAIVER: Landlord's failure to require compliance with the conditions of this agreement, or to exercise any right provided herein, shall not be deemed a waiver by Landlord of such condition or right. Landlord's acceptance of rent with knowledge of any default under agreement by Tenant shall not be deemed a waiver of such default, nor shall it limit Landlord's rights with respect to that or any subsequent right. If it is further agreed between the parties that the payment of rent at any time shall not be a waiver to any UNLAWFUL DETAINER action unless Landlord in writing specifically acknowledges that this constitutes a waiver to the UNLAWFUL DETAINER action.
25. VALIDITY/SEVERABILITY: If any provision of this agreement is held to be invalid, such invalidity shall not affect the validity or enforceability of any other provision of this agreement.
26. TIME OF ESSENCE: Time shall be of the essence of the agreement save as herein otherwise specified.
27. EMINENT DOMAIN: If the whole of the Premises, or any part thereof is condemned or taken away by any authority for any public use, which makes the Premises unusable then this Agreement may be terminated at the option of both Landlord and Tenant by giving written notice to the other and Rent shall be accounted for as between Landlord and Tenant as of that date. If only a portion of the Premises is so taken, but not such amount as will make the Premises unusable, this lease shall continue in full force and effect, the Rent shall be reduced pro rata in proportion to the amount of the Premises so taken, and Landlord shall promptly do all necessary repair and restoration work to restore all affected portions of the Premises.
28. REGULATION COMPLIANCE: Tenant agrees to comply promptly with and conform to the requirements of all applicable statutes, laws, by-laws, regulations, ordinances, and orders from time to time or at any time in force during the term hereof and affecting the condition, equipment, maintenance, use or occupation of the Premises and with every applicable regulation, order and requirement of the governing underwriters' association or anybody having similar functions or of any liability or fire insurance company by which the Landlord and the Tenant or either of them may be insured at any time during the term hereof, and that, in any event of the default of the Tenant under the provision of this sub-clause, the Landlord may itself comply with any such requirements as aforesaid and the Tenant will forthwith pay all costs and expenses incurred by the Landlord in this regard and the Tenant agrees that all such costs and expenses shall be recoverable by the Landlord as if the same were additional rent reserved and in arrears under the Lease.
29. DISPUTE RESOLUTION: If any dispute arises under this Agreement, the parties will settle the same through binding arbitration conducted by an arbitrator to be mutually selected. The parties will share the costs of the binding arbitration equally. Each party will cooperate fully

and fairly with the arbitrator. Any dispute will be arbitrated by an arbitrator in accordance with the rules of the American Arbitration Association (AAA). Judgment on the binding arbitration award may be entered in any court that has jurisdiction over the matter. Costs of arbitration, including lawyers' fees will be allocated by the arbitrator.

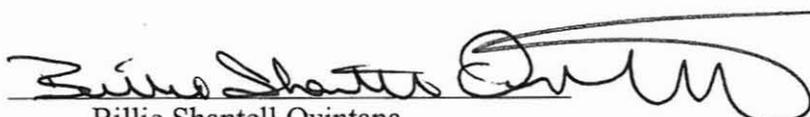
- 30. NOTICES: All notices to the Tenant shall be deemed served upon mailing by first class mail, addressed to the Tenant, at the Premises or upon personal delivery to the Premises whether or not Tenant is actually present at the time of said delivery. All notices to the Landlord shall be served by mailing first class mail or by personal delivery to: 225 E. Goddard Ave., Trinidad, CO 81082
- 31. PERSONAL PROPERTY OF TENANT: Once Tenant vacates the Premises, all personal property left in the unit shall be stored by the Landlord for 10 (ten) days. If within that time period, Tenant does not claim said property, Landlord may dispose of said items in any manner Landlord chooses.
- 32. APPLICATION: All statements in Tenant's application must be true. Misrepresentations shall constitute a material breach of this lease.
- 33. GOVERNING LAW: This Agreement shall be construed in accordance with, and governed in all respects by, the laws of the State of CO, without regard to conflicts of law principles.
- 34. ENTIRE AGREEMENT: The foregoing agreement, including any attachments incorporated by reference, constitutes the entire agreement between the parties and supersedes any oral or written representations or agreements that may have been made by either party. Further, Tenant represents that Tenant has relied solely on Tenant's judgment in entering into this agreement. Tenant acknowledges having been advised to consult with independent legal counsel before entering into this Agreement and has decided to waive such representation and advice. Tenant acknowledges that Tenant has read and understood this agreement and has been furnished a duplicate original.

**IN WITNESS WHEREOF**, the said parties hereto have hereunto set their hands and seals as of the date first here above written.

SIGNED, SEALED AND DELIVERED:

  
\_\_\_\_\_  
Samantha Quintana,  
Quintana Land Properties, LLC  
July 01, 2015

  
\_\_\_\_\_  
Samantha Quintana,  
Double D's Grill Inc.  
July 01, 2015

Witnessed by:   
\_\_\_\_\_  
Billie Shantell Quintana



Colorado Secretary of State  
 Date and Time: 06/16/2015 02:37 PM  
 ID Number: 20151391699  
 Document number: 20151391699  
 Amount Paid: \$50.00

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

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Incorporation for a Profit Corporation**  
 filed pursuant to § 7-102-101 and § 7-102-102 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for the corporation is

Double D's Grill Inc.

*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the corporation's initial principal office is

Street address 443 North Commercial  
*(Street number and name)*

Trinidad CO 81082  
*(City) (State) (ZIP/Postal Code)*

United States  
*(Province - if applicable) (Country)*

Mailing address  
 (leave blank if same as street address) \_\_\_\_\_  
*(Street number and name or Post Office Box information)*

\_\_\_\_\_  
*(City) (State) (ZIP/Postal Code)*

\_\_\_\_\_  
*(Province - if applicable) (Country)*

3. The registered agent name and registered agent address of the corporation's initial registered agent are

Name  
 (if an individual) \_\_\_\_\_  
*(Last) (First) (Middle) (Suffix)*

or  
 (if an entity) Century Financial Group  
*(Caution: Do not provide both an individual and an entity name.)*

Street address 109 West Main  
*(Street number and name)*

Trinidad CO 81082  
*(City) (State) (ZIP/Postal Code)*

Mailing address  
 (leave blank if same as street address) \_\_\_\_\_  
*(Street number and name or Post Office Box information)*

\_\_\_\_\_  
*(City) (State) (ZIP/Postal Code)*

(The following statement is adopted by marking the box.)

The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name  
(if an individual) Quintana Samantha  
(Last) (First) (Middle) (Suffix)

or  
(if an entity)  
(Caution: Do not provide both an individual and an entity name.)

Mailing address 2039 Pinon  
(Street number and name or Post Office Box information)  
Trinidad CO 81082  
(City) (State) (ZIP/Postal Code)  
United States.  
(Province - if applicable) (Country)

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

The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. The classes of shares and number of shares of each class that the corporation is authorized to issue are as follows.

The corporation is authorized to issue 10,000 common shares that shall have unlimited voting rights and are entitled to receive the net assets of the corporation upon dissolution.

Information regarding shares as required by section 7-106-101, C.R.S., is included in an attachment.

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

This document contains additional information as provided by law.

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

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

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

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

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

Grove \_\_\_\_\_ Dave \_\_\_\_\_  
(Last) (First) (Middle) (Suffix)  
109 West Main \_\_\_\_\_  
(Street number and name or Post Office Box information)

Trinidad \_\_\_\_\_ CO 81082 \_\_\_\_\_  
(City) (State) (ZIP/Postal Code)  
United States \_\_\_\_\_  
(Province - if applicable) (Country)

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

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

**Disclaimer:**

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

## Individual History Record

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

**Notice:** This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business <i>Double D's Grill Inc</i>		Home Phone Number <i>(719) 845-1806</i>	Cellular Number <i>(719) 680-1714</i>	
2. Your Full Name (last, first, middle) <i>Quintana Samantha Eileen</i>		3. List any other names you have used		
4. Mailing address (if different from residence) <i>2039 Bron Street</i>		Email Address <i>redwingale@comcast.net</i>		
5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary)				
<b>Street and Number</b>		<b>City, State, Zip</b>		<b>From</b>
<b>To</b>				
Current [REDACTED]		<i>Trinidad, CO 81092</i>		<i>1998</i>
Previous [REDACTED]		<i>Trinidad, CO 81092</i>		<i>1973</i>
6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary)				
<b>Name of Employer or Business</b>		<b>Address (Street, Number, City, State, Zip)</b>		<b>Position Held</b>
<b>From</b>		<b>To</b>		
<i>Rodwing Electric Inc</i>		<i>225 E Goddard Ave, Trinidad</i>		<i>Master</i>
<i>1995</i>		<i>Pres</i>		
7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.				
<b>Name of Relative</b>		<b>Relationship to You</b>		<b>Position Held</b>
<b>Name of Licensee</b>				
<i>None</i>				
8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				
9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)  Yes  No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.)  Yes  No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.)  Yes  No

**Personal and Financial Information**

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

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

14. Financial Information.

a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ 40,000.00

b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ 40,000.00

\* If corporate investment only please skip to and complete section (d)  
 \*\* Section b should reflect the total of sections c and e

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

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount
Check - IRA Wells Fargo - Wachovia	Bus Checking	The First Nat'l Bank	40,000.00

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

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount

**Oath of Applicant**

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

Authorized Signature	Print Signature	Title	Date
	Samantha Quintana	President	6/29/15

To Whom It May Concern:

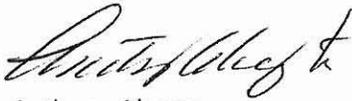
This letter serves to recommend approval for a Liquor License for Samantha Quintana. Samantha surely meets all the criteria required for approval.

If integrity plays a part in the requirements, she definitely deserves approval.

I cannot think of anyone in the city or county who is more deserving than this young lady entrepreneur.

I trust my recommendation will warrant your consideration.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Anthony Abeyta".

Anthony Abeyta

verified 8/13/15

January 26, 2015

To Whom it May Concern,

I have known Samantha Quintana in a couple of different capacities for about 20 years. We met when we were both serving as ambassadors for the Chamber of Commerce. She has also called me in my business capacity at the Workforce Center when she has needed to hire someone at her business.

Samantha is organized, efficient and extremely competent. She has excellent communication skills and is a very dedicated and generous person.

I highly recommend Samantha for any endeavor that she pursues.

Sincerely,



Sheri Files

verified 8/4/15

Cy Michaels  
2833 Toupal Drive  
Trinidad, Co 81082  
719-859-2277

Dear Honorable Mayor and City Council,

I am writing this reference letter for Samantha Quintana, who I understand is applying for a liquor license.

I have known Samantha for over twenty years both personally and in business. Samantha has always been an impressive community mentor donating for many organizations that I have been affiliated with both monetarily -and with her time. I feel our town has been lucky to have Redwing Electric come from two locally grown girls that have worked hard to attain the education and business savvy that they have attained and kept many people with jobs and taught many others a trade. She has been a leader in our small town as an amazing successful business owner.

I've seen her work firsthand as I've utilized her business on numerous occasions, the largest project was when we built the La Quinta and her business was granted the electrical contract. Her contract was the easiest of all contracts for me to work with due to their honor in their word and workmanship. I understand she wants to attain a liquor license to promote a business/building that she is trying to gain a greater depth of diversity. I applaud her efforts.

