



CITY OF TRINIDAD
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad,
Colorado, will be held on Tuesday, June 2, 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 May 19, 2015
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.
- 3) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
 - a) Marilyn Leuszler, Arts and Culture Advisory Commission, temporary art project
- 4) **UNFINISHED BUSINESS**
 - a) Public hearing for consideration of an Ordinance Establishing a Historic Preservation Commission through a Certified Local Government
 - 1) Second reading of an Ordinance Establishing a Historic Preservation Commission through a Certified Local Government
- 5) **MISCELLANEOUS BUSINESS**
 - a) Medical Marijuana Center license renewal request by M & M Distributing, LLC at 422 N. Commercial Street
 - b) Medical Marijuana Optional Premise Cultivation Operation license renewal request by M & M Distributing, LLC at 422 N. Commercial Street
 - c) Special event permit application filed by Trinidad-Las Animas County Chamber of Commerce for 700 Smith Avenue on June 19 and 20, 2015 (Santa Fe Trail Festival)
 - d) Special event permit application filed by BPOE Lodge 181 at 120 S. Maple Street for June 27, 2015 (fundraiser)
 - e) New Retail Marijuana Product Manufacturing Facility license application filed by The Grow Foundry, Inc. d/b/a CODA Signature at 1105 Constitution Drive
 - f) New Medical Marijuana Infused-Products Manufacturer license application filed by The Grow Foundry, Inc. d/b/a CODA Signature at 1105 Constitution Drive
 - g) Appointment (one vacancy) to the Arts and Culture Advisory Commission
 - h) Appointments (two vacancies) to the Tourism Board
 - i) Appointment (two vacancies) to the Tree Board
 - j) First reading of an ordinance Repealing Article 3, Non-Conformance, Section 5-23, Non-Conformance, of Chapter 5 ("Buildings") of the Code of the City of Trinidad, Colorado, thereby requiring only the specific renovations made to vacant buildings comply with current building codes unless the use changes, in accordance with the International Code adopted by the City, and setting a hearing date for consideration of said ordinance
 - k) First reading of an ordinance repealing and re-enacting Section 9-5 of Chapter 9, Licenses, regarding garage sales, and setting a hearing date for consideration of said ordinance

- 5) **MISCELLANEOUS BUSINESS (cont.)**
 - l) Consideration of amendments to the contract between the City and Noah's Ark Animal Welfare Association
 - m) First reading of an ordinance amending sections contained in Chapter 4 ("Animals"), of the Code of the City of Trinidad, Colorado, pertaining to licensing of animals in the City of Trinidad, and setting a hearing date for consideration of said ordinance
 - n) Consideration of request for proposal received from Short Elliott Hendrickson, Inc. (SEH, Inc.) for the design work at Five Points Roundabout
 - o) First reading of an ordinance of the City Council of the City of Trinidad to limit the number of retail marijuana stores in the downtown Trinidad Historic Preservation zoning district, by imposing a moratorium on such establishments in that district, and setting a hearing date for consideration of said ordinance
 - p) Consideration of bid results for the Water Treatment Plant Phase 2 project
- 6) **COUNCIL REPORTS**
- 7) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 8) **BILLS**
- 9) **PAYROLL**, May 23, 2015 through June 5, 2015
- 10) **ADJOURNMENT**

CITY OF TRINIDAD
TRINIDAD, COLORADO

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, May 19, 2015, at 6:00 p.m. in the second floor Conference Room 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, May 19, 2015, at 6:00 p.m. in the Council Chambers at City Hall

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

1) **EXECUTIVE SESSION**

- a) For a conference with the City's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) - regarding ARPA legal matters, annexation considerations, and litigation matters .
- b) For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS 24-6-402(4)(e) - discussion regarding property purchase/exchange

The meeting was called to order at 6:00 p.m.

There were present: Mayor Reorda, presiding
Councilmembers Bonato, Fletcher, Mattie, Miles, Torres

Also present: City Manager Engeland
City Attorney Downs
Asst. City Clerk Marquez

Absent: Councilmember Bolton

Executive Session - For a conference with the City's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) - regarding ARPA legal matters, annexation considerations, and litigation matters; and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS 24-6-402(4)(e) - discussion regarding property purchase/exchange. A motion to enter into executive session for the stated purposes was made by Councilmember Mattie and seconded by Councilmember Bonato. Upon roll call vote the motion carried unanimously and the executive session ensued at 6:02 p.m. That portion of the executive session regarding negotiation matters was electronically recorded as required under the Open Meetings Law. Accordingly, the recording resumed at 7:01 p.m.

I, Les S. Downs, Attorney for the City of Trinidad, do hereby attest that the executive session held on this 19th day of May, 2015, was permissible under CRS Section 24-6-402 (4)(b).

As the City's attorney, it is my opinion that the discussion of the matter announced in the motion to enter into executive session constituted a privileged attorney-client communication. Therefore, it is my recommendation that no further record be kept of this executive session.

Les S. Downs, City Attorney

Upon conclusion of executive session at 7:17 p.m., Councilmember Miles opined that the discussion strayed from legal advice and voiced her objection. Councilmember Fletcher moved to conclude the executive session and resume the special meeting and Councilmember Bonato seconded the motion. The motion carried unanimously upon roll call vote.

There being no further business, the meeting was adjourned.

ATTEST:

JOSEPH A. REORDA, Mayor

KIM MARQUEZ, Asst. City Clerk

CITY OF TRINIDAD
TRINIDAD, COLORADO

MAY 19, 2015

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, May 19, 2015, at 7:00 p.m. in City Council Chambers at City Hall.

There were present: Mayor Reorda, presiding
Councilmembers Bonato, Fletcher, Mattie, Miles, Torres

Also present: City Manager Engeland
City Attorney Downs
Asst. City Clerk Marquez

Absent: Councilmember Bolton

The pledge of allegiance was recited.

PROCLAMATION – EMS Week - May 17-23, 2015. Mayor Reorda read aloud the Proclamation designating May 17-23, 2015, as EMS Week. The Proclamation was signed and presented to Trinidad Ambulance District Assistant Chief Dan Bates.

APPROVAL OF THE MINUTES. Regular Meeting of May 5, 2015 and Special Meeting of May 8, 2015. A motion to approve the minutes as submitted was made by Councilmember Bonato and seconded by Councilmember Torres. The motion carried unanimously.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. None.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. Hotel and restaurant liquor license renewal request by RGS Sawaya, LLC d/b/a Café What a Grind at 341 N. Commercial Street. Richard Sawaya was present on behalf of the licensee. A motion to approve the license renewal was made by Councilmember Fletcher and seconded by Councilmember Bonato. The motion carried unanimously.

New Retail Marijuana Product Manufacturing Facility, license application filed by Dessimals, Inc., d/b/a Lucky Monkey Buds at 137 W. Cedar Street; New Medical Marijuana-Optional Premise Cultivation Operation license application filed by Dessimals, Inc., d/b/a Lucky Monkey Buds at 137 W. Cedar Street. A motion to set the two license applications for public hearing on July 7, 2015 at 7:00 p.m. was made by Councilmember Mattie and seconded by Councilmember Miles. The motion carried unanimously upon roll call vote.

Report of Changes application filed by Daryl DeMarco and Diane Irwin d/b/a Southern Colorado Therapeutics to Southern Colorado Therapeutics, Inc. d/b/a Highland Health at 1505 Santa Fe Trail. City Attorney Downs explained that this filing is for a change in form of the business from a partnership to a corporation with the same owners. It is also to change their trade name. Councilmember Mattie moved to approve the report of changes and Councilmember Torres seconded the motion. Upon roll call, the motion carried unanimously.

Donating and Receiving Shared Leave Policy. Councilmember Mattie asked why the policy requires employees to maintain 40 minimum hours of annual leave. Human Resources Director Dona Valencich answered that it is so we don't end up with employees with no time on the books in case something were to happen to that employee. A motion to approve the policy was made by Councilmember Fletcher. The motion was seconded by Councilmember Bonato and upon roll call vote, carried unanimously.

First reading of an Ordinance Establishing a Historic Preservation Commission through a Certified Local Government, and setting a hearing date for consideration of said ordinance. Councilmember Miles introduced the ordinance and it was read aloud in its entirety. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on June 2, 2015, was made by Councilmember Fletcher and seconded by Councilmember Bonato. The motion carried unanimously upon roll call vote.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD,
COLORADO, ESTABLISHING A HISTORIC PRESERVATION COMMISSION
THROUGH A CERTIFIED LOCAL GOVERNMENT

Consideration of request for proposals for the conduct of a pavement condition survey (Pavement Condition Index analysis and plan). Councilmember Miles made a motion to accept the proposal (received from Applied Pavement Technology in the amount of \$54,600, as recommended) and Councilmember Torres seconded the motion. Upon roll call vote, the motion carried unanimously.

COUNCIL REPORTS. Councilmember Bonato reported that he and Mayor Reorda had the honor and privilege of going to Fort Carson in Colorado Springs last Thursday to attend a change of command ceremony Council had been invited to. He spoke of the beautiful setting and the 140 servicemen in attendance. He said they were welcomed with open arms as

they entered the gate by 19 to 24 year old men and women. Councilmember Bonato asked that we all remember our servicemen and veterans on Memorial Day and to take time to thank them. He also thanked everyone who organized and participated in the local Armed Forces Day parade. He acknowledged Council members Mattie and Fletcher for driving veterans in the parade. There was also a great luncheon. Colonel Hamilton told him and the Mayor that he is always happy to come to Trinidad and that they have never had so much support as they have from our City.

Councilmember Mattie noted that he participated in the Armed Forces Day parade and that it was a good experience.

Councilmember Torres added that it was a pleasure to meet Colonel Hamilton.

Councilmember Fletcher reported on her attendance at the Chamber meeting on May 13th. The Santa Fe Trail Festival will happen this year on June 19 and 20. Regarding the Armed Forces Day parade and entire event, she said it seemed everyone was happy to be there. She thanked City Manager Engeland for introducing Colonel Hamilton. Councilmember Fletcher also reported that the Ask a Lawyer event had a pretty good response from the public and thanked City Attorney Downs for his participation. Finally she reported that she attended the Parks & Recreation Advisory Committee meeting last night and they are working on a survey to be sent out seeking to prioritize future recreation in Trinidad.

Councilmember Miles had nothing to report.

Mayor Reorda had nothing to report.

REPORTS BY CITY MANAGER. Colorado Welcome Center. City Manager Engeland advised Council that Barbara Howard has been named the new Welcome Center Manager. She will start on June 8th and report to Tara Marshall, who was promoted to a director position recently.

Congressman Buck visit. City Manager Engeland told Council that Congressman Buck will be in town on Friday, May 29th and has invited Council to join him and Jay Cimiño for lunch at Mt. Carmel. He asked that Council RSVP this week. Councilmember Miles and Mayor Reorda stated they would attend. Councilmember Miles asked if there will be a quorum issue. City Manager Engeland answered that having consulted with outside counsel, they received clarification that if it is not a City meeting it is okay not to post it. If there is no City business to be discussed it does not have to be posted.

REPORTS BY CITY ATTORNEY. None.

BILLS. Councilmember Fletcher noted payment for dry cleaning services for many departments. She asked where it is being done. Finance Director Larry Lochar answered that it is a service that picks it up and returns it. Councilmember Bonato moved to approve the bills and Councilmember Fletcher seconded the motion. The motion carried unanimously upon roll call vote.

PAYROLL, May 9, 2015 through May 22, 2015. A motion to approve the payroll was made by Councilmember Bonato and seconded by Councilmember Torres. Roll call was taken and the motion carried unanimously.

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

ATTEST:

JOSEPH A. REORDA, Mayor

KIM MARQUEZ, Asst. City Clerk

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COUNCIL COMMUNICATION

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, Asst. City Mngr.
PRESENTER: Marilyn Leuszler or other rep.
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN

Marilyn Leuszler, Arts and Culture Advisory Commission, temporary art project

BACKGROUND INFORMATION:

Attached is a proposal for a temporary art project

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Boardwalk Mural Proposal Info

submitted by

Jeannie Galbraith, "Community Creations" class Art Instructor

The following is a more detailed outline for the Boardwalk Mural. There are drawings & added visuals included to give an idea of the intention & process of the project. Since part of the "Community Creations" class involves input & creative ideas by the students, the final design may look different, but maintain the tree theme.

This theme was chosen for it's natural, life-giving qualities to compliment the unique flair of our beautiful town. The students will have opportunity to put their own expression into the mural. It is intended to have a sense of movement "blowing" through the trees and a transformative component flowing from the trees. We will be using elements of nature in creative ways for interest & thematic harmony with the concepts of "winds of change," "growth," "releasing beauty & light."

Students will:

- Learn about the role of Public Art in a community environment.
- View examples of various types of murals in other cities and discuss their effectiveness in the context of the space in which they are created.
- See examples of tree paintings in different styles & techniques.
- Be part of developing a unified design for the mural project along with the instructor based on "trees" as a theme relating to community life.
- Learn how to make a large scale design.
- Develop own ideas for a "transforming" element in the composition.
- Work together with youth from diverse backgrounds to inspire & support one another as part of the "Big Picture."
- Sketch out the general mural design on the boardwalk.
- Learn painting techniques using color mixing & drawing.
- Paint trees cut out of durable plywood for added depth & interest
These will be made from flat plywood & will not obstruct the walking space (see attached visual).
- Create an experience for the all those who walk through this artistic path that is a beautiful & fun!

May 29, 2015

Dear Mayor and City Council members,

The following information describes the youth art project to begin June 9 and run for four days on Main Street:

Project Leader: Artist/Educator, Jeannie Galbraith

Sponsor: Trinidad Area Arts Council/Gallery Main

Purpose: To instruct youth in the design, planning and implementation of a public mural art project that will beautify our community and downtown by painting the covered walkway at First National Bank

Funding: Trinidad Area Arts Council

Cost to participants: None

Approval/Support: First National Bank, Ed Eisemann and Chris Huffman; Trinidad Arts & Cultural Advisory Commission; Corazón de Trinidad Creative District

The proposal and drawings were presented to Trinidad Arts & Cultural Advisory Commission and Creative District as well as Mike Valentine and Gabe Engeland. While not required since this is private property, it shows partnership and appreciation for the City's role in approaching public art projects. Both Arts & Culture and Creative District are enthusiastically in favor of the project.

This is a temporary walkway and the hope is that when dismantled, the artwork might be moved to another downtown location. As a non-permanent installation, this might be viewed as a preview to other, more long-term, youth-based public art projects. Currently, there are two permanent sites with similar projects: tiles in the benches located in the playground area of Cimino Park (Partners, Pregnancy Prevention Program) and the murals at Kit Carson Park (Third Judicial District Juvenile Diversion Program).

As a certified Colorado Creative District, the Corazón de Trinidad encourages our local youth to take part in City improvement projects, while also fully realizing the importance of proper approval channels, guidance as needed, and having a broad range of public art. We strive to have a balance of both.

Respectfully,

Marilyn Leuszler

Chair, Trinidad Arts & Cultural Advisory Commission and Corazón de Trinidad Creative District

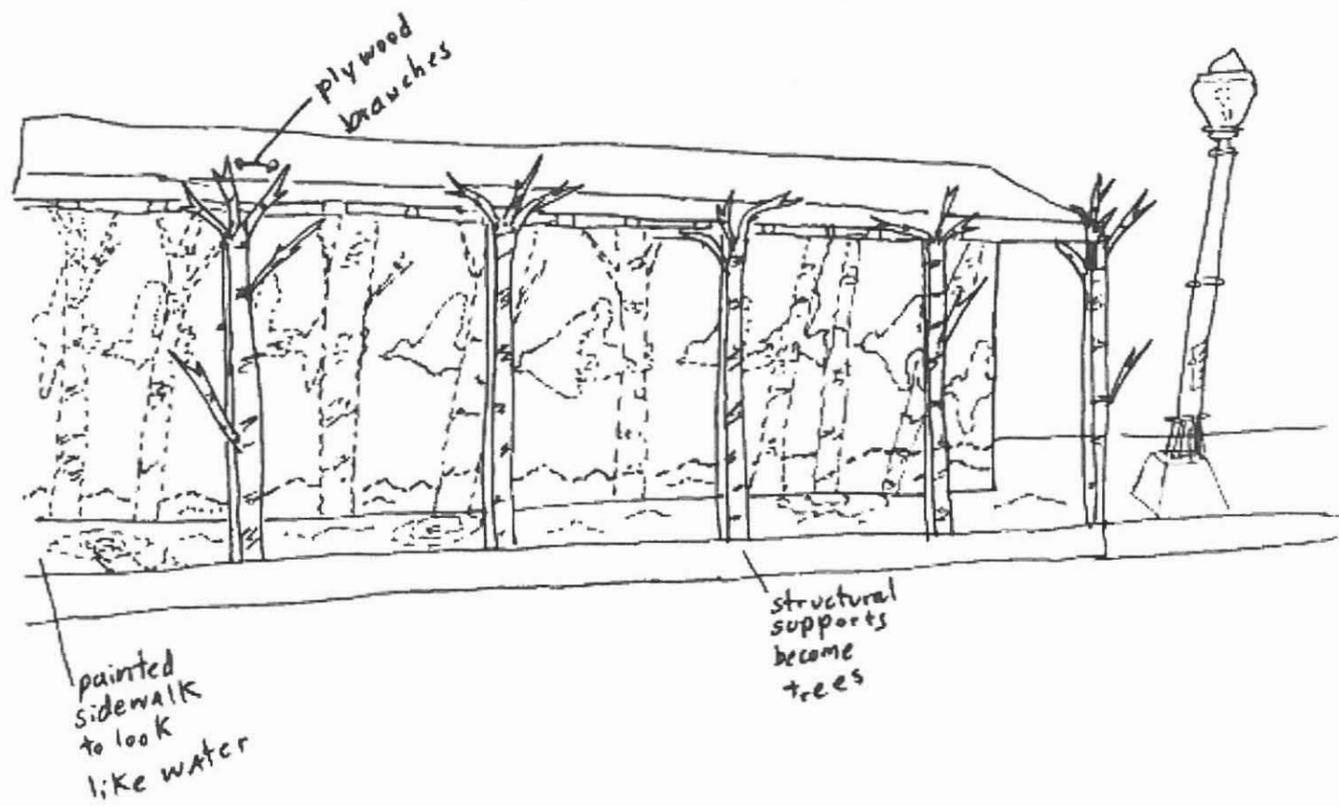
Design Ideas for Boardwalk Mural
Visuals



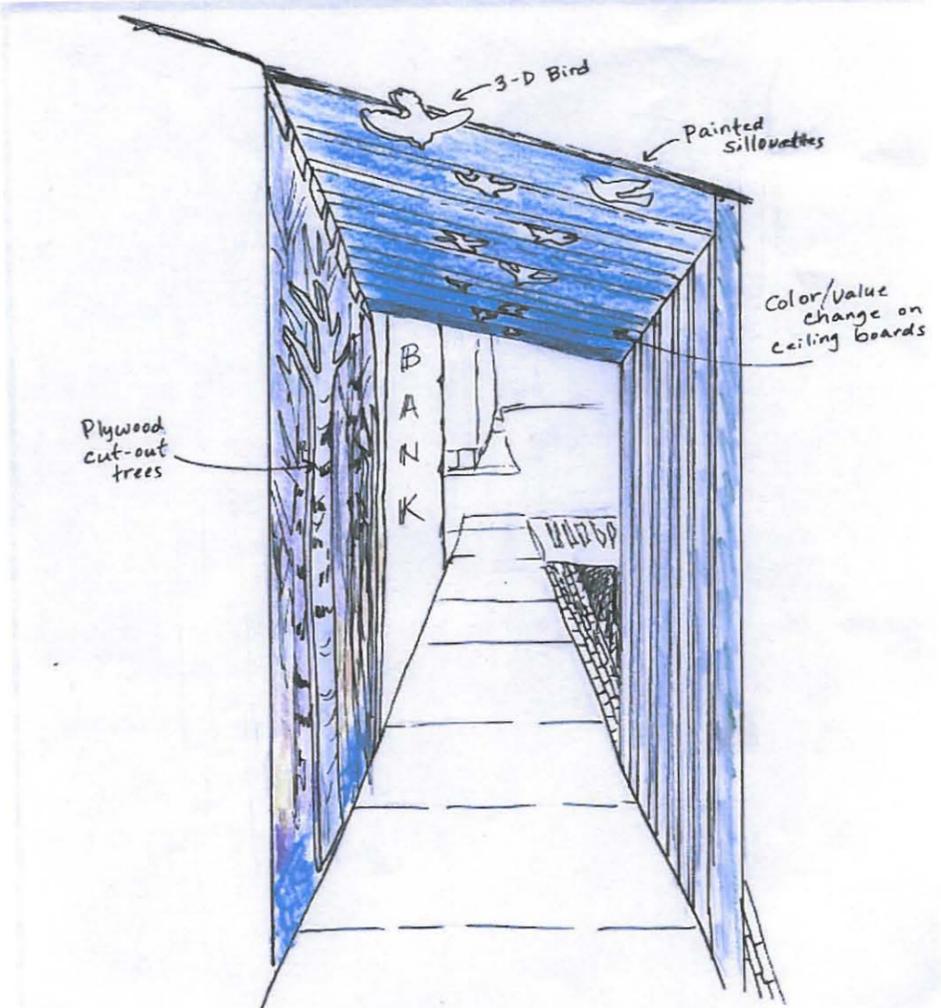
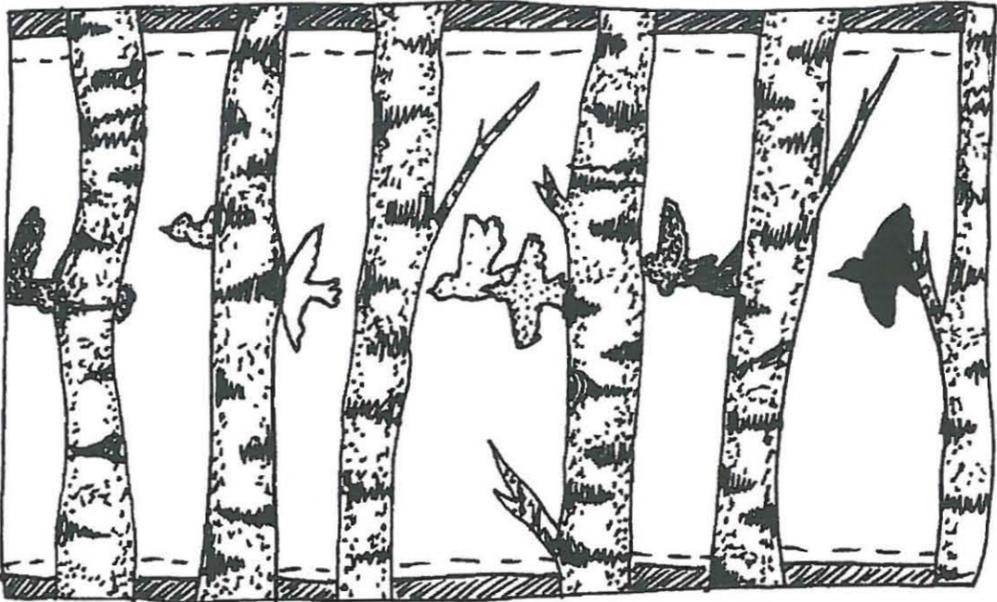
Before



Transformative Examples - 3-D trees & painted sidewalk (walking on water idea)

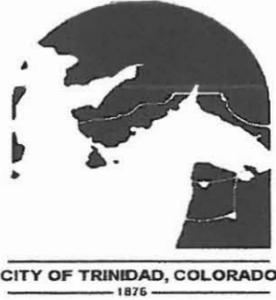


Sketches for Tree Theme



Painted tree examples – for general color & scale references





COUNCIL COMMUNICATION

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CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Tara Marshall, City Intern
PRESENTER: Tara Marshall, City Intern
DEPT. HEAD SIGNATURE:
CITY MANAGER SIGNATURE:

SUBJECT: Public hearing and second reading of an ordinance to establish a Certified Local Government.

RECOMMENDED CITY COUNCIL ACTION: Conduct the public hearing and consideration adoption of the ordinance

SUMMARY STATEMENT:

In the Fall of 2014 a Citizen Task Force was formed at the behest of the Trinidad City Council to consider the issue of becoming a Certified Local Government. The Task Force met for 6 months and produced this Ordinance for the Council's consideration. During this 6-month period, participants included, Bill Barns, Marilyn Leuszler, Ed Trommeter, Glenn Davis, Wayne Pritchard, Michael Klaus, Michelle Miles, Tara Marshall, Chris Kelley and Tim Stroh (DOLA). The task force considered both the advantages and disadvantages of adopting the Ordinance and the benefits a Certified Local Government would bring to desired Economic Development Activity.