Thank you for your consideration,

  
Cy Michaels

*verified 8/4/15*

DATE 08/11/2015

PD TRINIDAD  
2309 E MAIN ST  
TRINIDAD, CO 81082

RE: QUINTANA, SAMANTHA EILEEN  
SOC: XXX-XX [REDACTED]

DATE OF BIRTH: [REDACTED]

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

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

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

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

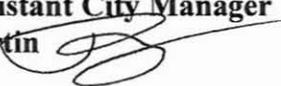
Sincerely,  
Ronald C. Sloan, Director  
Colorado Bureau of Investigation

NAME: QUINTANA, SAMANTHA EILEEN  
CBI PCN: 014C0000314612  
STATE ID NUMBER: 736553  
FBI PCN: E2015223000000101510  
FBI NUMBER:  
DATE OF BIRTH: 19710921  
SSN: 521190012  
DCL:  
REASON FOR REJECTION: L0008 - The quality of the characteristics is too low to be used.



# Trinidad Police Department

2309 E Main St.  
Trinidad, Co 81082  
(719) 846-4441 (719) 846-3728 (fax)

To Audra Garrett, Assistant City Manager  
From Det Sgt Phil Martin   
August 24, 2015

**RE: Back ground check, Samantha Quintana Double D's Grill Inc**

**To whom it may concern:**

A check of various public access data bases was conducted n the above listed applicant. The following was found:

Las Animas County Court TRAFFIC-Speeding too fast for conditions 13R791

No other items were found.

If additional information is needed, please feel free co contact this agency.



## NOTICE OF PUBLIC HEARING

PURSUANT TO THE LIQUOR LAWS OF COLORADO, Double D's Grill, Inc., 443 N. Commercial Street, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new hotel and restaurant liquor license at this location to sell malt, vinous and spirituous liquors.

Hearing on application will be held on Tuesday, September 1, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: July 21, 2015

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

Dated this 23rd day of July, 2015.

By order of the Trinidad City Council.

CITY OF TRINIDAD, COLORADO

  
\_\_\_\_\_  
Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of July, 2015, I mailed the Notice of Public Hearing by first-class mail, postage pre-paid to:

Double D's Grill, Inc.  
2039 Pinon Street  
Trinidad, CO 81082

  
Audra Garrett, City Clerk

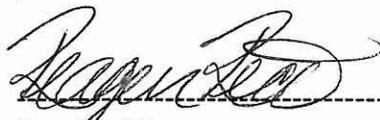
PROOF OF PUBLICATION

STATE OF COLORADO  
COUNTY OF LAS ANIMAS } SS

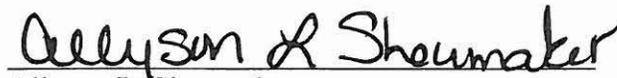
Reagen Rico, of lawful age, being first duly sworn upon oath, deposes and says that she is the authorized agent of The Chronicle-News, daily newspaper of general circulation which is published and circulated in the City of Trinidad, Las Animas County, Colorado, that said newspaper is a newspaper of general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

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

58987                      July 27, 2015

  
-----  
Reagen Rico

Subscribed and sworn to before me this  
3 day of August,  
A. D., 2015.

  
Allyson L. Sheumaker

My commission expires on August 26, 2015

NOTICE OF PUBLIC HEARING

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Dated this 23rd day of July, 2015.

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

PUBLISHED: July 27, 2015                      58987

  
ALLYSON L SHEUMAKER  
NOTARY PUBLIC, STATE OF COLORADO

My Comm. Expires August 26, 2015

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, Double D's Grill, Inc., 443 N. Commercial Street, Trinidad, Colorado, which business has applied for a new hotel and restaurant liquor license to sell malt, vinous and spirituous liquors at said location, was duly posted for not less than fifteen continuous days, with the first day of posting occurring on the 7<sup>th</sup> day of August, 2015.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 7<sup>th</sup> day of August, 2015.

CITY OF TRINIDAD, COLORADO

(S E A L)

Audra Garrett  
Audra Garrett, City Clerk

7/23/15

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

Applicant: Double D's Grill, Inc.

dba:

Address: 443 N. Commercial Street

Type of License: Hotel & Restaurant

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE:

September 1, 2015, 7:00 p.m.

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspection on file

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7/27/15  
Date

[Signature]  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 10, 2015

7/23/15

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

Applicant: Double D's Grill, Inc.

dba:

Address: 443 N. Commercial Street

Type of License: Hotel & Restaurant

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: September 1, 2015, 7:00 p.m.

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: suspect on file  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7/27/15  
Date

[Signature]  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 10, 2015

7/23/15

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

Applicant: Double D's Grill, Inc.

dba:

Address: 443 N. Commercial Street

Type of License: Hotel & Restaurant

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: September 1, 2015, 7:00 p.m.

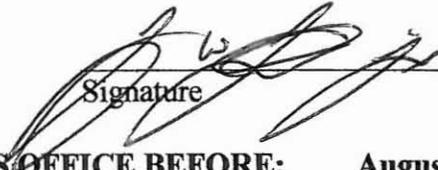
\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: . FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: No concerns  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7-28-15  
Date

  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 10, 2015

## Audra Garrett

---

**From:** John Martinez [jmartinez@la-h-health.org]  
**Sent:** Friday, July 24, 2015 8:14 AM  
**To:** Audra Garrett  
**Subject:** Re: liquor

Hi Audra,  
Double D's Grill, Inc. at 443 N Commercial Street is in compliance with this agency....John Martinez

On Thu, Jul 23, 2015 at 2:35 PM, Audra Garrett <[audra.garrett@trinidad.co.gov](mailto:audra.garrett@trinidad.co.gov)> wrote:

Double D's Grill, Inc. at 443 N. Commercial Street has made application for a hotel & restaurant liquor license. Please advise as to their compliance with your office. Thank you.

*Audra Garrett* Asst. City Manager

City of Trinidad

135 N. Animas Street

Trinidad, CO 81082

(719) 846-9843 ext. 135

(719) 846-4140 fax

[audra.garrett@trinidad.co.gov](mailto:audra.garrett@trinidad.co.gov)



--  
John Martinez Environmental Health  
Las Animas/Huerfano Counties District Health Department  
719-846-2213 ex 27  
[jmartinez@la-h-health.org](mailto:jmartinez@la-h-health.org)



# CITY of TRINIDAD

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

August 7, 2015

Double D's Grill, Inc.  
2039 Pinon Street  
Trinidad, CO 81082

Dear Applicant:

You recently applied for a new hotel & restaurant liquor license. The Trinidad City Council as the local liquor licensing authority has scheduled a hearing on your application for Tuesday, September 1, 2015, at 7:00 p.m. The City Council has also tentatively established the boundaries of the neighborhood in which the establishment is proposed to be located as the area within the corporate boundaries of the City of Trinidad.

Below are procedures you should follow at the hearing. Remember that the approval of this application and the granting of the requested license are not automatic. Well in advance of the hearing, the information provided in the application and the other forms and questionnaires, particularly with respect to criminal convictions, needs to be reviewed. Any corrections, alterations, deletions or additions need to be provided to the City Clerk no later than one week before the scheduled hearing. A knowing misstatement in any of these forms constitutes grounds for denial of the license.

Procedures to be followed at hearing:

- A. Avoid repetitive testimony which adds little to your case.
- B. All applicants (with the exception of club licenses) have the burden of proving that the needs of the neighborhood and desires of the inhabitants are not being met. Present your evidence to support this as concisely as possible. This may be in the form of verbal testimony, petitions, or other means.

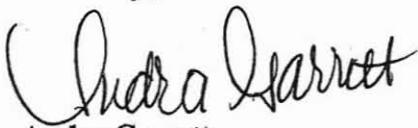
Double D's Grill, Inc.  
August 7, 2015  
Page 2

- C. Petitions - Before any liquor or beer license can be issued, two requirements must be affirmatively established that (1) the reasonable requirements of the neighborhood are not being met by existing outlets, and (2) that the inhabitants of the neighborhood desire that it be issued. One manner of showing this is by circulating petitions within the defined neighborhood (affected area). Many applicants use a marketing survey firm to circulate petitions. A sample petition is enclosed should you decide to do your own survey.

Please remember that because the applicant has received approval of the application by the local authority does not mean that a license will ultimately be issued. Every application is subject to review by the State of Colorado, and the Colorado Department of Revenue Liquor Enforcement Division must issue a State License before the City of Trinidad may issue a City License. The process of getting the application to the State, their review and issuance of their license, often takes three to four weeks to complete (less time if concurrent review is requested). You will be notified immediately when both the State and City licenses are ready to be mailed or picked up.

If you have any questions, please call.

Sincerely,

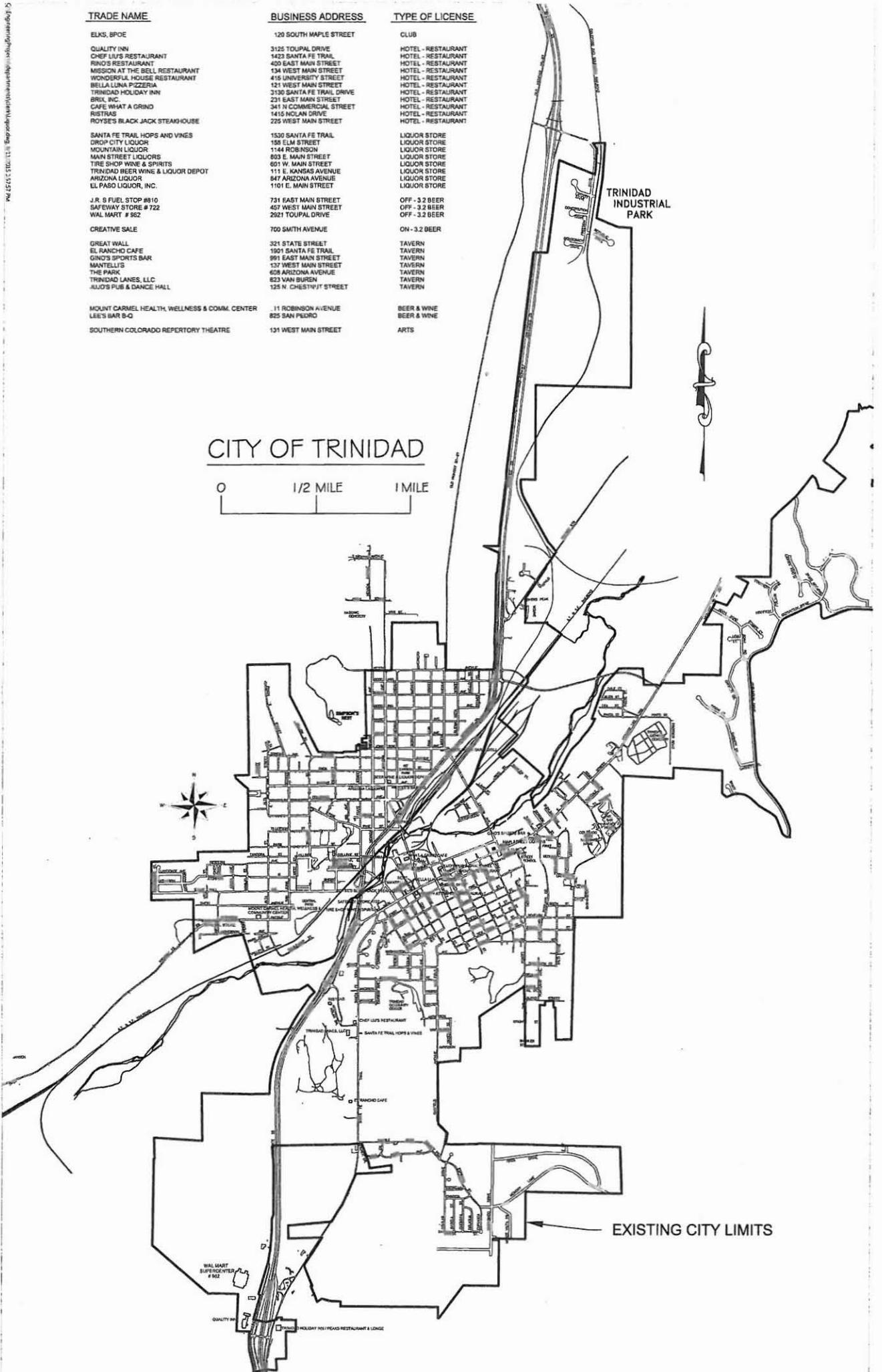
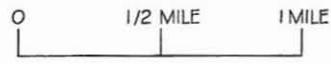


Audra Garrett  
City Clerk

Encs.