- Benefits of Becoming a Certified Local Government
 - Would make the Historic Preservation Tax Credits offered at the State Level more accessible across a broad spectrum of property owners.
 - The Trinidad CLG Ordinance is written so that the program is entirely voluntary.
 - The Trinidad CLG Ordinance does not prohibit any necessary actions such as actions needed to make the building safe, even if the building has become locally landmarked.
 - The Trinidad CLG Ordinance would give the City access to grant funding from History Colorado to update the Historic Inventory of the National Historic District.
 - The Trinidad CLG Ordinance while voluntary would still work to create a Historic Preservation Ethic on behalf of the City of Trinidad and would serve to raise the City's stature with Preservation Funding Organizations.
 - The Ordinance was written by a cross section of citizen opinions and private property rights were considered extensively in the debate to construct the Ordinance.
 - Becoming a CLG would take the City one step closer to preserving the Historic Character of the Downtown and becoming a Designated Main Street Community.
- Disadvantages of Becoming a Certified Local Government
 - Once a property has been locally landmarked the next owner of the property cannot opt out of the program. Once a building is landmarked, it stays landmarked.
 - This will be an additional quasi-judicial Commission that will need to have five (5) citizen volunteers appointed to it.
 - This Ordinance although voluntary provides more restrictions to private property than currently exist.
 - Becoming a Certified Local Government will require additional staff resources to manage the Historic Preservation Commission and to process the applications for landmarking and the certificates for alteration of the landmarked property.
 - Staff capacity and training will be required not just to administer the program but to tie its efforts into the other City initiatives.

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EXPENDITURE REQUIRED: No specific amounts have been identified. Some training will be required. An appropriate estimate is \$1,500 for travel expenses, although these funds may never become necessary.

SOURCE OF FUNDS: General Fund, Planning Department

POLICY ISSUE: Approval of an Ordinance to become a Certified Local Government therefore increasing the access to tax credits for historic property owners within the City.

ALTERNATIVE: Using the Historic Tax Credits for those buildings that are currently on the National Register and investing other methods of gaining tax credits for the remainder of the properties.

BACKGROUND INFORMATION:
Included in Summary Statement Above.

CONTACT FOR INFORMATION: Tara Marshall, City Intern: (719) 846-9843 ext. 131



CITY OF TRINIDAD, COLORADO

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, ESTABLISHING A HISTORIC PRESERVATION COMMISSION THROUGH A CERTIFIED LOCAL GOVERNMENT

WHEREAS, the City desires to designate, preserve, protect, enhance and perpetuate those buildings, sites, structures, objects and districts which reflect outstanding elements of the City's cultural, artistic, social, ethnic, economic, political, architectural, historic, technological, institutional or other heritage; and

WHEREAS, the protection and preservation of the City's historic built environment will enhance property values, and help stabilize the City's economy; and

WHEREAS, the City's historic buildings, sites, structures, objects and districts foster civic pride in the beauty and accomplishments of the past; and

WHEREAS, the rehabilitation of the City's historic buildings, homes and neighborhoods will enhance the City's attraction to tourists and visitors, increase the quality of life for our citizens and encourage future economic development; and

WHEREAS, a Certified Local Government will promote historic preservation to private property owners through the renovation of historic sites and structures for economic purposes; and

WHEREAS, the City's goal is to take advantage of economic development through historic preservation by creating a Historic Preservation Commission that will be a resource for national, state and local incentives; and

WHEREAS, the City Council's goal is to establish a method of protecting private property rights and preserving the City's unique historic character through the creation of a Historic Preservation Commission that will act as a quasi-judicial commission of a Certified Local Government.

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

Section 1. Article 13, Certified Local Government of Chapter 14, of the Code of Ordinances of the City of Trinidad is enacted in its entirety as follows:

ARTICLE 13. CERTIFIED LOCAL GOVERNMENT.

Section 14-245. Historic Preservation Commission

(1) Establishment. There is hereby created a Historic Preservation Commission, hereinafter in this Chapter 14, Article 13 referred to as the *Commission*.

(2) Membership.

(a) The Commission shall consist of five (5) members providing a balanced, community-wide representation, and all shall have an interest in historic preservation. The Commission shall have at least one (1) design professional, (1) licensed real estate broker and (3) members at large. Commission members shall not be members of the Trinidad City Council or a City Council Officer as defined in Section 2-16 of the Code of Ordinances.

(b) A majority of the voting members of the Commission shall be residents of the City of Trinidad for a minimum of one (1) year prior to appointment. The remaining member of the Commission must reside in Las Animas County and must either own property within the City and/or have a licensed business within the City.

(3) Appointments and Terms.

(a) Members of the Commission shall be appointed by the Trinidad City Council and shall serve a three year staggered term from the date of appointment. In order to stagger the initial terms of membership the original membership shall serve as follows:

- One (1) appointment shall serve a one-year term
- Two (2) appointments shall serve two year terms
- Two (2) appointments shall serve three year terms

(b) Members may be reappointed by the City Council to serve successive terms without limitation.

(c) Appointments to fill vacancies on the Commission shall be made by the City Council. Such appointments shall be for the remainder of the vacated term only.

(d) Members of the Commission may be removed by a majority vote of the City Council for just cause, which includes neglect of duty, acts detrimental to the City's interest, malfeasance in office or excessive absences. Absences by members of the commission of three consecutive meetings or three absences in a six month rolling period shall be cause for evaluation by City Council for the purpose of consideration of the member's removal from the Commission. The City Clerk shall advertise vacancies in a newspaper of local circulation requesting that interested individuals submit a letter indicating their interest and qualifications for the position advertised.

(4) Officers and Voting

(a) The Commission shall by majority vote, elect one (1) of its members to serve as chairperson to preside over the Commission's meetings. This shall be done at the first meeting of each calendar year. This term shall be for one (1) year with eligibility for re-election.

(b) A quorum for the Commission shall consist of a majority of the regular membership. A quorum of 3 members is necessary for the Commission to hold a public hearing or to take official actions. A tie vote shall be deemed a denial of the motion or recommended motion.

(5) Meetings and Appearances

(a) The Commission shall hold at least one (1) regular meeting per quarter, with monthly meetings as necessary. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. The City shall provide an administrative staff person to assist with this function.

(b) No member of the Commission shall appear on his/her own behalf or on the behalf of any private person before either the Historic Preservation Commission or the City Council in connection with any matter before the Commission.

Section 14-246. Powers, Duties and Authority of the Commission

The Commission shall act in a quasi-judicial manner, and it shall have the following powers, duties and rulemaking authority:

(1) Adopt criteria for review of historic properties and for review of proposals to alter, demolish or relocate designated properties.

(2) Review properties nominated for designation as a local landmark and recommend that the City Council designate by ordinance those properties qualifying for such designation. Nominated properties will only be reviewed once the property owner has given written permission for the designation; Review districts nominated for designation as local historic districts and recommend that the City Council designate by ordinance those districts qualifying for such a designation. Nominated districts will only be reviewed once 100% of the property owners have given written permission for the designation.

(3) Review and make decisions on any application for alterations to a designated historic landmark.

(4) Review and make decisions on any application for moving or demolishing a historic landmark.

- (5) Maintain a list of significant historic properties through the periodic updating of the Trinidad Inventory of Historic Buildings.
- (6) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse, including nomination to the National Register of Historic Places.
- (7) In conjunction with the local historical based organizations, the Commission should seek to develop and assist in public education programs, lectures and conferences.
- (8) Conduct surveys of historic areas for the purpose of defining those of historic significance, and prioritizing the importance of identified historic areas and structures.
- (9) Advise the Planning, Zoning and Variance Commission and the Trinidad City Council on matters related to preserving the historic character of the City.
- (10) Actively pursue financial assistance for preservation-related programs through grants and by other means in partnership and collaboration with other entities as much as possible.
- (11) Recommend removal of properties from the register of local landmarks if the criteria for revocation of designation are met.

Section 14-247. Local Historic Landmark Designation

- (1) Pursuant to the procedures hereinafter set forth in Section 14-246(2), the City Council may, by ordinance designate as a landmark an individual structure or an integrated group of structures on a single lot or site having a special historical or architectural value;
 - (a) Each such designating ordinance shall include a description of the characteristic of the landmark which justifies its designation and a description of the particular features that should be preserved, and shall include a legal description of the location, boundaries of the landmark site and the character defining features that qualify the landmark for designation.
 - (b) Any such designation shall be in furtherance of and in conformance with the purposes and standards of this Section 14-247(3).
 - (c) The property included in any such designation shall be eligible for such incentive programs as may be developed by this Commission and the City Council.
 - (d) No such designating ordinance will be enacted involving a property without written permission from the property owner.
- (2) Procedures

(a) A nomination for designation may be made by any property owner desiring to obtain a landmark designation by filing an application with the City of Trinidad Planning Department.

(b) The Commission shall hold at least one (1) public hearing on the proposal no more than forty-five (45) days after the filing of the application. The notice of the time and place of the public hearing shall be made by one (1) publication in a newspaper of local circulation in the City. The Commission shall review the application for conformance of the proposed designation with the established criteria for designation and the standards set forth in Section 14-247(3).

(c) At the conclusion of the public hearing or within not more than forty (40) days after the conclusion of the public hearing, the Commission shall 1) approve or 2) modify and approve or 3) disapprove the proposal by a majority vote.

(d) The Commission shall forward its recommendation and written report to the Trinidad City Council for consideration and final action.

(3) Standards for local landmark designation

The Trinidad Historic Preservation Commission, duly empowered as defined in Section 14-246(2), will evaluate and determine the merit of sites as defined in Section 14-247(3), for local landmark designation. The following historical, architectural or geographic criteria shall be used in this determination:

(A) If it is at least fifty (50) years old; AND

(B) If it has historic importance. Historical importance relates to a building, structure, object and/or site that:

(a) Has character, interest, value and which has affected the development, heritage, or cultural characteristics of the City, the State of Colorado or the Nation; or

(b) Is the site of a historic event that has interest, value and which has affected the development, heritage, or cultural characteristics of the City, the State of Colorado or the Nation; or

(c) Is identified with a person or group of persons who had some influence on the development, heritage and cultural characteristics of the City, the State of Colorado or the Nation; or

(d) Exemplified the cultural, political, economic, social or historical heritage of the community; OR

(C) If it has architectural importance. Architectural importance relates to a building, structure, object and/or site that:

(a) Portrays the environment of a group of people in an era of history; or

(b) Embodies the distinguishing characteristics of a significant or unique architectural type specimen; or

(c) Is the work of an architect or master builder whose individual work has influenced the character of the City, State of Colorado or the Nation; or

(d) Contains elements of design, detail, materials or craftsmanship which represent a significant architectural style; OR

(D) If it has geographic importance. Geographic importance relates to a building, structure, object and/or site that:

(a) Should be preserved based on a consistent historic, cultural or architectural motif; or

(b) Due to its unique location or singular physical characteristics represents an established and familiar visual feature of the city.

(E) Any site listed on the State or National Register of Historic Places shall be deemed to qualify for local designation under this Section 14-247(3), but is not automatically designated as a Local Landmark and must submit an application to receive the designation.

Section 14-248. Local Historic District Designation

(1) Pursuant to the procedures hereinafter set forth in Section 14-246(2), the Trinidad City Council may, by ordinance designate as a district a contiguous area as having a special historical or architectural value;

(a) Each such designating ordinance shall include a description of the characteristic of the district which justifies its designation and a description of the particular features that should be preserved, and shall include a legal description of the location and boundaries of the district area.

(b) The designating ordinance may also indicate alterations which would have a significant impact upon, or be potentially detrimental to, the district area.

(c) Any such designation shall be in furtherance of and in conformance with the purposes and standards of Section 14-248(3).

(d) The district included in any such designation shall be eligible for such incentive programs as may be developed by the Trinidad Historic Preservation Commission and the Trinidad City Council.

(2) Procedures

(a) A nomination for designation may be made by any property owner desiring to obtain a district designation by filing an application with the City of Trinidad Department of Planning.

(b) The Planning Department shall contact every property owner of record within the boundaries of the proposed district outlining the reasons and effects of the designation and, secure the consent of 100% of the ownership within the proposed area before the nomination is accepted as complete for review.

(c) The Commission shall hold at least one (1) public hearing on the proposal no more than forty-five (45) days after the nomination has been accepted for review. The notice of the time and place of the public hearing shall be made by one (1) publication in a newspaper of local circulation in the City. The Commission shall review the nomination for conformance of the proposed designation with the established criteria for designation and the standards set forth in Section 14-248(3).

(d) At the conclusion of the public hearing or within not more than forty (40) days after the conclusion of the public hearing the Commission shall 1) approve, or 2) modify and approve or 3) disapprove the proposal by a majority vote.

(e) The Commission shall forward its recommendation and written report to the Trinidad City Council for consideration and final action.

(3) Standards for local landmark designation

The Trinidad Historic Preservation Commission, duly empowered as defined in Section 14-246(2), will evaluate and determine the merit of sites as defined in Section 14-248(3), for local district designation. The following historical, architectural or geographic criteria shall be used in this determination:

(A) The proposed district has a percentage of structures that are at least (50) years old; AND

(B) The proposed district has historical importance. Historical importance relates to a district and/or area that:

(a) Has character, interest, value and which has affected the development, heritage, or cultural characteristics of the City, the State of Colorado or the Nation; or

(b) Is the site of a historic event that has interest, value and which has affected the development, heritage, or cultural characteristics of the City, the State of Colorado or the Nation; or

(c) Is identified with a person or group of persons who had some influence on the development, heritage and cultural characteristics of the city, the State of Colorado or the Nation; or

(d) Exemplified the cultural, political, economic, social or historical heritage of the community; OR

(C) The proposed district architectural importance. Architectural importance relates to a district and/or area that:

(a) Portrays the environment of a group of people in an era of history; or

(b) Embodies the distinguishing characteristics of a significant or unique architectural type specimen; or

(c) Includes the work of an architect or master builder whose individual work has influenced the character of the City, State of Colorado or the Nation; or

(d) Contains elements of design, detail, materials or craftsmanship which represent a significant architectural style; OR

(D) The proposed district has geographic importance. Geographic importance relates to a district and/or area that:

(a) Should be preserved based on a consistent historic, cultural or architectural motif; or

(b) Due to its unique geography or physical characteristics represents an established and familiar visual feature of the City.

Section 14-249. Revocation of a Designation

(1) Revocation of local historic landmark designation from buildings, structures, objects and/or sites.

(a) If a designated local landmark is lawfully removed, demolished or the victim of a natural disaster, the Trinidad Historic Preservation Commission and/or the property owner may request that the Trinidad City Council take action to revoke the local historic landmark designation.

(b) Trinidad City Council must revoke a designation by ordinance. Revocation of a designation is final.

(2) Revocation of local historic district designation from districts and/or areas.

(a) If a designated local district is significantly depleted of its qualifying historic structures or is the victim of a natural disaster, the Trinidad Historic Preservation Commission may request that the Trinidad City Council take action to revoke the local historic district designation.

(b) Trinidad City Council must revoke a designation by ordinance. Revocation of a designation is final.

Section 14-250. Landmark Alteration Certificates

(1) No person shall carry out or permit to be carried out on a designated landmark property any new construction, alteration, removal or demolition of a building or other designated feature without first obtaining a landmark alteration certificate for the proposed work.

(a) The City of Trinidad Building Department shall be provided a current record of all designated landmark properties and pending designations by the Historic Preservation Committee. The Building Department will refer any requests regarding these properties to the City of Trinidad Planning Department.

(2) Construction on proposed landmark properties.

(a) No person shall receive a permit to construct, alter, remove or demolish any structure or other feature on a proposed landmark property after an application has been filed to landmark the property. Any such permit will be placed on hold until the landmark proceedings have come to a conclusion.

(3) Landmark alteration certificate application and Commission review.

(a) An owner of property which has been designated as a local landmark or a property that is located within a locally designated historic district will be required to apply for a landmark alteration certificate before making any alterations to the exterior appearance of the property.

(b) The City of Trinidad Planning Department will process the landmark alteration certificate application as well as any required design specifications that illustrate the proposed changes to the landmarked property.

(c) The City of Trinidad Planning Department shall make available a detailed list of submittal requirements for the applicant's use.

(A) Administrative Review Process for Minor Alterations.

(I) A streamlined administrative review process shall be made available to applicants proposing minor changes to a landmarked structure.

(II) The Commission shall establish written eligibility and review criteria for the staff to follow. The staff may request that the submitted review be scheduled for formal review by the Commission if there is any uncertainty as to the intent of the criteria as it applies to a specific request.

(III) The administrative process shall be concluded within fifteen (15) days of a complete application submittal. The applicant may appeal any administrative decision to the Commission by

submitting an appeal request in writing to the City Clerk within fifteen (15) days of the administrative ruling.

(B) Meeting and Hearing Requirements.

(I) The Commission shall hold a public meeting on all applications for landmark alteration certificates within forty-five (45) days after an application has been received by the City of Trinidad Planning Department.

(II) The Commission shall hold a noticed public hearing which is required for requests involving demolition or removal of a landmarked structure. Notice of time, date and place of such hearing, and a brief summary of explanation of the subject matter of the hearing, shall be posted on the property in a manner visible from all adjacent public rights-of-way at least fifteen (15) days prior to the hearing. The applicant is responsible for accomplishing the public notice.

(C) Commission Review.

(I) At the conclusion of the public hearing or within not more than forty (40) days after the conclusion of the public hearing the Commission shall determine whether the application meets the established review standards for alterations as outlined in Section 14-251(1)

(II) The Commission shall adopt written findings and conclusions and either approve, or approve with conditions or disapprove the application by a majority vote.

(D) Extension of Review Period.

(I) When reviewing alteration certificate applications involving moving or demolition of a landmarked structure, the Commission may extend the review period up to ninety (90) additional days if the Commission finds the original application does not meet the established review standards for alterations.

(II) The ninety-day extension period shall be used to encourage both the applicant and the Commission to explore acceptable alternative solutions to the original submittal.

(4) Appeal or call-up of disapproved proposals.

(a) A decision of the Commission approving or disapproving an application for alteration or extending the review period on the application is final unless appealed to the Trinidad City Council as provided below:

(A) An applicant may appeal any decision of the Commission to the City Council by filing a written notice of appeal with the Planning Department within fifteen (15) days of the Commission's decision.

(B) Council Meeting and Decision.

(I) Within forty-five (45) days of the date of any decision of the Commission to disapprove or modify an alteration certificate application, the Council shall hold a public meeting on the matter.

(II) Where a decision to move or demolish a landmarked structure is involved, public notice shall be required in accordance with Section 14-250(3)(c)(B)(II).

(III) The Council shall consider the written findings and conclusions of the Commission and the proposal's conformance to adopted alteration certificate criteria as noted in Section 14-251(1) and shall approve, or approve with conditions, or disapprove the proposed application.

(C) Undue Hardship Appeals.

(I) The Council may consider claims of economic or undue hardship in cases where an applicant was denied an alteration certificate by the Commission.

(II) The applicant must provide adequate documentation and/or testimony at the Council meeting to justify such claims. The following includes the type of information, plus any other information the applicant feels is necessary, which must be submitted in order for the Council to consider a hardship appeal:

(1) Estimate of the cost of the alteration proposed under the denied alteration certificate, and an estimate of any additional costs which would be incurred to comply with the alterations recommended by the Commission.

(2) Estimates of the value of the property in its current state, with the denied alterations, and with the alterations proposed by the Commission.

(3) Information regarding the soundness of the structure or structures, and the feasibility for rehabilitation which would preserve the character and qualities of the designation.

(4) In the case of income-producing properties, the annual gross income from the property, the operating and maintenance expenses associated with the property, and the

effect of the proposed alterations and Commission-recommended alterations on these figures.

(5) Any information concerning the mortgage or other financial obligations on the property which are affected by the denial of the proposed alterations.

(6) The appraised value of the property.

(7) Any past listing of the property for sale or lease, the price asked, and any offers received on that property.

(8) Information relating to any nonfinancial hardship resulting from the denial of an alteration certificate.

(III) The Council may refer the information for review by the Commission prior to rendering its final decision on any hardship related appeal. If it is determined that the denial of the certificate of alteration would pose an undue hardship on the applicant, then a certificate of alteration noting the hardship relief shall be issued, and the property owner may make the alterations outlined in the alteration certificate application.

(5) Issuance of a landmark alteration certificate.

(a) The Planning Department shall issue a landmark alteration certificate if an application has been approved by the Commission or appealed and approved by the City Council.

(b) Time Limit.

When approving an application for a landmark alteration certificate, the Commission or City Council may impose a time limit for the applicant to apply for a building permit conforming to the certificate.

(6) Unsafe or dangerous condition exempted.

(a) Nothing in this Chapter 14, Article 13 of the Code of Ordinances shall be construed to prevent any measures of construction, alteration, removal or demolition necessary to correct the unsafe or dangerous condition of any structure, other feature or parts thereof where such condition is declared unsafe or dangerous by the City Building Official or Fire Inspector and where the proposed measures have been declared necessary by the City Manager to correct the condition, as long as only such work that is absolutely necessary to correct the condition is performed. Any temporary measures may be taken without first obtaining a landmark alteration certificate under this Ordinance, but a certificate is required for permanent alteration, removal or demolition.

(7) Property maintenance required.

(a) The City Council intends to preserve from deliberate or inadvertent neglect the exterior portions of designated landmarks and all interior portions thereof whose maintenance is necessary to prevent deterioration of any exterior portion. No owner, lessee or occupant of any landmark shall fail to prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure on the effective date of the successful landmark status of the property.

(b) No owner, lessee or occupant of any contributing property within a locally designated historic district shall fail to comply with all applicable provisions of Section 14-250(7)(a) regulating property maintenance.

(c) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of any external architectural feature which does not involve change in design, material, color or outward appearance of a designated landmark.

Section 14-251. Criteria to review alteration certificate

(1) The Commission and City Council shall consider the proposed alteration for conformance with the Secretary of Interior's Standards for Rehabilitation. Conformance to specific alteration criteria for individual properties, structures or districts imposed at the time of initial designation must also follow the Secretary of Interior's Standards for Rehabilitation.

(2) The Commission and City Council may adopt additional criteria or policy design guidelines to aid in the review of alteration certificate applications. Such criteria and policies shall be written and made available to all alteration certificate applicants and the general public.

Section 14-252. Non-locally Landmarked Properties on the National and/or State Historic Register

(1) Public notice and hearing requirement prior to proposed alterations.

(a) Affected Properties. Structures listed on the National Historic Register and/or the State Historic Register which are still standing and which have not been designated by the City as a local historic landmark may be subject to notice and hearing requirements prior to the issuance of a building permit for any proposed building alteration involving a significant change to a building's exterior appearance, building removal or building demolition.

(b) Public Meeting and Hearing Required. Before a building permit can be issued for proposed alterations to such structures as identified in Section 14-252(1)(a), the proposal shall be considered at a public meeting before the Commission no later than forty-five (45) days after the request for building permit has been accepted by the City Building Department.

(c) If the permit involves building removal or demolition, public notice of the meeting shall be required. Notice of time, date and place of such meeting, and a

brief summary of explanation of the subject matter of the hearing, shall be posted on the property in a manner visible from all adjacent public rights-of-way at least ten (10) days prior to the hearing. The City shall be responsible for accomplishing the public notice.

(d) The purpose of the meeting shall be to review the proposed alteration with the applicant and, if warranted, discuss alternative designs, materials and actions with the applicant which would better preserve the historic character of the property.

(e) Within five (5) days following the public meeting, the applicant shall be entitled to be granted a building permit for the proposed alteration, changed or unchanged, assuming that all other City codes and requirements have been met and if no application for landmark designation has been submitted.

Section 14-253. Penalties and Sanctions

(1) Prohibition. No person shall violate or permit to be violated any of the requirements of this Section 14-250 or the terms of a landmark alteration certificate.

(a) Criminal Penalties. The following violations of this Chapter are punishable by a fine of up to one thousand dollars (\$1,000.00):

(A) Moving or demolishing a designated landmark structure without an approved landmark alteration certificate.

(B) Other types of alterations to a designated landmark without an approved landmark alteration certificate.

(C) Moving, demolishing or otherwise altering a structure with a pending application for landmark designation.

(D) Alterations to a defined historically significant structure without having first undergone the required public meeting process.

(b) Council Sanctions. Irrespective of the imposition of the criminal penalties provided above, the City Council may impose the following nonpenal sanctions if, after a due process hearing, it is found that the provisions of Section 14-250 have been violated:

(A) Moving or demolishing a designated landmark structure without an approved landmark alteration certificate. The Council may restrict the issuance of any building permits on the site for a period of up to five (5) years, in addition to any fines imposed through the Municipal Court.

(B) Other types of alterations to a designated landmark without an approved landmark alteration certificate. The Council may require that the structure be returned to its original state or restrict the issuance of any building permit on the site for up to two (2) years, in addition to any fines imposed through the Municipal Court.

(C) Moving, demolishing or otherwise altering a structure with a pending application for landmark designation. The Council may restrict the issuance of any building permit on the site for a period of up to five (5) years, in addition to any fines imposed through the Municipal Court.

(D) Alterations to a defined historically significant structure without having first undergone the required public meeting process. The Council may restrict the issuance of any building permit on the site for a period of up to two (2) years, in addition to any fines imposed through the Municipal Court.

Section 2. Severability. Should any section, paragraph, sentence, clause, or phrase of the Ordinance, or of any of the primary or secondary codes adopted by reference herein, be judicially determined unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance or codes adopted by reference. The City Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

Section 3. Effective Date. This ordinance shall be published and become effective ten (10) days after final passage, as provided in § 5.5 of the Home Rule Charter for the City of Trinidad, Colorado.