TRADE NAME	BUSINESS ADDRESS	TYPE OF LICENSE
ELKS, BPOE	120 SOUTH MAPLE STREET	CLUB
QUALITY INN	3125 TROUPAL DRIVE	HOTEL - RESTAURANT
CHEF LUPI'S RESTAURANT	1423 SANTA FE TRAIL	HOTEL - RESTAURANT
RINO'S RESTAURANT	400 EAST MAIN STREET	HOTEL - RESTAURANT
MISSION AT THE BELL RESTAURANT	134 WEST MAIN STREET	HOTEL - RESTAURANT
WONDERFUL HOUSE RESTAURANT	416 UNIVERSITY STREET	HOTEL - RESTAURANT
BELLA LUNA PIZZERIA	121 WEST MAIN STREET	HOTEL - RESTAURANT
TRINIDAD HOLIDAY INN	3130 SANTA FE TRAIL DRIVE	HOTEL - RESTAURANT
BRK, INC.	231 EAST MAIN STREET	HOTEL - RESTAURANT
CAFE WHAT A GRIND	341 N COMMERCIAL STREET	HOTEL - RESTAURANT
RISTRAS	1415 NOLAN DRIVE	HOTEL - RESTAURANT
ROYCE'S BLACK JACK STEAKHOUSE	225 WEST MAIN STREET	HOTEL - RESTAURANT
SANTA FE TRAIL HOPS AND VINES	1530 SANTA FE TRAIL	LIQUOR STORE
DROP CITY LIQUOR	158 ELM STREET	LIQUOR STORE
MOUNTAIN LIQUOR	1144 ROBINSON	LIQUOR STORE
MAIN STREET LIQUORS	803 E. MAIN STREET	LIQUOR STORE
TRE SHOP WINE & SPIRITS	601 W. MAIN STREET	LIQUOR STORE
TRINIDAD BEER WINE & LIQUOR DEPOT	111 E. KANSAS AVENUE	LIQUOR STORE
ARIZONA LIQUOR	847 ARIZONA AVENUE	LIQUOR STORE
EL PASO LIQUOR, INC.	1101 E. MAIN STREET	LIQUOR STORE
J.R. S FUEL STOP #810	731 EAST MAIN STREET	OFF - 3.2 BEER
SAFWAY STORE # 722	457 WEST MAIN STREET	OFF - 3.2 BEER
WAL MART # 562	2921 TROUPAL DRIVE	OFF - 3.2 BEER
CREATIVE SALE	700 SMITH AVENUE	ON - 3.2 BEER
GREAT WALL	321 STATE STREET	TAVERN
EL RANCHO CAFE	1501 SANTA FE TRAIL	TAVERN
GINO'S SPORTS BAR	991 EAST MAIN STREET	TAVERN
MANTELLI'S	137 WEST MAIN STREET	TAVERN
THE PARK	628 ARIZONA AVENUE	TAVERN
TRINIDAD LANES, LLC	823 VAN BUREN	TAVERN
ALJO'S PUB & DANCE HALL	125 N. CHESTNUT STREET	TAVERN
MOUNT CARMEL HEALTH, WELLNESS & COMM. CENTER	11 ROBINSON AVENUE	BEER & WINE
LEE'S BAR B-Q	825 SAN PEDRO	BEER & WINE
SOUTHERN COLORADO REPERTORY THEATRE	131 WEST MAIN STREET	ARTS

# CITY OF TRINIDAD



TRINIDAD INDUSTRIAL PARK

EXISTING CITY LIMITS

**DISCLOSURE STATEMENT**

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

  
\_\_\_\_\_  
Michelle Miles  
12/4/12  
\_\_\_\_\_  
Date

**DISCLOSURE STATEMENT**

I, Liz Torres, hereby state and affirm that I am a member of Ristras Restaurant and Cantina, LLC, a Colorado limited liability company formed on February 13, 2014, whose principal office address is 516 Elm Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Ristras Restaurant and Cantina, a hotel and restaurant licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 516 Elm Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 34% interest in Ristras Restaurant and Cantina, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.

  
\_\_\_\_\_  
Liz Torres  
4.8.14  
\_\_\_\_\_  
Date

This matter came on for hearing on the application of Double D's Grill, Inc. at 443 N. Commercial Street in Trinidad, Colorado, for a Hotel & Restaurant Liquor License, before the City Council of the City of Trinidad, Colorado, acting in its capacity as the local licensing authority on September 1, 2015, in City Council Chambers in City Hall. The City Council having reviewed the application and supporting documents, letters of recommendation, reports of the City Clerk and other City staff, petitions admitted into evidence at the hearing and testimony taken during the hearing, makes the following **FINDINGS**:

1. The neighborhood consists of that area located within the City's corporate limits.
2. \_\_\_\_\_ testified in favor of granting the license. (No other persons testified in favor of or in opposition to the granting of the license.)  
(\_\_\_\_\_ testified in opposition.)
3. The City Clerk's report showed that there are 35 liquor-licensed outlets within the neighborhood. Of these, there are three 3.2% beer off-premises licenses, one 3.2% beer on-premises license, one club license, 12 hotel and restaurant licenses, eight liquor store licenses, and seven tavern licenses, one Arts license and one Beer and Wine license.
4. The applicant submitted a petition regarding the liquor license application, which was admitted into evidence. A total of \_\_\_\_\_ signatures appeared on the petition, of which \_\_\_\_\_ were residents or business owners/managers from within the neighborhood, 21 years of age or older, all favoring issuance of a liquor license at this location. No petitions opposing the issuance of the license were submitted.
5. The applicant through testimony and other evidence, made a prima facie showing that the reasonable requirements of the neighborhood are not being met by existing liquor outlets, and that the adult inhabitants of the neighborhood favor issuance of the license.
6. Based on the evidence presented at the hearing and the investigative materials provided for the hearing, the City Council finds that the reasonable requirements of the neighborhood are not being met by the existing liquor outlets, that the adult inhabitants of the neighborhood favor issuance of the license to the applicant, and that the applicant officers are of satisfactory moral character.

THEREFORE, the City Council of the City of Trinidad, Colorado, as the local liquor licensing authority, hereby approves the application of Double D's Grill, Inc. at 443 N. Commercial Street for a Hotel & Restaurant Liquor License at 443 N. Commercial Street in Trinidad, Colorado.

PETITION

Applicant Samantha Quintana  
 Trade Name of Establishment Double D's Grill, Inc.  
 Proposed Location 443 North Commercial Street  
 Application for (Type Of License) Liquor License  
 Public Hearing before the local Licensing Authority:  
 Date and Time September 1, 2015  
 Location City Hall 3rd floor Council Chamber

**DO NOT SIGN THIS PETITION UNLESS:**

1. You are at least twenty-one (21) years of age.
2. You are the owner or manager of a business located within the designated affected area(see attached map).
3. You sign your name only (first, middle and last name). You cannot sign for another individual.
4. You have not signed another petition concerning the same application.
5. You have read the petition in its entirety and understand its meaning.
6. The petition circulator witnesses your signature.

Check the SUPPORT column if you desire that this type of license be issued and/or the existing outlets do not adequately serve the reasonable requirements of the designated affected area.

Check the OPPOSE column if you desire that this type of license not be issued and/or the existing outlets adequately serve the reasonable requirements of the designated affected area.

Name - Signature Specify Owner/Manager	Business Name & Address	Age	Support	Oppose	Date Signed
<i>[Signature]</i> - owner	<i>[Business Name]</i>	70	✓		8/12/15
<i>[Signature]</i>	<i>[Business Name]</i>	51	✓		8/14/15
<i>[Signature]</i>					
<i>[Signature]</i>					
x <i>[Signature]</i>	M.I.T's Welding Service	66	✓		8/20/15
<i>[Signature]</i>	N.V. Inc	41	✓		8-21-15
<i>[Signature]</i>	429 N. Commercial AROUND US/TLAC News	40	✓		8-28-15
<i>[Signature]</i>	422 N. Commercial HW	67	✓		8/28/15
<i>[Signature]</i>	429 N Deluxe Hair Studios	50			8-28-15

Applicant SAMANTHA QUINTANA  
 Trade Name of Establishment DOUBLE D'S GRILL, INC.  
 Proposed Location 443 NORTH COMMERCIAL  
 Application for (Type of License) LIQUOR LICENSE

**AFFIDAVIT**

I, MARY SUE ERAMAN, do hereby state that I was the circulator of said petition consisting of 2 pages including this page, and further state that I personally witnessed each signature appearing on said petition, and that each signature thereon is the signature of the person whose name it purports to be; further, that the address given opposite that person's name is the true address of the person signing; that every person who signed, represented himself or herself to be 21 years of age or older; that each person signing the petition read or had read to him the statement appearing on that page one (1) hereof, and understood the nature of the petition. I also hereby swear or affirm that no promises, threats, or inducements were employed whatsoever in connection with the presentation of this petition, and that every signature appearing hereon was completely free and voluntarily given.

Circulator Mary Sue Eraman

Date Signed Aug. 28, 2015

State of Colorado }  
 County of Las Animas } ss.

Subscribed and sworn before me this 28 day of August, ~~1999~~ <sup>2015</sup>. My commission expires 3/19/17.

**DONA VALENCICH**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
 NOTARY ID 20054010891  
 MY COMMISSION EXPIRES MARCH 19, 2017

Notary Public Dona Valencich

PETITION

Applicant Samantha Quintana  
 Trade Name of Establishment Double D'S Grill, INC.  
 Proposed Location 443 North Commercial Street  
 Application for (Type Of License) Liquor License  
 Public Hearing before the local Licensing Authority:  
 Date and Time September 1, 2015  
 Location City Hall 3rd floor Council Chamber

**DO NOT SIGN THIS PETITION UNLESS:**

1. You are at least twenty-one (21) years of age.
2. You are a resident within the designated affected area(see attached map).
3. You sign your name only (first, middle and last name). You cannot sign for another individual.
4. You have not signed another petition concerning the same application.
5. You have read the petition in its entirety and understand its meaning.
6. The petition circulator witnesses your signature.

Check the SUPPORT column if you desire that this type of license be issued and/or the existing outlets do not adequately serve the reasonable requirements of the designated affected area.

Check the OPPOSE column if you desire that this type of license not be issued and/or the existing outlets adequately serve the reasonable requirements of the designated affected area.