INTRODUCED BY COUNCILMEMBER MILES, READ AND ORDERED PUBLISHED, this 19th day of May, 2015.

PASSED AND APPROVED this ____ day of _____, 2015.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the ____ day of _____, 2015.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk

5a



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: M & M Distributing, LLC representative
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Medical Marijuana Center license renewal request by M & M Distributing, LLC at 422 N. Commercial Street

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of the license as requested

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: Table for more information.

BACKGROUND INFORMATION:

- The renewal application is in order.
- The Fire Department reports compliance on behalf of the Fire and Building departments.
- The Police Department reported no calls for service and did not indicate any other issues with the renewal.
- The Health Department indicated compliance.
- The Police Department reports no changes to the criminal history of the licensees.
- Appropriate fees have been paid.

CONTACT FOR INFORMATION:

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

5a



CITY OF TRINIDAD

City Clerk's Office
135 N Animas St
P.O. Box 880
Trinidad, Colorado 81082
719-846-9843

City of Trinidad
MAY 11 2015
City Clerk's Office

MEDICAL MARIJUANA LICENSE APPLICATION		
<input type="checkbox"/> New License Application Fee \$2,500.00	<input checked="" type="checkbox"/> License Fee/Renewal Fee \$1,000.00	
<input type="checkbox"/> Transfer of Ownership Application Fee \$1,500.00	<input type="checkbox"/> Change of Location \$1,500.00	
LICENSE TYPE		
<input checked="" type="checkbox"/> Medical Marijuana Center	<input type="checkbox"/> Medical Marijuana Infused-Products Manufacturer	
<input checked="" type="checkbox"/> Medical Marijuana-Optional Premises Cultivation Operation		
TYPE OF BUSINESS		
<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Individual*
<input checked="" type="checkbox"/> Limited Liability Corporation	<input type="checkbox"/> Other	
*Sole Proprietorship (Individual) – Verification of Lawful Presence is required per State law (Signed Affidavit and Photo ID)		

Applicant M + M Distributing, LLC
 (Corporation/LLC)
 Applicant _____
 (Sole Proprietor) First Name Middle Initial Last Name

Trade Name of Establishment (DBA) M + M Distributing LLC
 Address of Premise 422 N. Commercial ST., Trinidad, CO 81082
 Mailing Address 422 N. Commercial ST., Trinidad, CO 81082
 Telephone 719-422-8298 Email Address jjdeangelis@hotmail.com
 Contact Person/Manager John Micheliza Title President
 Telephone 719-680-1019 Email Address jjdeangelis@hotmail.com

Does the Applicant have legal possession of the premise for at least one (1) year from the date that this license will be issued by virtue of ownership, lease or other arrangement?

- Ownership Lease Other (explain in detail)

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

Landlord Tenant Expires

see attachment

**If premises are leased, attach notarized consent by the owner of the property to the licensing of the premises for a medical marijuana facility.

ADDITIONAL DOCUMENTS TO BE SUBMITTED WITH APPLICATION

Individual History Records attached and completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers and employees of a Medical Marijuana License.

1. Fingerprinting by the Trinidad Police Department for:

- all general partners of a partnership and limited partners owning 10% (or more) of a partnership;
- all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation;
- all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company; and
- all managers and employees of a Medical Marijuana License

with the appropriate fee payable to Colorado Bureau of Investigation (currently \$38.50, March, 2014)

\$39.50, June

✓ 2. Lease or Deed – Evidence of Possession

3. Conditional Use Permit approval

4. Copy of alarm system contract

✓ 5. Copy of state sales tax license

✓ 6. Certificate of Good Standing

7. Affidavit of Lawful Presence (Sole Proprietors only)

✓ 8. Diagram of Premises:

- A floor plan, drawn to scale on 8-1/2 x 11" paper, showing the layout of the center and the principal uses of the floor area. Floor plan must include location of lighting and cameras required by state rules.

9. Copy of State Application with attachments

LIST OF OWNERS, OFFICERS, MANAGERS, EMPLOYEES & OTHERS WITH DIRECT OR INDIRECT FINANCIAL INTEREST

1. Name: John Micheliza Title: President

Address: [REDACTED] Trinidad, CO 81082

Financial Interest: 50%

2. Name: Geraldine DeAngelis Title: Sec/Treas

Address: [REDACTED] Trinidad, CO 81082

Financial Interest: 50%

3. Name: _____ Title: _____

Address: _____

Financial Interest: _____

4. Name: _____ Title: _____

Address: _____

Financial Interest: _____

5. Name: _____ Title: _____

Address: _____

Financial Interest: _____

6. Name: _____ Title: _____

Address: _____

Financial Interest: _____

7. Name: _____ Title: _____

Address: _____

Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana business; and that the application and documents submitted for other approvals relating to the medical marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

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

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

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Signed: John E. Micheliza Title: President
(Must be signed by Individual Owner, Partner, or Officer)

Printed Name: John E Micheliza Date: 5-6-15

4. Name: _____ Title: _____

Address: _____

Financial Interest: _____

5. Name: _____ Title: _____

Address: _____

Financial Interest: _____

6. Name: _____ Title: _____

Address: _____

Financial Interest: _____

7. Name: _____ Title: _____

Address: _____

Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana business; and that the application and documents submitted for other approvals relating to the medical marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

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

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

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Signed: Geraldine De Angelis Title: owner / Sec - Treas.
(Must be signed by Individual Owner, Partner, or Officer)

Printed Name: Geraldine De Angelis Date: 5/6/15



City of Trinidad, Colorado
1874

**CITY OF TRINIDAD, COLORADO
OFFICE OF THE CITY CLERK**

**LICENSEE'S STATEMENT REGARDING KNOWLEDGE
OF THE STATE OF COLORADO'S MEDICAL MARIJUANA CODES AND
REGULATIONS AND THE CITY OF TRINIDAD'S ORDINANCES AND LOCAL
RULES OF PROCEDURE GOVERNING MEDICAL MARIJUANA BUSINESSES**

The Local Licensing Authority, as the enforcement agency for the for the City of Trinidad, expects a Medical Marijuana Business licensee to be knowledgeable of the State of Colorado's and the City of Trinidad's Medical Marijuana laws, codes, regulations and ordinances and to seek further clarification of such information if necessary.

I, John E. Michelizza, hereby state that I have read Article 43.3 of Title 12, C.R.S., as amended, and the regulations promulgated thereunder, and the City of Trinidad Municipal Code regarding general business licensing and Medical Marijuana business licensing and understand the contents thereof.

John E. Michelizza
Printed Name of Licensee

J.E. Michelizza President
Authorized Signature of Licensee/Title

5-6-15
Date

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144841984
MY COMMISSION EXPIRES OCTOBER 29, 2018

STATE OF Colorado)
COUNTY OF Sao Animas)

ss.

Subscribed and sworn to before me this 6th day of May, 20 15

Diana Connell
Notary Public Signature

My Commission Expires: October 29, 2018



**CITY OF TRINIDAD, COLORADO
OFFICE OF THE CITY CLERK**

**LICENSEE'S STATEMENT REGARDING KNOWLEDGE
OF THE STATE OF COLORADO'S MEDICAL MARIJUANA CODES AND
REGULATIONS AND THE CITY OF TRINIDAD'S ORDINANCES AND LOCAL
RULES OF PROCEDURE GOVERNING MEDICAL MARIJUANA BUSINESSES**

The Local Licensing Authority, as the enforcement agency for the for the City of Trinidad, expects a Medical Marijuana Business licensee to be knowledgeable of the State of Colorado's and the City of Trinidad's Medical Marijuana laws, codes, regulations and ordinances and to seek further clarification of such information if necessary.

I, Geraldine DeAngelis, hereby state that I have read Article 43.3 of Title 12, C.R.S., as amended, and the regulations promulgated thereunder, and the City of Trinidad Municipal Code regarding general business licensing and Medical Marijuana business licensing and understand the contents thereof.

Geraldine DeAngelis
Printed Name of Licensee

Geraldine DeAngelis
Authorized Signature of Licensee/Title

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

5/6/15
Date

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

STATE OF Colorado)
COUNTY OF Las Animas)

ss.

Subscribed and sworn to before me this 6th day of May, 2015.

Diana Connell
Notary Public Signature

My Commission Expires: October 29, 2018

Lease

Landlord John E. Micheliza
Geraldine DeAngelis

Nicholas Reyes
Michael Reyes
Alicia Reyes
Trustees of the Judith A. Reyes Revocable Trust, U/T/D May 24, 2007

Tenant M & M Distributing LLC
Expires December 31, 2018

LEASE AGREEMENT

THIS AGREEMENT OF LEASE is executed this 1st day of May, 2015, by and between John E. Micheliza; Geraldine DeAngelis; Nicholas Reyes, Michael Reyes and Alicia Reyes, Trustees of the Judith A. Reyes Revocable Trust, U/T/D May 24, 2007; hereinafter referred to collectively as the "landlord," and M & M Distributing, LLC, a Colorado limited liability company, hereinafter referred to as the "tenant."

WHEREAS: The parties have agreed upon a lease.

NOW, THEREFORE, it is agreed:

1. FORMATION AND PROPERTY DESCRIPTION:

The landlord hereby leases unto the tenant and the tenant hereby rents from the landlord the following premises and property located in the County of Las Animas, State of Colorado:

The real estate and improvement located at 422 N. Commercial, Trinidad, Colorado 81082 which is specifically described on the legal description attached hereto as **Exhibit A.**

2. COVENANT OF TITLE:

Landlord represents and warrants that landlord has title to the demised premises in fee simple, and that the lease has neither been assigned nor have the rentals payable under the lease been assigned. Landlord further covenants and warrants that landlord has full right and lawful authority to enter into this agreement for the extended term of the lease and that no consents of any nature whatsoever are required for landlord to enter into this agreement. Landlord warrants and represents that there are no liens or encumbrances or exceptions to title of any nature whatsoever.

3. TERM AND RENTAL:

A. The term of this lease shall be for a period of forty-four (44) months commencing on May 1, 2015 and ending on December 31, 2018.

B. The base rental shall be the total sum of \$440,000.00 and shall be payable at the rate of \$10,000.00 per month in advance, commencing on May 1, 2015 and on the first day of each month hereafter.

C. Said rental shall be payable at 422 N. Commercial St., Trinidad, Colorado 81082.

4. PURPOSE AND USE:

A. The said premises are to be used and occupied by the tenant for retail sales, including the cultivation and sales of marijuana.

B. The tenant shall not use the premises during the term hereof for any purpose contrary to the laws of the State of Colorado or municipal ordinances.

C. The parties acknowledge that the cultivation, sale, and possession of marijuana is now unlawful under the laws of the United States of America. The tenant hereby releases landlord, its employees, attorneys, officers, members, and agents from any liability for injuries, damages or liability of any kind that result from any arrests or prosecution of marijuana dispensary owners, operators, employees, clients or customers for a violation of federal laws, rules or regulations. The tenant agrees to indemnify the landlord from all claims, injury, loss, or damage which arise out of, or in connection with the operation of, the marijuana facility. Tenant further agrees to investigate, handle, respond to, and to provide defense for and defend against any such liability, claims, or demands at its expense and bear all other costs and expenses related thereto, including court costs and attorney's fees.

5. UTILITIES:

The tenant shall be responsible, assume and pay, for all utilities on the premises, at tenant's own expense, including without limitation, gas, water, electricity, heat, garbage and sewer collection and other utilities.

6. TAXES:

A. The tenant shall be responsible for, and pay all, ad valorem taxes and charges upon the said tenant during the term of this lease. The tenant shall be responsible for all other taxes. In addition thereto, the tenant shall be responsible for all increase in taxes as a direct result of assessments resulting from the placing or holding of additional machinery, equipment, personal property or improvements placed upon the premises by the tenant.

B. The tenant shall be responsible and hold the landlord harmless from all sales, gross receipts, occupation, franchise, or other such excise or business taxes arising out of the use of the said premises.

7. MAINTENANCE AND UPKEEP:

A. The landlord shall be responsible for all major

structure repairs (meaning roofs, walls, floors, foundations, electrical and plumbing systems to the outlets), and the tenant shall be responsible for all other maintenance and repairs to the said premises and property during the term hereof. Landlord's responsibility shall not commence until and unless ten (10) days' written notice thereof shall have been delivered to landlord, specifying the major structure repair needed. The landlord shall not have the right to go upon the premises to make repairs without the express permission of the tenant, and the obligation of the landlord to make such structural repairs shall not be construed to impose upon the landlord any liability for damage or injury arising from the condition giving rise to the necessity of structural repairs until such time as the landlord is given notice, and written permission from the tenant to go upon the premises, to make such repairs pursuant to this paragraph.