Name - Signature	Complete Home Address (Include Space/Apt. No)	Age	Support	Oppose	Date Signed
<i>Michael Ferrera</i>	527 W Kansas	55	✓		8/12/15
<i>Bob J. Webb III</i>	13150 Prosser Rd.	36	✓		8/12/15
<i>Malcolm Collins</i>	1208 E. Main St.	50	✓		8-12-15
<i>Alisa Sanchez</i>	107 W Strong Ave	30	✓		8-12-15
<i>Bonny Klum</i>	716 Adams St	70	✓		8-12-15
<i>Haley Jettner</i>	1054 Dolmar St	24	✓		8/12/15
<i>John R. Montoya</i>	306 Highland	68	✓		8-12-15
<i>Becarrn M. Taber</i>	232 Nona Ave	57	✓		8/12/15
<i>Duane Bon</i>	2000 SANTA FE	65	✓		8/12/15

Residents

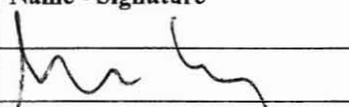
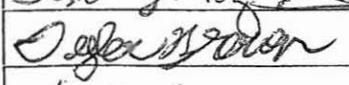
Applicant Samantha Quintana  
 Trade Name of Establishment Double D's Grill, Inc.  
 Proposed Location 443 North Commercial Street  
 Application for (Type of License) Liquor License.

Name - Signature	Complete Home Address (Street Address/Apt #)	Age	Support	Oppose	Date Signed
<u>Saco Strait</u>	<u>829 Park St, Trinidad</u>	<u>41</u>	<u>X</u>		<u>8/10/15</u>
<u>Sam Saco</u>	<u>829 Park St, Trinidad</u>	<u>28</u>	<u>X</u>		<u>8/10/15</u>
<u>Ermer Anguiano</u>	<u>1701 Santa Fe Trl #58</u>	<u>25</u>	<u>X</u>		<u>8/14/15</u>
<u>Chris Lora</u>	<u>405 East North Meade</u>	<u>31</u>	<u>X</u>		<u>8/14/15</u>
<u>Carl M. Manning</u>	<u>320 S. Denver Ave</u>	<u>55</u>	<u>X</u>		<u>5/14/15</u>
<u>Jenni B.</u>	<u>1425 Atchison #3</u>	<u>28</u>	<u>X</u>		<u>5/14/15</u>
<u>Walter D. D.</u>	<u>6272 Godding</u>	<u>22</u>	<u>X</u>		
<u>Alley Garcia</u>	<u>1707 San Pedro</u>	<u>25</u>	<u>X</u>		<u>8/15/15</u>
<u>Steven Garcia</u>	<u>1106 Capital</u>	<u>44</u>	<u>X</u>		<u>8-15-15</u>
<u>Bene Clark</u>	<u>310 East Baca</u>	<u>47</u>	<u>X</u>		<u>8-15-15</u>
<u>Sunny Matty</u>	<u>704 Madison</u>	<u>42</u>	<u>X</u>		<u>8-15-15</u>
<u>Kishor Meena</u>	<u>809 Jefferson</u>	<u>69</u>	<u>X</u>		<u>8-15-15</u>
<u>Sam</u>	<u>3460 W 67th Denver</u>	<u>33</u>	<u>X</u>		<u>8-15-15</u>
<u>Ellen Fabian</u>	<u>1115 E. 2nd Trinidad</u>	<u>46</u>	<u>X</u>		<u>8-15-15</u>
<u>Tony D.</u>	<u>1013 S. Oak</u>	<u>40</u>	<u>X</u>		<u>8/15/15</u>
<u>Maricela Pello</u>	<u>324 Garrett Dr.</u>	<u>43</u>	<u>X</u>		<u>8/14/15</u>
<u>Heather Santistevan</u>	<u>1003 Atchison Ave</u>	<u>27</u>	<u>X</u>		<u>8/15/15</u>
<u>Grabe Santistevan</u>	<u>1003 Atchison Ave</u>	<u>28</u>	<u>X</u>		<u>8/15/15</u>
<u>John Romero</u>	<u>1804 N. Linden Ave</u>	<u>67</u>	<u>X</u>		<u>8/15/15</u>
<u>Doris Sandy Healy</u>	<u>Healy Hulmore</u>	<u>76</u>	<u>X</u>		<u>8-16-15</u>
<u>James Healy</u>	<u>23580 (P. 15.1)</u>		<u>X</u>		<u>8-16-15</u>

Residents

Applicant Samantha Quintana  
 Trade Name of Establishment Double D's Grill, Inc.  
 Proposed Location 443 North Commercial Street  
 Application for (Type of License) Liquor license.

A

Name - Signature	Complete Home Address (Street Address/Apt #)	Age	Support	Oppose	Date Signed
x 	7153 CR 53.1	61	X		8-16-15
y Joanne Hessling	7153 CR 53.1	63	X		8-16-15
And Garcia	115 E. 2d		✓		8-16-15
Kenneth E Fresquez	518 E 1st St	50	X		8-16-15
Susana Fresquez	518 E. 1st St	47	X		8-16-15
Ernie Mites	1427 E 8th	54	X		8-16-15
MARK Mosher	517 west Brent	40	X		8-16-15
Elissa Dominguez	110 Aguilar pr.	26	X		8-16-15
Ranada Sanchez	1515 Lawrence Ave	33	X		8-16-15
Becky Tregellas	815 Arapahoe	59	X		8-16-15
Arlene Lopez	521 State	58	X		8/16/15
Jupe Grazzini	610 Washington	60	X		8/16/15
Roberto Gonzalez	610 Washington	60	X		8/16/15
Robert Lopez	913 Nickelson	50	X		8-16-15
Gayle Hagen	507 Corundum Rd	32	X		8-16-15
Sarah Houp	229 State St.	26	X		8-16
Whaley Miller	1123 San Juan	25	X		8-16
John Barber	311 N. Commercial	30	X		8-16
A 	314 Hwy 325	22	X		8-16
y 	41650 CR 24.6	21	X		8-16
Tom Buener	1120 Alamo St	55	X		8-16

47

Residents

Applicant Samantha Quintana  
 Trade Name of Establishment Double D's Grill, Inc.  
 Proposed Location 443 North Commercial Street  
 Application for (Type of License) Liquor license.

Name - Signature	Complete Home Address (Street Address/Apt #)	Age	Support	Oppose	Date Signed
x Derek Casentuo	12700 E.R 41.7	21	X		8/17
Patrick Szymoval	1614 N Buena Vista St	64	X		8/17/15
Marshall Jones	114 E Cottonwood	70	X		8-18-15
David Johnson	114 E Cottonwood	74			8-17-15
Brenda Simon	523 W. Topeka	53	✓		8-18-15
x Dan Croghan	42013 Cty Rd 24.6	62	✓		8-18-15
Robin Skero	1505 E Main #17	25	✓		8-18-15
Anthony Skero	1505 E Main	31	✓		
Tracy Potker	1505 E Main	44	✓		8-18-15
x Ray Ely	Omaha Ave	51	✓		8-18-15
Michelle Jones	811 Arapahoe St.	47	✓		8/18/15
Jeff Mangano	1001 VICTORIA SQ	48	✓		8/18/15
Jeri Berleynya	412 Park St.	39	✓		8/19/15
Robert Guerrero	135 W plum	35	✓		8
Mickey Matney	607 W 3rd St	83	✓		8-19-15
Kathy Chavez	1010 Rice St	68	✓		8-19-15
Lina Chavez	904 Chestnut St	44	✓		8-19-15
TRICK Boothe	39100 Kan zite Rd	64	✓		8/19/15
Quincy	1418 E. 5th St.	44	✓		8/19/15
Thomas Smith	1309 Stonewall	45	✓		8/19/15
Robin Topp	1320 Garfield	67	✓		8-19-15

**Residents**

Applicant Samantha Quintana  
 Trade Name of Establishment Double D's Grill, Inc.  
 Proposed Location 443 North Commercial Street  
 Application for (Type of License) Liquor License

Name - Signature	Complete Home Address (Street Address/Apt #)	Age	Support	Oppose	Date Signed
<i>Natalie Lynn Galasso</i>	910 S. DAK ST. TRINIDAD	47	X		8-19-15
<i>Angela E. Eberly</i>	403 S. ANIMAS, TRIN	65	X		8-19-15
<i>Jeff K. McCoy</i>	8 H SPRUCE	65	✓		8-19-15
<i>Trina Roberson</i>	8 H SPRUCE	63	✓		8/19/15
<i>David Capomajello</i>	219 S. CONVENT	39	✓		8/19/15
<i>Joe [unclear]</i>	704 Park St	56	✓		8/19/15
<i>Alaine Eberly</i>	704 Park St	51	✓		8/19/15
X <i>Miguel Savage</i>	22428 Hwy 12, TRINIDAD	67	✓		8/20/15
<i>Juan Santistevan</i>	1210 E Main St. Trinidad	42	✓		8/20/15
<i>Don [unclear]</i>	1730 Stonehill Ave	58	✓		8-20-15
<i>Kelly E. Brubaker</i>	917 Smith Ave Trinidad	62	✓		8/21/15
<i>Chiron [unclear]</i>	917 Smith Trinidad	61	✓		8/21/15
<i>Joseph [unclear]</i>	268 Nona TRINIDAD	58	X		8/21/15
<i>Tom [unclear]</i>	409 W. TOPEKA	61	X		8/21/15
<i>Callan M. Schultz</i>	409 W. TOPEKA	55	X		8-21-15
<i>[unclear]</i>	813 State St.	41	✓		8/21/15
<i>Liz Montoya</i>	16 H SPRUCE	42	X		8/21/15
<i>Jamie Breedlove</i>	813 State st	40	X		8/21/15
X <i>[unclear]</i>	16 H Spruce	41	X		8/21/15
X <i>[unclear]</i>	42800 CR36 Trinidad	27	✓		8/22/15
<i>[unclear]</i>	1002 Stonehill Trinidad	50	X		8/22/15

**Residents**

Applicant Samantha Quintana  
 Trade Name of Establishment Double D's Grill, Inc.  
 Proposed Location 443 North Commercial Street  
 Application for (Type of License) Liquor license.

Name - Signature	Complete Home Address (Street Address/Apt #)	Age	Support	Oppose	Date Signed
Orlene Markens	1002 Stone wall Ave	58	✓		8/22/15
Tara Booth	919 State St	32	✓		8/22/15
Perry Booth	919 State St	28	✓		8/22/15
Alicia Massonett	900 S. Chestnut	43	✓		8/23/15
Renee Wade	814 Park St	50	✓		8-24-15
John Wade	814 Park St	48	✓		8-24-15
Michelle Foster	227 E Topeka	60	✓		8-24-15
James Lutton	720 Prospect	60	✓		8/27/15
Darrell Medred	405 S. Ann	38	✓		8/27/15
Craig Salbato	1116 Grant Ave	58	✓		8-28-2015
x Marie Vieg	10500 Clle 94 <sup>th</sup>	31	✓		8-28-15
x Michael Foster	10500 Clle 94 <sup>th</sup>	32	✓		8-28-15
x James Fernandez	2632 Aguilar Dr.	35	✓		8/28/15
Samantha Quintana	2039 Pinar St Tidal	43	✓		8/28/15
Mary Sue Collins	2039 Pinar St Tidal	65	✓		8/28/15

Residents

Applicant Samantha Quintana  
Trade Name of Establishment Double D's Grill, Inc.  
Proposed Location 443 North Commercial Street  
Application for (Type of License) Liquor License.