B. The responsibility of the landlord to make major structure repairs shall not impose a duty upon the landlord to rebuild the demised improvements or any part thereof in the event of total or substantial destruction by fire, wind, or some similar, unusual or unforeseen occurrence. The duty contemplated to be hereby imposed upon the landlord shall extend only to repair or restoration of the demised premises in the event of fire damage or partial destruction rendering the premises temporarily untenable in landlord's opinion. Any decision of the landlord to carry fire insurance shall not be construed to impose any greater duty upon the landlord than is contained in the foregoing.

C. In the event of damage to the premises, which damage it is the obligation of the landlord to repair hereunder, then and in such event, the rent due to be paid by the tenant shall abate for a period during which he cannot occupy the premises due to the damage and repair. In the event of substantial or total destruction of the premises as hereinabove described, which destruction is not contemplated in landlord's determination to be within the scope of the landlord's duty to repair, then and in such event, this lease shall be automatically terminated and the tenant shall have no further obligation to pay rent beyond the time of such termination.

D. Notwithstanding any specific provisions hereinabove set forth, the tenant shall be responsible for any damage, loss, claim or repair occasioned, or the result of, the act of the tenant, or tenant's agents, employees, business invitees, guests and assigns.

E. The tenant shall not incur, or allow to be incurred or placed upon the premises, any lien or liens, or other encumbrance, and herewith agrees to hold the landlord harmless therefrom.

F. Tenant's Repairs. Tenant agrees to repair all damage to the leased premises caused by tenant's use other than ordinary wear

and tear and that on surrendering possession, it will leave the leased premises in good condition, allowance being made for ordinary wear and tear, damage by fire, the elements or other casualty, or resulting from the acts of persons other than tenant, or from defects therein, being excepted. Tenant may make such repairs, alterations and improvements to the leased premises as tenant deems desirable but tenant agrees not to permit any liens to stand against the leased premises for work done or materials furnished. Tenant may paint the interior of the building on the leased premises in such colors as tenant elects. Tenant shall have the exclusive right to paint, erect or authorize signs in, on or about the building on the leased premises and may, at any time, remove signs and color effects installed by tenant. On surrendering possession, tenant shall not be required to restore the leased premises to their condition at the commencement of the term, and landlord agrees to accept the leased premises with alterations and improvements made by tenant. Any exterior alterations or signs shall be subject to the approval of landlord which shall not be unreasonably withheld.

8. DAMAGE BY CASUALTY:

If the leased premises are damaged by fire, the elements, or other casualty, landlord shall promptly repair all damage and restore the leased premises to their condition just prior to the damage. If landlord is delayed in restoring the leased premises as a direct result of a strike, riot, insurrection, fire or act of God, or operation of law, governmental regulation or order, an extension of one (1) working day will be allowed landlord for each working day lost for such cause; providing, however, that in any and all events if the leased premises are not restored and all damage repaired within one (1) year after the date of damage, tenant may cancel this lease by notice to landlord. If tenant is deprived of the use of any substantial portion of the leased premises, either by reason of said damage or during restoration, the rent shall be abated or proportionately reduced according to the extent to which tenant is deprived of such use. Tenant agrees to keep in effect on the leased premises fire insurance with extended coverage endorsement in an amount not less than 90% or the insurable value of the building improvements thereof. Such insurance that tenant maintains pursuant to this paragraph 8, shall be written by a carrier or carriers acceptable to landlord or by a company or companies rated A, AAA, or Best's Manual. Said policy or policies of insurance to provide the payment for any losses covered under or by said policy or policies of insurance shall be made to landlord and/or tenant and/or mortgage and/or assignee designated by landlord from time to time as their respective interests may appear. If, during the lease term the leased premises are damaged by fire, the elements, or other casualty to the extent of 75% or more of the insurable value thereof, tenant may terminate this lease as of the date of damage by notice to the landlord within thirty (30) days after said date.

9. NON-LIABILITY OF LANDLORD; INDEMNIFICATION; INSURANCE:

A. Tenant accepts exclusive possession and control of the leased premises as of the date of commencement of this lease in the condition in which then found. Landlord shall not be liable thereafter for any injury or damage to any property or to any person on the leased premises caused by fire, bad condition, unsafe condition, or any other circumstance not herein specifically described, or caused by the use, misuse or abuse of the leased premises or any property now or hereafter thereon.

B. Tenant agrees to protect, indemnify, defend, hold and save landlord harmless from and against any and all claims, demands, liability, causes of action, loss or damage of any nature whatsoever on account of property damage, personal injury or wrongful death to any person or property arising directly or indirectly out of or caused by any accident, negligence, or other acts on or in connection with the leased premises or any part thereof, any nuisance made or suffered thereon, any use or occupancy of the leased premises by tenant or any person claiming by, through or under tenant, or any failure of tenant to maintain the leased premises in safe condition and in good order and repair, and tenant shall reimburse landlord for any attorneys' fees or other costs and expenses in connection with the defense of any claim relating thereto.

C. Tenant shall keep in effect during the term of this lease, and deliver a copy thereof to the landlord, a general comprehensive liability policy or policies written by responsible insurance companies authorized to conduct business in Colorado, covering the leased premises in the amount of \$1,000,000 personal injury, with property damage of \$500,000. Tenant shall cause its insurance company during the foregoing policy to provide landlord with an insurance certificate describing the insurance coverage as above set forth. The said insurance certificate hereinabove described shall also contain a statement by the insurer that no cancellation or change of the policy described will be made without at least ten (10) days written notice thereof to the landlord.

10. DEFAULT:

If tenant shall be in default for more than twenty (20) days after receipt of landlord's notice specifying such default, landlord may declare the term ended and re-enter the leased premises with or without process of law. If landlord shall be in default for more than twenty (20) days after receipt of tenant's notice specifying such default, tenant may incur any expense necessary to perform any obligation of landlord specified in such notice and deduct such expense from the rents thereafter to become due. The performance of each and every covenant and agreement by landlord herein contained shall be a condition precedent to lessor's right to collect rents or enforce this lease.

11. TERMINATION:

This agreement shall cease, determine and come to an end at the option of the landlord, thirty (30) days after notice in writing shall be personally served, or mailed, to the tenant, of the happening of any one of the following actions, conditions, failures, or omissions, to-wit:

A. The tenant fails to make the payments when due or omits to perform or violates any of the covenants and conditions of this lease by the tenant to be performed or observed, or if tenant shall fail to make reasonable efforts in the light of the surrounding circumstances to keep substantially all the premises occupied and open.

B. Abandonment of the premises.

C. The filing of execution or occurrence of a petition in bankruptcy by or against the tenant, adjudication as a bankruptcy, or insolvency in the bankruptcy equity sense, and assignment for benefit of creditors, petition or other proceedings for appointment of trustee, receiver, guardian or conservator, or the taking by any person of the leasehold created hereby or any part thereon upon execution, attachment or other process of law or equity.

D. The use of the premises for any purpose but the hereinabove authorized.

E. In addition to the foregoing, should default be made in the payment of rental sums due for a period of not less than ten (10) days, the landlord shall have the option forthwith to terminate this lease and to re-enter the premises and take possession thereof.

F. In any of the events of default or termination as is set forth in this paragraph, the landlord shall have the right and option to terminate the lease, to re-enter the premises and take possession thereof, remove all persons therefrom, with or without process of law, and to distrain for any rent, damages or other sums that may be due hereunder, any property belonging to the tenant and located on the premises. Whereupon the tenant shall quit and surrender peaceably the premises to the landlord and all of tenant's rights herein and to the premises shall be deemed forfeited.

G. A waiver by the landlord of any breach or breaches by the tenant of any one or more of the covenants and conditions hereof shall not constitute a waiver, nor shall the same affect the right of the landlord hereunder for any subsequent breach of or any such other covenants or conditions.

H. Both parties shall, without limitation as above set forth, have the right to any and all other legal remedies allowable by laws of the State of Colorado, together with costs and reasonable attorney's fees in enforcing the terms and provisions of this Lease Agreement or in terminating the same.

12. HOLDING OVER:

Any holding over by the tenant after the expiration of the term of this lease shall be deemed an extension or renewal of this lease for an additional thirty (30)-day period only, and thereafter such holding over shall be construed as a tenancy from month-to-month by extension of this lease under the terms and conditions of the lease.

13. NON-ASSIGNMENT:

The tenant shall not, in whole or in part, assign or sublet the said premises or this lease without having obtained the prior written consent of the landlord.

14. MISCELLANEOUS PROVISIONS:

A. This lease shall be governed by the laws of the State of Colorado.

B. Time is of the essence of each and every one of the conditions and terms of this agreement.

C. All prior negotiations and understandings between the parties are merged into this agreement which contains and defines all of the rights, duties and liabilities of the parties. There are no verbal agreements, or other writings, which in any manner affect or govern the agreement of the parties, and both parties do so state and agree.

D. Whenever the word "tenant" is used in this document, it shall be deemed to mean the named tenant, assignees, invitees, permittees, guests, agents and employees.

E. All damages and payments resulting from a taking, damaging or condemnation of the said premises under the right of eminent domain shall accrue to and belong to the landlord and the tenant shall have no right to any part thereof.

F. The tenant may, upon the written agreement of the landlord, make alterations, additions or improvements in or about the said demised premises. All such improvements which are attached to the walls, floors and premises shall immediately merge and become a permanent part of the realty and shall remain on the premises.

G. The tenant shall, subject to the rights of distraint and default as hereinabove set forth, have the right upon the termination of this lease to remove from the premises all equipment and personal property belonging to the tenant.

H. All notices to be given under this lease shall be deemed to have been properly delivered when personally delivered to either party, or deposited in the United States Mail with sufficient postage, addressed to the landlord at c/o John Micheliza, 44910 Co. Rd. 40, Trinidad, Colorado 81082; or addressed to the tenant at c/o Geraldine M. DeAngelis, 422 N. Commercial St., Trinidad, Colorado 81082.

I. This Lease Agreement supersedes any and all other Lease Agreements concerning this Premises. Any unexpired leases between the parties regarding this Premises are hereby terminated.

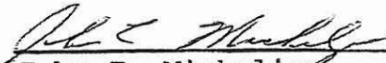
15. BINDING EFFECT:

The terms hereof shall extend to, and be binding upon, the heirs, administrators, executors successors and assigns of the parties.

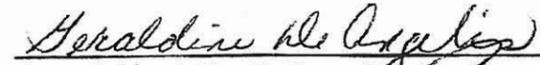
IN WITNESS WHEREOF, the parties have hereunto affixed their signatures the day and year first above written.

LANDLORD:

TENANT:

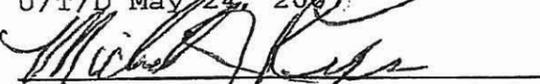

John E. Micheliza

M & M DISTRIBUTING, LLC


Geraldine M. DeAngelis

By: 
John E. Micheliza, Manager


Nicholas Reyes, Trustee of The
Judith A. Reyes Revocable Trust
U/T/D May 24, 2007


Michael Reyes, Trustee of The
Judith A. Reyes Revocable Trust
U/T/D May 24, 2007

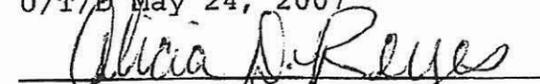

Alicia Reyes, Trustee of The
Judith A. Reyes Revocable Trust
U/T/D May 24, 2007

EXHIBIT A

Beginning at a point on the easterly line of Commercial Street, said point being 138.9 feet north 18°55' west of the northeast corner of the intersection of Commercial Street and Cedar Avenue; thence continuing north 18°55' west, eighty-four (84) feet; thence north 75°18' east, forty-eight and two-tenths (48.2) feet; thence south 18°55' east, thirteen (13) feet; thence north 75°18' east, 133.7 feet; thence south 18°55' east, twenty-seven (27) feet; thence north 71°07' east, sixty-seven and five-tenths (67.5) feet; thence south 18°55' east, twenty-three and seven-tenths (23.7) feet; thence south 71°07' west 144 feet; thence south 18°55' east, ten (10) feet; thence south 71°07' west, 116 feet to the point of beginning, containing 13,880 square feet, more or less;

Beginning at a point on the easterly line of Commercial Street, said point being 138.9 feet North, 18°55' West of the northeast corner of the intersection of Commercial Street and Cedar Avenue; thence North 71°07' East, 260 feet; thence North 18°55' West, thirty-three and seven-tenths (33.7) feet to the true point of beginning; thence continuing North 18°55' West, six (6) feet, more or less, to a point that is ten (10) feet from the center line of the Railway Company's Track No. 72 when measured at right angles thereto; thence South 84°23' West, sixty-nine and six-tenths (69.6) feet along a line parallel with and ten (10) feet southerly from the center line of the Railway Company's track to a point; thence South 18°55' East, twenty-two (22) feet; thence north 71°07' East, sixty-seven and five-tenths (67.5) feet, more or less, to the true point of beginning, containing 945 square feet, more or less;

Beginning at a point on the easterly line of Commercial Street, said point being 138.9 feet North, 18°55' West of the northeast corner of the intersection of Commercial Street and Cedar Avenue; thence North 71°07' East, 116 feet to the true point of beginning; thence continuing North 71°07' East, 144 feet; thence North 18°55' West, ten (10) feet; thence South 71°07' West, 144 feet; thence South 18°55' East, ten (10) feet; to the true point of beginning, containing 1,440 square feet, more or less;

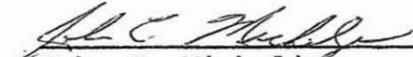
also known as street and number 422 N. Commercial

VERIFIED CONSENT OF PROPERTY OWNERS TO MARIJUANA BUSINESS

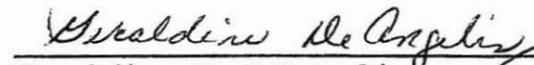
This consent is made and given by John E. Micheliza; Geraldine DeAngelis; and Nicholas Reyes, Michael Reyes and Alicia Reyes, Trustees of the Judith A. Reyes Revocable Trust U/T/D May 24, 2007; who are the owners of the property located at 422 N. Commercial St., Trinidad, Colorado 81082, which is specifically described on **Exhibit A** attached hereto, (hereinafter referred to collectively as "Property Owners").

The undersigned Property Owners understand that M & M Distributing, LLC, a Colorado limited liability company, will be submitting to the City of Trinidad and the State of Colorado application(s) for licensing as a marijuana business which grows and sells marijuana as allowed by Colorado Law. The undersigned Property Owners hereby consent to such use of the property.

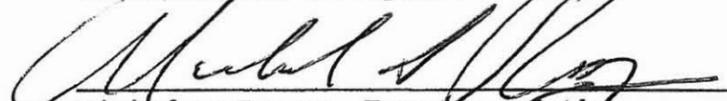
The Property Owners, as landlord, have entered into a written Lease Agreement with M & M Distributing, LLC, as tenant, which acknowledges that the property at 422 N. Commercial St., Trinidad, Colorado, will be used for a marijuana business which cultivates, grows, produces and sells marijuana.



John E. Micheliza



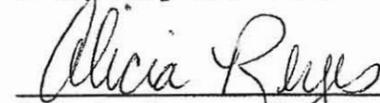
Geraldine M. DeAngelis



Nicholas Reyes, Trustee of the
Judith A. Reyes Revocable Trust,
U/T/D May 24, 2007



Michael Reyes, Trustee of the
Judith A. Reyes Revocable Trust,
U/T/D May 24, 2007



Alicia Reyes, Trustee of the
Judith A. Reyes Revocable Trust,
U/T/D May 24, 2007

STATE OF COLORADO)
) ss
COUNTY OF LAS ANIMAS)

The foregoing instrument was acknowledged before me this 5-6th
day of May, 2015 by John E. Micheliza.

Diana S Connell
Notary Public
My commission expires: Oct 29, 2018

STATE OF COLORADO)
) ss
COUNTY OF LAS ANIMAS)

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

The foregoing instrument was acknowledged before me this 6th
day of May, 2015 by Geraldine M. DeAngelis.

Diana Connell
Notary Public
My commission expires: Oct 29, 2018

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

STATE OF COLORADO)
) ss
COUNTY OF LAS ANIMAS)

The foregoing instrument was acknowledged before me this 6th
day of May, 2015 by Nicholas Reyes, Trustee of the Judith A. Reyes
Revocable Trust, U/T/D May 24, 2007.

Diana Connell
Notary Public
My commission expires: Oct 29, 2018

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
COMMISSION EXPIRES OCTOBER 29, 2018

STATE OF COLORADO)
) ss
COUNTY OF LAS ANIMAS)

The foregoing instrument was acknowledged before me this 6th
day of May, 2015 by Michael Reyes, Trustee of the Judith A. Reyes
Revocable Trust, U/T/D May 24, 2007.

Diana Connell
Notary Public
My commission expires: Oct 29, 2018

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

STATE OF COLORADO)
) ss
COUNTY OF LAS ANIMAS)

The foregoing instrument was acknowledged before me this 6th
day of May, 2015 by Alicia Reyes, Trustee of the Judith A. Reyes
Revocable Trust, U/T/D May 24, 2007.

Diana Connell
Notary Public
My commission expires: Oct 29, 2018

EXHIBIT A

Beginning at a point on the easterly line of Commercial Street, said point being 138.9 feet north 18°55' west of the northeast corner of the intersection of Commercial Street and Cedar Avenue; thence continuing north 18°55' west, eighty-four (84) feet; thence north 75°18' east, forty-eight and two-tenths (48.2) feet; thence south 18°55' east, thirteen (13) feet; thence north 75°18' east, 133.7 feet; thence south 18°55' east, twenty-seven (27) feet; thence north 71°07' east, sixty-seven and five-tenths (67.5) feet; thence south 18°55' east, twenty-three and seven-tenths (23.7) feet; thence south 71°07' west 144 feet; thence south 18°55' east, ten (10) feet; thence south 71°07' west, 116 feet to the point of beginning, containing 13,880 square feet, more or less;

Beginning at a point on the easterly line of Commercial Street, said point being 138.9 feet North, 18°55' West of the northeast corner of the intersection of Commercial Street and Cedar Avenue; thence North 71°07' East, 260 feet; thence North 18°55' West, thirty-three and seven-tenths (33.7) feet to the true point of beginning; thence continuing North 18°55' West, six (6) feet, more or less, to a point that is ten (10) feet from the center line of the Railway Company's Track No. 72 when measured at right angles thereto; thence South 84°23' West, sixty-nine and six-tenths (69.6) feet along a line parallel with and ten (10) feet southerly from the center line of the Railway Company's track to a point; thence South 18°55' East, twenty-two (22) feet; thence north 71°07' East, sixty-seven and five-tenths (67.5) feet, more or less, to the true point of beginning, containing 945 square feet, more or less;

Beginning at a point on the easterly line of Commercial Street, said point being 138.9 feet North, 18°55' West of the northeast corner of the intersection of Commercial Street and Cedar Avenue; thence North 71°07' East, 116 feet to the true point of beginning; thence continuing North 71°07' East, 144 feet; thence North 18°55' West, ten (10) feet; thence South 71°07' West, 144 feet; thence South 18°55' East, ten (10) feet; to the true point of beginning, containing 1,440 square feet, more or less;

also known as street and number 422 N. Commercial

05/15/15

DEPARTMENTAL INSPECTION REPORT
MARIJUANA LICENSE APPLICATION

Applicant: M & M Distributing, LLC

dba:

Address: 422 N. Commercial Street

Type of License: Medical Center, OPCO, Retail Store, Cultivation

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 2, 2015, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspected ok

5/18/15
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015

05/15/15

DEPARTMENTAL INSPECTION REPORT
MARIJUANA LICENSE APPLICATION

Applicant: M & M Distributing, LLC

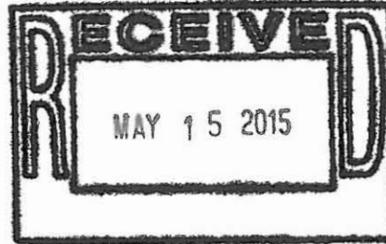
dba:

Address: 422 N. Commercial Street

Type of License: Medical Center, OPCO, Retail Store, Cultivation

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 2, 2015, 7:00 p.m.



DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspected ok

5/18/15
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015

5/15/2015

**DEPARTMENTAL INSPECTION REPORT
MARIJUANA LICENSE APPLICATION**

Applicant's Name: M & M Distributing, LLC

DBA:

Business Address: 422 N. Commercial Street

Type of License: Medical Center, OPCO, Retail Store, Cultivation

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: June 2, 2015, 7:00 p.m.

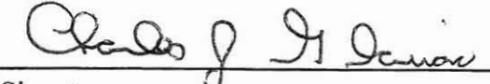
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

No records

5-19-15
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015



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 
May 21, 2015

RE: John Micheliza, M&M Distribution LLC

To whom it may concern:

A check of various data bases available to this agency was checked in regard to the above listed renewal applicant. NO new information was located.

If further information is required, please feel free to contact this agency



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
May 21, 2015

RE: Geraldine DeAngelis, M&M Distribution LLC

To whom it may concern:

A check of various data bases available to this agency was checked in regard to the above listed renewal applicant. NO new information was located.

If further information is required, please feel free to contact this agency

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Friday, May 15, 2015 8:09 AM
To: Audra Garrett
Subject: Re: mmj renewal

Hi Audra,
M & M Distributing, LLC. is in compliance with our Office. John Martinez

On Thu, May 14, 2015 at 5:14 PM, Audra Garrett <audra.garrett@trinidad.co.gov> wrote:

Hi John,

Please confirm compliance with your office for M & M Distributing, LLC. Thank you.

Audra Garrett Asst. City Manager

City of Trinidad

135 N. Animas Street

Trinidad, CO 81082

[\(719\) 846-9843 ext. 135](tel:(719)846-9843)

[\(719\) 846-4140 fax](tel:(719)846-4140)

audra.garrett@trinidad.co.gov



--
John Martinez Environmental Health
Las Animas/Huerfano Counties District Health Department
719-846-2213 ex 27



May 8, 2015

Certificate of Compliance for Renewal of MMC, Section 12-43.3-402(4)

This letter certifies that we are compliant with Section 12-43.3-402(4), C.R.S. for all intent and purpose. The MMC received their license to open from the City of Trinidad on December 7, 2014. Our Medical grow was just approved by The City of Trinidad on January 17, 2015 and that is when our Medical OPC began growing. We are currently in our first medical harvest. Since the State of Colorado issued the Conditional license on July 1, 2014 and the subsequent delay in the City of Trinidad's issuance of the final approval of the OPC license we have not had sufficient time to have 70% of the necessary medical marijuana by the time we are submitting this renewal application. We will however be able to meet the 70% medical marijuana necessary to support the MMC within one year of opening the Medical OPC.

To date we have only acquired Medical Marijuana from facilities that are operating in compliance with the Colorado Medical Marijuana Code, Article 43.3 of Title 12, C.R.S.

I certify that this information is correct. I further understand that any false information is subject to severe fines and punishment.

John E. Micheliza
John E. Micheliza

5-8-15

STATE OF Colorado COUNTY OF LAS ANIMAS
In TRINIDAD, on the 8th day of MAY, 2015, before me, a
Notary Public in and for the above state and county, JOHNE MICHELIZA,
Personally appeared known to me or proved to be the person named in and who
executed the foregoing instrument, and being first duly sworn, such person
acknowledged that he or she executed said instrument for the purposes therein
contained as his or her free and voluntary act and deed.