Name - Signature	Complete Home Address (Street Address/Apt #)	Age	Support	Oppose	Date Signed
<u>Fernandez, Stan</u>	<u>4146 Boulevard Ave</u>	<u>36</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>8-28</u>

**Affidavit 21 Years of Age**

Applicant SAMANTHA Quintana  
 Trade Name of Establishment Double D's Grill, Inc.  
 Proposed Location 443 North Commercial Street  
 Application for (Type of License) Liquor License

**AFFIDAVIT**

I, MARY SUE ERDMAN, do hereby state that I was the circulator of said petition consisting of 8 pages pages including this page, and further state that I personally witnessed each signature appearing on said petition, and that each signature thereon is the signature of the person whose name it purports to be; further, that the address given opposite that person's name is the true address of the person signing; that every person who signed, represented himself or herself to be 21 years of age or older; that each person signing the petition read or had read to him the statement appearing on that page one (1) hereof, and understood the nature of the petition. I also hereby swear or affirm that no promises, threats, or inducements were employed whatsoever in connection with the presentation of this petition, and that every signature appearing hereon was completely free and voluntarily given.

Circulator Mary Sue Erdman

Date Signed Aug 28, 2015

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

Subscribed and sworn before me this 28 day of August, ~~1999~~ <sup>2015</sup>. My commission expires 3/19/17.

**DONA VALENCICH**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
 NOTARY ID 20054010891  
 MY COMMISSION EXPIRES MARCH 19, 2017

Notary Public Dona Valencich

This matter came on for hearing on the application of Double D's Grill, Inc. at 443 N. Commercial Street in Trinidad, Colorado, for a Hotel & Restaurant Liquor License, before the City Council of the City of Trinidad, Colorado, acting in its capacity as the local licensing authority on September 1, 2015, in City Council Chambers in City Hall. The City Council having reviewed the application and supporting documents, letters of recommendation, reports of the City Clerk and other City staff, petitions admitted into evidence at the hearing and testimony taken during the hearing, makes the following **FINDINGS**:

1. The neighborhood consists of that area located within the City's corporate limits.
2. \_\_\_\_\_ testified in favor of granting the license. (No other persons testified in favor of or in opposition to the granting of the license.)  
( \_\_\_\_\_ testified in opposition.)
3. The City Clerk's report showed that there are 35 liquor-licensed outlets within the neighborhood. Of these, there are three 3.2% beer off-premises licenses, one 3.2% beer on-premises license, one club license, 12 hotel and restaurant licenses, eight liquor store licenses, and seven tavern licenses, one Arts license and one Beer and Wine license.
4. The applicant submitted a petition regarding the liquor license application, which was admitted into evidence. A total of 116 signatures appeared on the petition, of which 98 were residents or business owners/managers from within the neighborhood, 21 years of age or older, all favoring issuance of a liquor license at this location. No petitions opposing the issuance of the license were submitted.
5. The applicant through testimony and other evidence, made a prima facie showing that the reasonable requirements of the neighborhood are not being met by existing liquor outlets, and that the adult inhabitants of the neighborhood favor issuance of the license.
6. Based on the evidence presented at the hearing and the investigative materials provided for the hearing, the City Council finds that the reasonable requirements of the neighborhood are not being met by the existing liquor outlets, that the adult inhabitants of the neighborhood favor issuance of the license to the applicant, and that the applicant officers are of satisfactory moral character.

THEREFORE, the City Council of the City of Trinidad, Colorado, as the local liquor licensing authority, hereby approves the application of Double D's Grill, Inc. at 443 N. Commercial Street for a Hotel & Restaurant Liquor License at 443 N. Commercial Street in Trinidad, Colorado.



## COUNCIL COMMUNICATION

5a

**CITY COUNCIL MEETING:** September 1, 2015 Regular Meeting  
**PREPARED BY:** Audra Garrett, Asst. City Manager  
**PRESENTER:** Audra Garrett, Asst. City Manager  
**DEPT. HEAD SIGNATURE:**  
**CITY MANAGER SIGNATURE:** *Audra Garrett*

**SUBJECT:** Consideration of Intergovernmental Agreement for Shared Services with Las Animas County – Building Inspection

**RECOMMENDED CITY COUNCIL ACTION:** Consider the IGA concept and terms, as amended and approved by the Las Animas County Commissioners

**SUMMARY STATEMENT:** Shared services with another governmental agency

**EXPENDITURE REQUIRED:** Yes

**SOURCE OF FUNDS:** General Fund – Contract Services

**POLICY ISSUE:** Provision of public health, safety and welfare services.

**ALTERNATIVE:** Employ an inspector;  
Contract with an independent contractor;  
Continue services through Colorado Code Consulting (CCC) for all matters;  
Continue services through CCC supplemented by other City personnel;

### BACKGROUND INFORMATION:

With the recent departure of the Building Official, the City has been temporarily using the Fire Chief to supplement inspection work as well as Colorado Code Consulting. This arrangement would be more tenable and will save both entities money.

### CONTACT FOR INFORMATION:

Audra Garrett, Asst. City Manager  
(719) 846-9843, ext. 135

5a

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TRINIDAD, COLORADO, AND LAS ANIMAS  
COUNTY COLORADO FOR SHARED BUILDING INSPECTION SERVICES**

This agreement is made by and between Las Animas County ("County") and the City of Trinidad, Colorado ("City," collectively, the "Parties").

WHEREAS, the parties to this agreement are both Colorado political subdivisions; and,

WHEREAS, there is a need by both political subdivisions to employ a building inspector to ensure the public safety, health and welfare of the respective jurisdictions are met; and,

WHEREAS, the County currently employs a Building Inspector (the "Inspector"); and,

WHEREAS, the City and the County believe it prudent and economical to share the services of Inspector.

NOW, THEREFORE, pursuant to the authority granted by Colorado Revised Statutes, the parties agree as follows:

**1. Inspector's Duties**

The Inspector's duties and jurisdiction shall be expanded to include the corporate boundaries of the City of Trinidad. The Inspector shall commit approximately one-half of his or her work time to the City of Trinidad as Inspector.

The initial area of concentration for the Inspector will be residential permitting and inspections. The Inspector's duties on behalf of the City shall include issuance of building permits, performance of residential plan review and minor commercial plan review, all residential inspections, issuance of Certificates of Occupancy, reporting of the same as required, and such other duties assigned by the City consistent with this Agreement. The expected turnaround time for residential permits and plan review will be one week.

It is anticipated that the Inspector will become licensed to perform commercial review and inspections. Thereafter the Inspector will begin performing commercial inspections.

The Inspector may send work requests back to the City if his workload is too great.

The Inspector will not provide any code enforcement services for the City. If the Inspector notes a Building Code deficiency while performing his other duties, he will report such violation to the City. However, the City will be responsible for any enforcement of any violations of its codes.

**2. Employment of Inspector**

At all times, the Inspector shall remain a County employee. The Inspector shall receive all of the rights and benefits of other County employees. While the Inspector is performing inspection duties for the City, the Inspector shall be subject to all City rules and regulations regarding personnel employed. While the Inspector is performing inspection duties for the City, the Inspector shall report to the City Manager or report to other city personnel as deemed appropriate by the City.

**3. Payments by City.**

The City shall pay to the County 60% of the Inspector's wages, benefits, workman's compensation and unemployment insurance, and all such other benefits and charges afforded other employees employed by the County. The wages and benefits to be paid by the City shall be used solely to pay the Inspector's wages and benefits. The payment from the City to the County for July 17, 2015 through December 31, 2015 is \$19,383. The amount to be paid by the City to the County thereafter per year shall be \$42,291. This amount is subject to change depending upon any raises given to all county employees, or any amount of health insurance or other benefit change realized by the County. Further the City shall reimburse the County for mileage and wear and tear for use of the County's vehicle through December 31, 2015 in the amount of \$3,000. The Parties will discuss the reimbursable amount in January 2016, and the Parties will determine the annual amount going forward based on the use occurring in 2015. The City will also reimburse the County for one-half of the cost associated with the cell phone used by the Inspector.

**4. Commercial Licensing Payments.**

The City agrees to pay for the required commercial training and licensing of the Inspector. Upon receiving the commercial license the parties agree to increase the Inspector's salary by \$5,000 per year.

**5. Further Assistance by the City**

In furtherance of the performance of his duties on behalf of the City, the City shall provide the Inspector with a computer and iWork's software. The City shall also provide administrative assistance to the Inspector for services provided for the City.

**6. Review and Termination**

The Parties will jointly review the effectiveness and efficiency of this arrangement prior to the end of this fiscal year.

Either Party may terminate this Agreement upon 60 days written notice to the other Party.

**7. Indemnification**

Each party shall indemnify, defend against, and save the other, including its officers, agents, and employees harmless from any and all demands, claims, losses, liabilities, and costs incurred by third parties for damages to person(s) or property which may arise out of or result directly or indirectly from providing shared services under this Agreement, to the extent permitted by law. Each party shall satisfy their indemnification obligations under this Agreement by maintaining, during the term of this Agreement, appropriate public entity liability insurance coverage.

**8. Insurance**

Each party shall obtain and maintain, during the term of this Agreement, public entity liability insurance

coverage, either through insurance policies issued by liability insurance carriers authorized to conduct business in Colorado, or by qualifying self-insurance programs approved by the Colorado Department of Insurance. The Parties shall provide each other with proof of such insurance.

**9. Waiver**

The Parties waive any and all claims against the other jurisdiction and their officers, agents, and employees, which may arise while lawfully rendering services pursuant to this Agreement, except where such claim arises out of gross negligence, reckless, or wanton and willful misconduct attributable to the other jurisdiction's personnel, and to the extent permitted under the subrogation provisions of applicable insurance policies.

**10. Immunities**

The services authorized pursuant to this Agreement shall be deemed for public and governmental purposes. Nothing in this Agreement waives, or is intended to waive, any immunity of the parties. All exemptions or defenses from any laws or ordinances available to the Parties shall be deemed available to the other Party and its employees and agents.

**11. Non-Delegation**

This Agreement is not intended to delegate, expand or limit the rights or duties, statutory or otherwise, of any Party to this Agreement.

**12. Modification**

This Agreement may only be modified by written instrument executed by all officials or their successors who have signed this Agreement.

**13. Integration**

This Agreement contains the entire understanding the Parties hereto.

**14. Counterparts.**

This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

**15. No Third Party Beneficiaries**

Nothing expressed or implied in the Agreement is intended or shall be construed to confer upon or to give to, any person other than the Parties, any right, remedy, or claim under or by reason of the

Agreement or any covenant, terms, conditions, or provisions hereof. All covenants, terms, conditions, and provisions in this Agreement shall be for the sole and exclusive benefit of the City and the County.

**16. Severability**

If any provision of this Agreement is determined to be unenforceable or invalid for any reason, the remainder of this Agreement shall remain in effect, unless otherwise terminated in accordance with the terms contained herein.

LAS ANIMAS COUNTY, COLORADO

CITY OF TRINIDAD, COLORADO

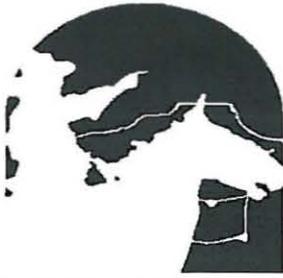
By: \_\_\_\_\_  
Gary Hill, Chairman

By: \_\_\_\_\_  
Joseph A. Reorda, Mayor

ATTEST:

By: \_\_\_\_\_  
Las Animas County Clerk & Recorder  
Patricia Vigil

By: \_\_\_\_\_  
City Clerk  
Audra Garrett



CITY OF TRINIDAD, COLORADO  
1876

# COUNCIL COMMUNICATION

5b

**CITY COUNCIL MEETING:** September 1, 2015  
**PREPARED BY:** Les S. Downs  
**DEPT. HEAD SIGNATURE:** *Les Downs*  
**# OF ATTACHMENTS:** 1

**SUBJECT:** To consider on second reading and conduct the public hearing for an ordinance imposing a moratorium on the acceptance of new license applications and CUP applications in support of proposed new retail and medical marijuana licenses, regarding all retail and medical marijuana license types, other than cultivation facilities.

**PRESENTER:** Les Downs, City Attorney

**RECOMMENDED CITY COUNCIL ACTION:** To consider on second reading, and to conduct the public hearing for the ordinance that would impose a moratorium on all license applications and CUP applications in support of new retail and medical marijuana licenses, exempting cultivation facilities.

**SUMMARY STATEMENT:** If adopted, this ordinance would impose a temporary moratorium of up to three months---unless earlier rescinded or extended--- on the acceptance of new license applications or CUP applications for all marijuana license types other than cultivation facilities.

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** To adopt this moratorium to enable City Council to consider new, necessary additional regulations to the retail and medical marijuana codes.

**ALTERNATIVE:** To not adopt the ordinance imposing the moratorium.

**BACKGROUND INFORMATION:** Staff has recommended imposing a temporary moratorium on the acceptance of new applications and conditional use permit applications in support of license applications to allow City Council time to consider and possibly enact additional regulatory ordinances to preserve the integrity of the overall marijuana licensing process and regulatory scheme for land use considerations pertaining to marijuana facilities in the City of Trinidad.

5b



City of Trinidad, Colorado

## CITY OF TRINIDAD, COLORADO

### ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO TO IMPOSE A MORATORIUM UPON THE ACCEPTANCE OF APPLICATIONS FOR, OR THE ACCEPTANCE OF CONDITIONAL USE PERMITS IN SUPPORT OF, APPLICATIONS FOR RETAIL MARIJUANA STORES, RETAIL MARIJUANA PRODUCTS MANUFACTURING LICENSES, RETAIL MARIJUANA TESTING FACILITY LICENSES, MEDICAL MARIJUANA CENTER LICENSES, AND MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURING LICENSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD: In order to allow for the necessary consideration and adoption of new legislation in support of the regulation of new retail marijuana stores, retail marijuana products manufacturing licenses, retail marijuana testing facility licenses, medical marijuana center licenses, and medical marijuana infused products manufacturing licenses, the City Council of the City of Trinidad hereby determines and finds as follows:

WHEREAS, the City Council for the City of Trinidad has legalized and permitted the above specified types of retail and medical marijuana operations to exist and to conduct business within the City limits of the City of Trinidad, and;

WHEREAS, the City of Trinidad has been experiencing a large volume of new applications in support of new retail marijuana business licenses of all types, and medical marijuana facility business licenses of all types, with the exception of retail marijuana cultivation facilities, as well as new conditional use permit applications in support of new retail and medical marijuana license applications, and;

WHEREAS, it is the explicit intent of the Trinidad City Council to promote new businesses, but not in an uncontrolled fashion, and not to the detriment of the overall quality of life in the City of Trinidad, and not to the detriment of existing businesses already established within the City limits of the City of Trinidad, and;

WHEREAS, this ordinance is temporary in nature, and is not to serve as a permanent prohibition on the accepting or processing of license applications, and;

WHEREAS, this ordinance shall last in duration for three months from the date of this ordinance becoming effective, unless renewed, or unless City Council deems it appropriate to nullify, revoke, or terminate this moratorium earlier than three months.

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

No new retail marijuana store, retail marijuana products manufacturing, retail marijuana testing facility license applications, or new medical marijuana center or medical marijuana infused product manufacturing facility license applications shall be accepted by the City Clerk's Office for

the City of Trinidad, nor shall any new conditional use permit applications be accepted by the Planning and Zoning Department of the City of Trinidad, in support of new retail or medical marijuana applications, with the exception of retail marijuana cultivation premises licenses, during the effective time period of this moratorium.

INTRODUCED BY COUNCILMEMBER BOLTON, READ AND ORDERED PUBLISHED this 18th day of August, 2015.

FINALLY PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF TRINIDAD, COLORADO

\_\_\_\_\_  
JOSEPH REORDA, Mayor

ATTEST:

By: \_\_\_\_\_  
AUDRA GARRETT, City Clerk



## COUNCIL COMMUNICATION

la

**CITY COUNCIL MEETING:** September 1, 2015 Regular Meeting  
**PREPARED BY:** Audra Garrett, ACM/City Clerk  
**PRESENTER:** Representative – Rino's Restaurant, LLC  
**DEPT. HEAD SIGNATURE:** *Audra Garrett*  
**CITY MANAGER SIGNATURE:**

**SUBJECT:** Hotel and restaurant liquor license renewal request by Rino's Restaurant, LLC  
d/b/a Rino's Restaurant at 400 E. Main Street

**RECOMMENDED CITY COUNCIL ACTION:** Approval of the renewal

**SUMMARY STATEMENT:** This is the annual renewal application submitted by the licensee.

**EXPENDITURE REQUIRED:** No.

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** N/A

**ALTERNATIVE:** N/A

**BACKGROUND INFORMATION:**

- The application is in order.
- The Fire Department reports that an inspection is on file and there are minor violations as of August 11, 2015, on behalf of the fire and building inspection department.
- The Police Department had no calls for service.
- The Health Department reported compliance.
- Disclosure statements provided by Councilmembers Miles and Torres are attached.
- Appropriate fees have been paid.

**CONTACT FOR INFORMATION:**

Audra Garrett, City Clerk  
(719) 846-9843, ext. 135  
or  
Les Downs, City Attorney  
(719) 846-9843, ext. 120

la

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

RINOS RESTAURANT  
 400 E MAIN ST  
 TRINIDAD CO 81082-2715

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

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

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>RINOS RESTAURANT LLC</b>		DBA <b>RINOS RESTAURANT</b>		
Liquor License # <b>28493900000</b>	License Type <b>Hotel &amp; Restaurant (city)</b>	Sales Tax License # <b>28493900000</b>	Expiration Date <b>10/11/2015</b>	Due Date <b>8/27/2015</b>
Street Address <b>400 E MAIN ST TRINIDAD CO 81082-2715</b>				Phone Number <b>(719) 845 0949</b>
Mailing Address <b>400 E MAIN ST TRINIDAD CO 81082-2715</b>				
Operating Manager <i>Frank Cordova</i>	Date of Birth [REDACTED]	Home Address <i>[REDACTED] Trinidad CO, 81082</i>		Phone Number [REDACTED]

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

**AFFIRMATION & CONSENT**

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

Type or Print Name of Applicant/Authorized Agent of Business <i>FRANK CORDOVA FOR RINOS RESTAURANT</i>	Title <i>OWNER</i>
Signature <i>Frank Cordova</i>	Date <i>8-10-15</i>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

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

Local Licensing Authority For <i>Trinidad</i>	Date
Signature	Title <i>Mayor</i>
	Attest

8/11/15

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

Applicant: Rino's Restaurant, LLC

dba: Rino's Restaurant

Address: 400 E. Main Street

Type of License: Hotel and Restaurant

Renewal    Transfer    Change of Location    New    Special Event

FOR CONSIDERATION AT :  
COUNCIL MEETING DATE: September 1, 2015

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DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspection on file - minor violations

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8-11-15  
Date

  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 20, 2015

8/11/15

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

Applicant: Rino's Restaurant, LLC

dba: Rino's Restaurant

Address: 400 E. Main Street

Type of License: Hotel and Restaurant

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: September 1, 2015

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspection as file

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8/12/15  
Date

[Signature]  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 20, 2015

8/11/2015

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

Applicant's Name: Rino's Restaurant, LLC

DBA: Rino's Restaurant

Business Address: 400 E. Main

Type of License: Hotel & Restaurant

Renewal     Transfer     Change of Location     New     Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: September 1, 2015

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DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

No reports

8-17-15  
Date

  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 20, 2015

## Audra Garrett

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**From:** John Martinez [jmartinez@la-h-health.org]  
**Sent:** Tuesday, August 11, 2015 7:59 AM  
**To:** Audra Garrett  
**Subject:** Re: liquor

Hi Audra;

Rino's Restaurant located at 400 E. Main Street in compliance with this Agency.....John Martinez

On Tue, Aug 11, 2015 at 7:54 AM, Audra Garrett <[audra.garrett@trinidad.co.gov](mailto:audra.garrett@trinidad.co.gov)> wrote:

Please confirm compliance with your office for Rino's Restaurant at 400 E. Main Street. Thank you.

*Audra Garrett* Asst. City Manager

City of Trinidad

135 N. Animas Street

Trinidad, CO 81082

(719) 846-9843 ext. 135

(719) 846-4140 fax

[audra.garrett@trinidad.co.gov](mailto:audra.garrett@trinidad.co.gov)



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John Martinez Environmental Health  
Las Animas/Huerfano Counties District Health Department  
719-846-2213 ex 27  
[jmartinez@la-h-health.org](mailto:jmartinez@la-h-health.org)

DISCLOSURE STATEMENT

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

  
\_\_\_\_\_  
Michelle Miles  
12/4/12  
\_\_\_\_\_  
Date

DISCLOSURE STATEMENT

I, Liz Torres, hereby state and affirm that I am a member of Ristras Restaurant and Cantina, LLC, a Colorado limited liability company formed on February 13, 2014, whose principal office address is 516 Elm Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Ristras Restaurant and Cantina, a hotel and restaurant licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 516 Elm Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 34% interest in Ristras Restaurant and Cantina, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.

  
\_\_\_\_\_  
Liz Torres  
4.8.14  
\_\_\_\_\_  
Date

lob



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** September 1, 2015 Regular Mtg  
**PREPARED BY:** Audra Garrett, ACM/City Clerk  
**PRESENTER:** Mattorano Enterprise, Inc.  
representative  
**DEPT. HEAD SIGNATURE:**  
**CITY MANAGER SIGNATURE:** *Audra Garrett*

**SUBJECT:** Beer and Wine liquor license renewal request by Mattorano Enterprise, Inc. d/b/a Lee's Bar B-Q at 825 San Pedro Avenue

**RECOMMENDED CITY COUNCIL ACTION:** Consider renewal of the license

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** N/A

**ALTERNATIVE:** N/A

### BACKGROUND INFORMATION:

- The renewal application is in order.
- The Fire Department report violations have been cleared.
- The Fire Chief on behalf of the Building Department reports violations have been cleared.
- The Police Department reported no calls for service.
- Disclosure statements from Councilmembers Miles and Torres are attached.
- Appropriate fees have been paid.

### CONTACT FOR INFORMATION:

Audra Garrett, Asst. City Manager/City Clerk  
(719) 846-9843, ext. 135  
or  
Les Downs, City Attorney  
(719) 846-9843, ext. 120

lob

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

LEE'S BAR-B-Q  
 37300 COUNTY ROAD 26-1  
 TRINIDAD CO 81082

Fees Due	
Renewal Fee	\$351.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

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

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>MATTORANO ENTERPRISE INC</b>		DBA <b>LEE'S BAR-B-Q</b>	
Liquor License # <b>4701970</b>	License Type <b>Beer &amp; Wine (city)</b>	Sales Tax License # <b>04304085000</b>	Expiration Date <b>10/1/2015</b>
Street Address <b>825 SAN PEDRO AVE TRINIDAD CO 81082</b>		Due Date <b>8/17/2015</b>	
Mailing Address <b>37300 COUNTY ROAD 26-1 TRINIDAD CO 81082</b>		Phone Number <b>(719) 846 7621</b>	
Operating Manager <b>Frank Mattorano</b>	Date of Birth [REDACTED]	Home Address <b>Trinidad, CO 81082</b>	Phone Number [REDACTED]

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

**AFFIRMATION & CONSENT**

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

Type or Print Name of Applicant/Authorized Agent of Business <b>Mattorano Enterprise Inc DBA Lee's BarBQ</b>	Title <b>Owner</b>
Signature <i>[Handwritten Signature]</i>	Date <b>8-8-15</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

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

Local Licensing Authority For <b>Trinidad</b>	Date
Signature <b>Mayor</b>	Title <b>Mayor</b>
	Attest

8/12/15

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

Applicant: Mattorano Enterprise, Inc.

dba: Lee's Bar B Q

Address: 825 San Pedro Avenue

Type of License: Beer and Wine

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: September 1, 2015

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspection on file - violations closed

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8/12/15  
Date

[Signature]  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 20, 2015

8/12/15

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

Applicant: Mattorano Enterprise, Inc.

dba: Lee's Bar B Q

Address: 825 San Pedro Avenue

Type of License: Beer and Wine

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: September 1, 2015

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: fire inspection on file  
violations cleared

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8/12/15  
Date

[Signature]  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 20, 2015

8/12/2015

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

Applicant's Name: Mattorano Enterprise Inc.

DBA: Lee's Bar-B-Q

Business Address: 825 San Pedro Ave

Type of License: Beer & Wine

Renewal     Transfer     Change of Location     New     Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: Septemeber 1, 2015

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

No reports

8-17-15  
Date

  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: August 20, 2015

## Audra Garrett

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**From:** John Martinez [jmartinez@la-h-health.org]  
**Sent:** Thursday, August 13, 2015 8:26 AM  
**To:** Audra Garrett  
**Subject:** Re: liquor

Hi Audra;  
Mattorano Enterprise, Inc. d/b/a Lee's Bar B Q is in compliance with this office.....John Martinez

On Wed, Aug 12, 2015 at 1:56 PM, Audra Garrett <[audra.garrett@trinidad.co.gov](mailto:audra.garrett@trinidad.co.gov)> wrote:

Hi John

Please verify compliance with your office for Mattorano Enterprise, Inc. d/b/a Lee's Bar B Q at 825 San Pedro Avenue. Thank you.

*Audra Garrett* Asst. City Manager

City of Trinidad

135 N. Animas Street

Trinidad, CO 81082

(719) 846-9843 ext. 135

(719) 846-4140 fax

[audra.garrett@trinidad.co.gov](mailto:audra.garrett@trinidad.co.gov)



--  
John Martinez Environmental Health  
Las Animas/Huerfano Counties District Health Department

DISCLOSURE STATEMENT

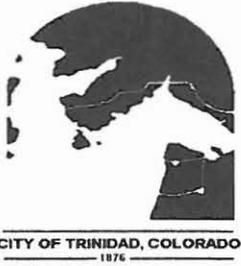
I, Michelle Miles, hereby state and affirm that I am a member of Opera House Wine & Spirits, LLC, a Colorado limited liability company formed on February 22, 2010, whose principal office address is 601 W. Main Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Tire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

  
\_\_\_\_\_  
Michelle Miles  
12/4/12  
\_\_\_\_\_  
Date

DISCLOSURE STATEMENT

I, Liz Torres, hereby state and affirm that I am a member of Ristras Restaurant and Cantina, LLC, a Colorado limited liability company formed on February 13, 2014, whose principal office address is 516 Elm Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Ristras Restaurant and Cantina, a hotel and restaurant licensed entity, licensed under Title 12, Articles 46 or 47, CRS 1973, as amended of the State of Colorado and under Chapter 3 of the Municipal Code of the City of Trinidad, located at 516 Elm Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 34% interest in Ristras Restaurant and Cantina, LLC; and, that I am able to act independently upon liquor licensing matters that come before the Trinidad City Council, the local liquor licensing authority, of which I am a member.

  
\_\_\_\_\_  
Liz Torres  
4.8.14  
\_\_\_\_\_  
Date



# COUNCIL COMMUNICATION

bc

**CITY COUNCIL MEETING:** August 25, 2015 Work Session  
**PREPARED BY:** Audra Garrett, ACM/City Clerk  
**PRESENTER:** Audra Garrett, ACM/City Clerk  
**DEPT. HEAD SIGNATURE:**  
**CITY MANAGER SIGNATURE:**

**SUBJECT:** Appointment of Planning, Zoning and Variance Commission applicants

**RECOMMENDED CITY COUNCIL ACTION:** Consider the applicants and appoint three

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** Advertisement was made seeking applicants to fill the three vacancies as required by ordinance

**ALTERNATIVE:** N/A

**BACKGROUND INFORMATION:**

Advertisement was had seeking applicants to fill vacancies. Letters of interest were received as follows:

Liz Aragon and Jay Martinez, David Fabec and Wayne Pritchard.

**To clarify, the letters from David Fabec and Wayne Pritchard were received after the deadline of noon, however there is precedence on accepting letters after the deadline. Both letters were received prior to close of business on the date due.**

All applicants meet the requirements of appointment (residency and voter registration).

Current Roster:

PLANNING, ZONING AND VARIANCE COMMISSION (4 yr terms - 7 members - Council appointed)  
Home Rule Charter 8.4 - not less than 5 nor more than 9 members - appointed by Council

DATE APPOINTED	APPOINTEE	ADDRESS	PHONE #	TERM EXPIRES
<del>12/02/14</del>	<del>Robert Bruce</del>	<del>227 Elm Street</del>	<del>680-9520</del>	<del>09/01/2018</del>
11/19/13	Wayne Pritchard	728 Tillotson St.	242-7951	09/01/2015
10/04/11	Glenn T. Davis	316 E. Third St.	846-9142	09/01/2015
12/02/14	Tom Potter	403 N. Commercial	846-7386	09/01/2016
01/06/2015	Jim Begano	901 Tascosa	846-9792	09/01/2016
11/05/14	Carl Goodall	1701 Santa Fe Trail	859-0523	09/01/2017
09/01/09	Frank Leone Jr.	502 S. Walnut	846-4170	09/01/2017

bc

## PUBLIC NOTICE

The Trinidad City Council is accepting letters of interest from citizens within the City to fill the following vacancies:

five (5) on the Historic Preservation Commission;  
one (1) on the Arts and Culture Advisory Commission;  
two (2) on the Parks & Recreation Advisory Committee;  
one (1) on the Board of Building Code Appeals;  
three (3) on the Planning, Zoning and Variance Commission; and  
two (2) on the City Tree Board

In order to be considered eligible to serve individuals must be a resident of the City and have resided within the City for not less than one year immediately preceding appointment and must be registered to vote. To serve on the Historic Preservation Commission, you may also be considered if you reside in Las Animas County and own property or a business in the City of Trinidad.

Letters of interest in serving on any of these boards will be accepted at the City Clerk's Office at City Hall, 135 N. Animas Street or P. O. Box 880, Trinidad, CO 81082, until 12:00 p.m., August 21, 2015. Please include your qualifications for the position.

Further information may be obtained by calling the City Clerk's Office at 846-9843.

City of Trinidad  
Audra Garrett, City Clerk

Publish: August 7 and 14  
Legal ad  
Furnish Proof of Publication



## CITY of TRINIDAD

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

August 3, 2015

Wayne Pritchard  
728 Tillotson Street  
Trinidad, CO 81082

Dear Mr. Pritchard:

Please be advised that your term on the Planning, Zoning and Variance Commission is set to expire on September 1, 2015. Pursuant to Ordinance No. 1749, vacancies on all City Boards and Commissions must be advertised in a newspaper of general circulation thereby allowing all qualified citizens the opportunity to submit a letter of interest in filling any such vacancy.

You are encouraged to submit your letter of interest in reappointment to the Commission if you so desire.

Thank you for the time and effort you have contributed to the Board and for your service to the community.

Respectfully,

  
Audra Garrett  
City Clerk

xc: Mayor & City Council



## CITY of TRINIDAD

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

August 3, 2015

Glenn Davis  
316 E. Third Street  
Trinidad, CO 81082

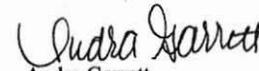
Dear Mr. Davis:

Please be advised that your term on the Planning, Zoning and Variance Commission is set to expire on September 1, 2015. Pursuant to Ordinance No. 1749, vacancies on all City Boards and Commissions must be advertised in a newspaper of general circulation thereby allowing all qualified citizens the opportunity to submit a letter of interest in filling any such vacancy.

You are encouraged to submit your letter of interest in reappointment to the Commission if you so desire.

Thank you for the time and effort you have contributed to the Board and for your service to the community.

Respectfully,

  
Audra Garrett  
City Clerk

xc: Mayor & City Council

**Robert Bruce  
227 Elm Street  
Trinidad, CO 81082  
719 680 9520**

**July 1st, 2015**

**Wayne Pritchard  
Tillotson Street  
Trinidad, Colorado 81082**

**RE: Resignation from Planning, Zoning, & Variance Committee**

**Attn: Wayne Pritchard**

**Please use this letter as my official notice of resignation from the City of Trinidad's Planning, Zoning And Variance Committee. Due to personal issues I feel that my contribution and interests on the board would be inadequate and not beneficial to the post I am filling. I thank you for the opportunity to be part of the board and wish you the best of luck.**

**ROBERT BRUCE**

**Robert Bruce**

City of Trinidad  
JUL 27 2015  
City Clerk's Office

July 27, 2015

City Council  
City of Trinidad

I would be interested in serving on the Planning and Zoning Commission.

Thank- you,



Liz Aragon

736-2110202

846-7650

08/20/2015

LETTER OF INTENT

To the Planning, Zoning & Variance Commission of Trinidad, Colorado

Dear Members of the Commission,

With this letter I would like to confirm my willingness and availability to serve on the Planning, Zoning & Variance Commission of Trinidad, Colorado.

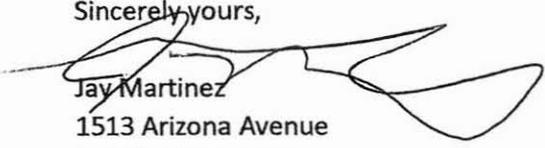
In my professional experience gained over the last sixteen years, I have worked in multiple fields including construction, technology, computers and marketing. I have had the opportunity to travel to many cities and several countries during my career.

Being a young professional, a father of two small children, and a native of Trinidad urges me to do my part to make Trinidad a better and more attractive place to live in and grow successful industries.

I left Trinidad when I was 18 years old in order to get an education and gain experience. I have been back home four years and have owned and operated a successful marketing company. This has allowed me to become familiar with many ordinances and also learn about the needs of our local businesses.

I would like to offer you my experience, knowledge, enthusiasm and professional expertise for the Planning, Zoning & Variance Commission so that we may work together and make a difference.

Sincerely yours,

  
Jay Martinez  
1513 Arizona Avenue  
Trinidad, CO 81982  
719.433.9364

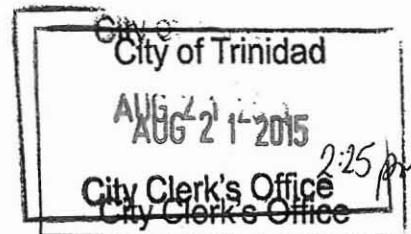
verified voter  
registration +  
**RECEIVED**  
AUG 20 15  
Residmay  


I David Faber would like to  
put my name up for the planning  
and zoning board. I will make myself  
available at all meetings.

Aug 21, 2015

David M. Faber

311 S. Animas street  
Trinidad, CO 81082  
719-680-7181



Verified Residency *AG*

**Audra Garrett**

---

**From:** Steve Bolton [snamark@att.net]  
**Sent:** Friday, August 21, 2015 11:30 PM  
**To:** 'Audra Garrett'  
**Subject:** planning&zoning

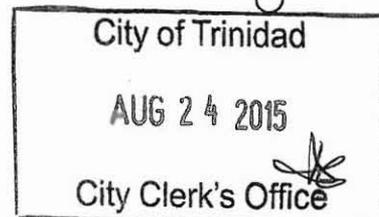
Mrs. Garrett

Please accept this letter as a showing of my interest, in applying for one of the open seats on planning and zoning.

Thank You

Steve Bolton  
709 W Adams  
Trinidad Co. 81082  
7194067647

*Verified residency +  
voter registration*



August 21, 2015

To: Trinidad City Council

From: Wayne Pritchard

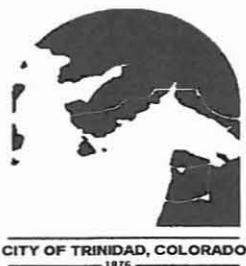
RE: Reappointment to the Planning, Zoning & Variance Commission

Mayor and Councilmembers,

Please accept this letter as my request to be re-appointed to the Planning, Zoning and Variance Commission. I am currently serving as the Chairman and am engaged in updating the comprehensive plan, updating the land development codes and updating the zoning map. I am committed to the processes and would like to see them completed in the coming year. I will work diligently to represent the best interests of the City as a Planning Commissioner. Thank you for your consideration.

  
Wayne Pritchard

City of Trinidad  
AUG 21 2015  
City Clerk's Office <sup>4pm</sup> *KG*  
*Verified voter regis  
+ residency*



## COUNCIL COMMUNICATION

lod

**CITY COUNCIL MEETING:** September 1, 2015 Regular Meeting  
**PREPARED BY:** Audra Garrett, Asst. City Manager  
**PRESENTER:** Audra Garrett, Asst. City Manager  
**DEPT. HEAD SIGNATURE:**  
**CITY MANAGER SIGNATURE:** *Audra Garrett*

**SUBJECT:** Ordinance correcting discrepancies in the legal description contained in Ordinance No. 1633

**RECOMMENDED CITY COUNCIL ACTION:** Approve on first reading and consider further at a public hearing on September 15, 2015.

**SUMMARY STATEMENT:** Land use ordinance requiring a technical correction

**EXPENDITURE REQUIRED:** Publication costs only

**SOURCE OF FUNDS:** General Fund

**POLICY ISSUE:** Land use affecting zoning of property

**ALTERNATIVE:** Rely on the intent of Ordinance No. 1633

### BACKGROUND INFORMATION:

In July, 2000, the City adopted an ordinance rezoning 1101-1115 E. Main Street, however, the legal description was inaccurate.

### CONTACT FOR INFORMATION:

Audra Garrett, Asst. City Manager  
(719) 846-9843, ext. 135

lod



ORDINANCE NO.

AN ORDINANCE CORRECTING DISCREPANCIES IN THE LEGAL DESCRIPTION CONTAINED IN ORDINANCE NO. 1633

WHEREAS, on July 5, 2000, the City Council adopted Ordinance No. 1633 amending the zone classification of property located in the Capital Hill Addition of the City of Trinidad, Block 3, described as Lots 1 through 10, from Low Density Residential zoning to Community Commercial zoning; and

WHEREAS, said Ordinance, described the property as:

*Lots 1 – 10, Block 10, Capital Hill Addition to the City of Trinidad, also known as 1101-1115 East Main Street,*

as the complete legal description of the parcel of land to be re-zoned; and

WHEREAS, said legal description in Ordinance No. 1633 was erroneous; and

WHEREAS, it is the desire of the City Council to correct the error.

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

- 1. Ordinance No. 1633 is hereby amended by replacing the legal description identified above with the following legal description:

*Lots 1 – 10, Block 3, Capital Hill Addition to the City of Trinidad, also known as 1101-1115 East Main Street.*

- 2. All other provisions contained in Ordinance No. 1633 shall remain in full force and effect.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_, READ AND ORDERED PUBLISHED this 1st day of September, 2015.

FINALLY PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE THE \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
JOSEPH A. REORDA, Mayor

ATTEST:

\_\_\_\_\_  
KIM MARQUEZ, Asst. City Clerk

ORDINANCE NO. 1633

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION OF PROPERTY LOCATED IN LOTS 1-10, BLOCK 10, CAPITAL HILL ADDITION TO THE CITY OF TRINIDAD (1101 – 1115 EAST MAIN SREET) WITHIN THE CITY OF TRINIDAD, COLORADO FROM LOW DENSITY RESIDENTIAL ZONE TO COMMUNITY COMMERCIAL ZONE

WHEREAS, Chris and Joan Valdez, have made application to the City Planning, Zoning and Variance Commission and the City Council of the City of Trinidad, Colorado for a change in zoning classification of the following described property:

Lots 1 – 10, Block 10, Capital Hill Addition to the City of Trinidad, Colorado. Commonly known as 1101-1115 East Main St.

WHEREAS, all notices have been posted pursuant to law; and

WHEREAS, a public hearing has been held by the City Council on the application for the zone map amendment; and

WHEREAS, the City Council of the City of Trinidad, Colorado, finds that the Zoning Map Amendment of the above-described property does not materially alter the City Zoning Ordinance (Article 4, 5, and 6 of Chapter 14 Planning and Zoning), and said Zoning Map Amendment is in keeping with the Comprehensive Plan for the regulation of land uses within the City of Trinidad, Colorado.

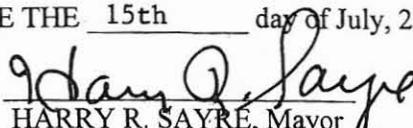
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, to-wit:

1. The Zoning Map of the City of Trinidad is hereby amended by changing the zone classification of the above-described property from the existing Low Density Residential Zone to Community Commercial Zone.
2. This zone change is made pursuant to Articles 4, 5 and 6 of Chapter 14 Planning & Zoning of the Code of Ordinances of the City of Trinidad, Colorado.

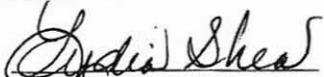
INTRODUCED BY MAYOR SAYRE, READ AND ORDERED PUBLISHED this 20<sup>TH</sup> day of June, 2000.

FINALLY PASSED AND APPROVED this 5th day of July, 2000.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE THE 15th day of July, 2000.

  
HARRY R. SAYRE, Mayor

ATTEST:

  
LYDA SHEA, City Clerk

## Audra Garrett

---

**From:** Jeni Jackson [jeni.jackson@trinidad.co.gov]  
**Sent:** Thursday, July 23, 2015 5:01 PM  
**To:** 'Audra Garrett'  
**Subject:** RE: 1101-1115 E. Main Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Audra,

I found the ordinance #1633, but the address and the legal description do not match. The address says 1101-1115 E. Main Street (the legal description for this is Block 3, Lots 1-10 Capital Hill Add.), but the ordinances' legal reads Block 10, Lots 1-10 Capital Hill this legal is for 1316 Capital Hill across the street from Dr. Visconti's house (this is where I mapped it) . I can change it on the map if you would like. I do not know if this would have to be amended or if the intent is there? Please let me know if there is anything else I need to do with this.

Thank you,

Jeni Jackson  
City of Trinidad  
Engineer Technician  
125 N. Animas  
Trinidad, CO 81082  
(719)846-9843 ext 117  
Fax (719)846-0952  
[jeni.jackson@trinidad.co.gov](mailto:jeni.jackson@trinidad.co.gov)

---

**From:** Audra Garrett [<mailto:audra.garrett@trinidad.co.gov>]  
**Sent:** Thursday, July 23, 2015 11:11 AM  
**To:** [jeni.jackson@trinidad.co.gov](mailto:jeni.jackson@trinidad.co.gov)  
**Subject:** 1101-1115 E. Main Street

Hi Jeni,  
Just wanted to tell you that I found the ordinance that changed the zoning of 1101-1115 E. Main Street, Ordinance #1633. Let me know if you need a copy.

*Audra Garrett* Asst. City Manager  
City of Trinidad  
135 N. Animas Street  
Trinidad, CO 81082  
(719) 846-9843 ext. 135  
(719) 846-4140 fax  
[audra.garrett@trinidad.co.gov](mailto:audra.garrett@trinidad.co.gov)





# CITY OF TRINIDAD

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

**TO:** Planning Commission.

**FROM:** Karl Gabrielson, Planning Director *kg*

**SUBJECT:** Request for a rezoning of the following described property: Lots 1-10, Block 10, Capital Hill Addition to the City of Trinidad, Las Animas County, Colorado commonly known as: 1101 – 1115 East Main St. from the existing Low Density Residential (LDR) to Community Commercial (CC).

**DATE:** April 11, 2000.

## **I. REQUEST OR ISSUE:**

The applicant is requesting a rezoning of the El Paso Café and Royal Motel properties located at 1101 – 1115 East Main St. The rezoning proposal changes the parcel from Low Density Residential (LDR) to Community Commercial (CC).

## **II. BACKGROUND INFORMATION:**

The applicant, Chris and Joan Valdez, are requesting a rezoning of the parcel in question. The request is to rezone the site from Low Density Residential (LDR) to Community Commercial (CC), the rezoning request is the result of a previous request to Planning Commission for an expansion of a nonconforming use on the site. The Commission requested that the applicant apply for the rezone within one year. This application will satisfy the condition.

The change in zoning is requested in accordance with Section 14, Division 16 of the Code of Ordinances.

## **III. LEGAL ISSUES:**

None, addressed at this time.

#### **IV. SUMMARY AND ALTERNATIVES:**

Rezoning shall only be allowed if the applicant demonstrates by clear and convincing evidence that rezoning is necessary because of one or more of the following reasons:

- (a) **The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the City's comprehensive plan; or**
  - (b) **The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or a new approach to development; or**
  - (c) **The proposed rezoning is necessary in order to provide land for a community related use, which was not contemplated at the time of development of the comprehensive plan.**
- (2) **In addition, no rezoning shall be allowed unless all of the following conditions are found to have been met:**
- (a) **That a change in zoning will advance a more effective use of land in harmony with the City's comprehensive plan; and**
  - (b) **The public interest has been met.**

PETITION FOR REZONING

LEGAL DESCRIPTION OF PROPERTY PROPOSED TO BE REZONED EL PASO CAFE & ROYAL MOTEL

ADDRESS OF PROPERTY TO BE REZONED 1101 — 1115 East MAIN St.

OWNER Chris & JOAN VALDEZ

ADDRESS 1115 East MAIN St.

CITY / STATE / ZIP Trinidad Colo 81082

PHONE 719-846-3361

PETITIONER (If different than owner) \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY / STATE / ZIP \_\_\_\_\_

PHONE \_\_\_\_\_

EXISTING ZONING Low density Residential PROPOSED ZONING Business

PROPOSED USE OF THE PROPERTY Continuing business' Already running for Many years - Motel & Cafe

REZONING SHALL ONLY BE ALLOWED IF ONE OR MORE OF THE FOLLOWING

REASONS FOR REZONING IS DEMONSTRATED BY CLEAR AND CONVINCING EVIDENCE BY THE APPLICANT:

- (A) The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the City's comprehensive plan; or
- (B) The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or a new approach to development; or
- (C) The proposed rezoning is necessary in order to provide land for a community related use which was not contemplated at the time of development of the comprehensive plan.

APPLICANT Christina Valdez

DATE 3-16-00

RECEIVED BY kh

DATE 3/10/00