NOTARY PUBLIC Alicia D. Reyes My Commission Expires: 9/29/18

ALICIA D. REYES
NOTARY PUBLIC - STATE OF COLORADO
Notary Identification #20144037899
My Commission Expires 9/29/2018



Colorado Marijuana Licensing Authority Business License Renewal Application

License Types & Fees (Check only one application type. See fee table on Website for details on license types and fees.)			
<input checked="" type="checkbox"/> Medical Marijuana Center (Type 1*)	<input type="checkbox"/> Affiliated Business		
<input type="checkbox"/> Medical Marijuana Center (Type 2*)	<input type="checkbox"/> Medical Marijuana-Infused Products Manufacturer:		
<input type="checkbox"/> Medical Marijuana Center (Type 3*)	*Type 1=300 or fewer patients, *Type 2=301 to 500 patients; *Type 3=501 or more patients		
Applicant's Legal Business Name (Please Print) M&M DISTRIBUTING LLC		Medical Marijuana License Number 402-00949	
Trade Name (DBA) (Provide Trade Name Registration)		Website Address	
Physical Address			
Street Address of Medical Marijuana Business (Use Appendix B for Optional Premises Cultivation Information) 422 North Commercial		City Trinidad	State ZIP CO 81082
Business Phone Number (719) 422-8298	Business Fax Number ()	Email Address jgdeangelis@hotmail.com	
Mailing Address (if different from Business Address)			
Address 44910 County Road 40 422 N. Commercial		City Trinidad	State ZIP CO 81082
Primary Contact Person for Business John Micheliza		Title President	Primary Contact Phone Number (719) 680-1019
Primary Contact Address (city, state ZIP) 44910 County Road 40, Trinidad, CO 81082		Primary Contact Fax Number (719) 846-7896	
Federal Taxpayer ID [REDACTED]	Colorado Sales Tax License # [REDACTED]-0000	Email Address jgdeangelis@hotmail.com	
Type of Business Structure			
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Partnership	<input type="checkbox"/> Limited Partnership	<input checked="" type="checkbox"/> Limited Liability Company
<input type="checkbox"/> C Corporation	<input type="checkbox"/> S Corporation	<input type="checkbox"/> Publicly Traded Corporation	<input type="checkbox"/> Trust <input type="checkbox"/> Other
1. Is the licensee (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?			Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>
2. Has the licensee (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);			Yes No
(a) been denied a privileged license (ie: Liquor, Gaming, Racing and Marijuana)?			<input type="checkbox"/> <input checked="" type="checkbox"/>
(b) had a privileged license (ie: Liquor, Gaming, Racing and Marijuana) suspended or revoked?			<input type="checkbox"/> <input checked="" type="checkbox"/>
(c) had interest in another entity that had a privileged (ie: Liquor, Gaming, Racing and Marijuana) license denied, suspended or revoked?			<input type="checkbox"/> <input checked="" type="checkbox"/>
If you answered yes to 2a, b or c, explain in detail on a separate sheet.			
3. Does the applicant of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement? Attach all documentation showing legal possession; deed, title, sale or lease agreements, etc.			
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____			
(a) if leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:			
Landlord See attachment	Tenant	Expires	
4. Are the licensed premises within 1000 feet of a school (as defined in 12-43.3 104 (15) C.R.S.), alcohol or drug treatment facility, principal campus of a college, university, or seminary, or a residential childcare facility? If "yes", then include a copy of a waiver or ordinance from the local jurisdiction where the business is located.			Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>
5. Has a Medical Marijuana Center license application (same license class), that was located within 1000 feet of the premises, been denied within the preceding year? If "yes" explain in detail.			Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>

6. Within the last year, has there been a change in ownership or ownership allocation, a transfer of stock, a change in the incorporation or in the corporate by-laws, or any other change affecting ownership or organizational structure of the licensee licensed establishment? If yes, explain in detail on a separate sheet and attach copies of all available documentation concerning the changes. Yes No

7. In the past year, has the licensee (including all parent or subsidiary companies, if any) filed for bankruptcy, been sued, had a civil judgment rendered against it, had a tax lien filed against it, or become delinquent in the payment or filing of any taxes, interest, penalties or judgments owed to the State of Colorado, the United States government or the government of any other state. If Yes, explain in detail on a separate sheet and attach copies of all available documentation. Yes No

8. List the full name and ownership percentage of every owner or entity, including lending agencies, who have a right to share in the revenues of medical marijuana, whether as an owner, assignee, landlord, or otherwise to whom any interest or share in the profits of medical marijuana has been pledged or hypothecated as security for a debt or deposited as a security for the performance of an act or to secure the performance of a contract of sale.

Name	Title	Own. % Business Associated with	Effective Own. % in Applicant
John Micheliza	President	Geraldine DeAngelis	50%
Geraldine DeAngelis	Sec/TREAS	John Micheliza	50%

9. Describe any new financing or new lines of credit obtained or applied for since the last renewal submission, including a description of the purpose for the financing or lines of credit.
N/A

10. List all debt that has been retired or eliminated since the last renewal.
N/A

11. Describe any material changes in financial position since the last renewal.
N/A

12. Provide a copy of all new lease amendments or lease extensions since the last renewal period.

13. Describe any other material financial agreements, which are not covered by previous requests.
N/A

14. In the past year, has the licensee (including all parent or subsidiary companies, if any) been indicted, served with a criminal summons, charged with, or convicted of ANY crime or offense in any manner? Include ALL offenses regardless of class of crime or outcome, even if the charges were dismissed or you were found not guilty. If Yes, explain in detail on a separate sheet and attach it to your application. Provide official documentation from the court showing the final disposition for any charge that was: (1) controlled substance related; (2) any felony. Yes No

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.

Local Licensing Authority (To be filled out by licensee)

Local Licensing Authority Audra Garrett	Address 135 No. Animas St, Trinidad, CO	
Local Licensing Authority contact name Audra Garrett	Contact Phone 719-846-9843	Contact Email audra.garrett@Trinidad.CO.GOV
Current License Status With Local Authority	Date of Approval	Date of Expiration

15. Optional Premises Cultivation License Yes No
Does the licensee have an approved Optional Premises License(s)?
What City or County? Trinidad

16. Does the Center Applicant have evidence of a good and sufficient bond in the amount of \$5,000.00 in accordance with 12-43.3-304 C.R.S.? (Include updated evidence with renewal application) Yes No

Affirmation & Consent

I, Geraldine DeAngelis, as an authorized agent for the applicant, state under penalty for offering a false instrument for recording pursuant to 18-5-114 C.R.S. that the entire Marijuana Business License Renewal Application Form, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a Marijuana license by the State Licensing Authority. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the denial of a temporary Marijuana application or the revocation of the license. I am voluntarily submitting this application to the Colorado Marijuana Licensing Authority under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a Colorado Marijuana License, and for 90 days following the expiration or surrender of such Marijuana license. Note: If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

Print Full Legal Agent Name clearly below:		
Applicant's Business Name <u>M4M Distributing LLC</u>	Trade Name (DBA)	
Legal Agent Last Name (Please Print) <u>DeAngelis</u>	Legal Agent First Name <u>Geraldine</u>	Legal Agent Middle Name <u>Marie</u>
Signature <u>Geraldine DeAngelis</u>		Date <u>5/6/15</u>

Investigation Authorization Authorization to Release Information

I, Geraldine DeAngelis, as an authorized agent for the applicant, hereby authorize the Colorado Marijuana Licensing Authority, the Marijuana Enforcement Division, (hereafter, the Investigatory Agencies) to conduct a complete investigation into my personal background, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigatory Agencies to provide any and all such information deemed necessary by the Investigatory Agencies. I hereby waive any rights of confidentiality in this regard. I understand that by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigatory Agencies a complete and accurate record of such transactions that may have occurred with that institution, including, but not limited to, internal banking memoranda, past and present loan applications, financial statements and any other documents relating to my personal or business financial records in whatever form and wherever located. I understand that by signing this authorization, a financial record check of my tax filing and tax obligation status may be performed. I authorize the Colorado Department of Revenue to surrender to the Investigatory Agencies a complete and accurate record of any and all tax information or records relating to me. I authorize the Investigatory Agencies to obtain, receive, review, copy, discuss and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as "confidential" or "non-public" under the provisions of state or federal laws. I understand that by signing this authorization, a criminal history check will be performed. I authorize the Investigatory Agencies to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information, even though this record may be designated as "confidential" or "non-public" under the provisions of state or federal laws.

The Investigatory Agencies reserve the right to investigate all relevant information and facts to their satisfaction. I understand that the Investigatory Agencies may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material

or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigatory Agencies, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

Print Full Legal Name of Authorized Agent clearly below:

Applicant's Business Name <u>M+M Distributing LLC</u>		Trade Name (DBA)
Legal Agent Last Name (Please Print) <u>DeAngelis</u>	Legal Agent First Name <u>Geraldine</u>	Legal Agent Middle Name <u>Marie</u>
Legal Agent Title <u>Sec / Treas.</u>	Signature <u>Geraldine DeAngelis</u>	Date <u>5/6/15</u>

Affirmation & Consent

I, John Micheliza, as an authorized agent for the applicant, state under penalty for offering a false instrument for recording pursuant to 18-5-114 C.R.S. that the entire Marijuana Business License Renewal Application Form, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a Marijuana license by the State Licensing Authority. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the denial of a temporary Marijuana application or the revocation of the license. I am voluntarily submitting this application to the Colorado Marijuana Licensing Authority under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a Colorado Marijuana License, and for 90 days following the expiration or surrender of such Marijuana license. Note: If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

Print Full Legal Agent Name clearly below:

Applicant's Business Name		Trade Name (DBA)	
<u>MM Distributing, LLC</u>			
Legal Agent Last Name (Please Print)	Legal Agent First Name	Legal Agent Middle Name	
<u>Micheliza</u>	<u>John</u>	<u>Everett</u>	
Signature		Date	
<u>John Micheliza</u>		<u>5-6-15</u>	

Investigation Authorization Authorization to Release Information

I, John Micheliza, as an authorized agent for the applicant, hereby authorize the Colorado Marijuana Licensing Authority, the Marijuana Enforcement Division, (hereafter, the Investigatory Agencies) to conduct a complete investigation into my personal background, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigatory Agencies to provide any and all such information deemed necessary by the Investigatory Agencies. I hereby waive any rights of confidentiality in this regard. I understand that by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigatory Agencies a complete and accurate record of such transactions that may have occurred with that institution, including, but not limited to, internal banking memoranda, past and present loan applications, financial statements and any other documents relating to my personal or business financial records in whatever form and wherever located. I understand that by signing this authorization, a financial record check of my tax filing and tax obligation status may be performed. I authorize the Colorado Department of Revenue to surrender to the Investigatory Agencies a complete and accurate record of any and all tax information or records relating to me. I authorize the Investigatory Agencies to obtain, receive, review, copy, discuss and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as "confidential" or "non-public" under the provisions of state or federal laws. I understand that by signing this authorization, a criminal history check will be performed. I authorize the Investigatory Agencies to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information, even though this record may be designated as "confidential" or "non-public" under the provisions of state or federal laws.

The Investigatory Agencies reserve the right to investigate all relevant information and facts to their satisfaction. I understand that the Investigatory Agencies may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigatory Agencies, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

Print Full Legal Name of Authorized Agent clearly below:

Applicant's Business Name <i>MJM Distributing, LLC</i>		Trade Name (DBA)
Legal Agent Last Name (Please Print) <i>Micheliza</i>	Legal Agent First Name <i>John</i>	Legal Agent Middle Name <i>Everett</i>
Legal Agent Title <i>President</i>	Signature <i>John Micheliza</i>	Date <i>5-6-15</i>

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

M & M Distributing, LLC

is a **Limited Liability Company** formed or registered on 03/05/2014 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20141152343.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 04/15/2015 that have been posted, and by documents delivered to this office electronically through 04/16/2015 @ 17:54:42.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 04/16/2015 @ 17:54:42 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9159950.



Secretary of State of the State of Colorado

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

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

Bond No. PB11831700147

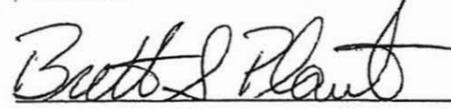
CONTINUATION CERTIFICATE

M & M Distributing, LLC, as Principal, and the Philadelphia Indemnity Insurance Company, as Surety, in a certain Bond No. **PB11831700147**, with an effective date of May 1, 2014, in the penalty of **Five thousand and NO/100 Dollars (\$5,000.00)**, in favor of State of Colorado, do hereby continue said bond in force for the further term of one year beginning on May 1, 2015.

PROVIDED, however, that said bond, as continued hereby, shall be subject to all its terms and conditions, except as herein modified, and that the liability of the said Platte River Insurance Company under said bond and any and all continuations thereof shall in no event exceed in the aggregate the above named penalty, and that this certificate shall not be valid unless signed by said Principal.

Signed, sealed and dated this **22nd** day of April, **2015**.

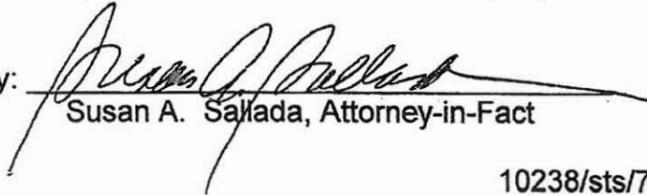
Witness:



(Seal) M & M Distributing, LLC


Name and Title

Philadelphia Indemnity Insurance Company

By: 
Susan A. Salada, Attorney-in-Fact

10238/sts/7.02

ORIGINAL
ORIGINAL

DR 8524 (09/24/13)
COLORADO DEPARTMENT OF REVENUE
Marijuana Enforcement Division
455 Sherman Street, Suite 390
Denver CO 80203

Colorado Medical Marijuana License Bond

BOND# PB11831700147

Name of Bonding Company Philadelphia Indemnity Insurance Company

Bond Number PB118317000147

KNOW ALL PERSONS BY THESE PRESENTS:

That we, M & M Distributing, LLC, Street Address 422 N. COMMERCIAL STREET
City TRINIDAD, County of _____, State of Colorado, as **Principal**, and
PHILADELPHIA INDEMNITY*, a surety company qualified and authorized to do surety business in the State of Colorado,
as Surety, are held and firmly bound unto the State of Colorado to indemnify the State or local governmental entity for any loss suffered
by reasons of violation of the conditions hereinafter contained in the penal sum of FIVE THOUSAND DOLLARS (\$5,000.00), lawful
money of the United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators,
successors and assigns jointly, severally, and firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal is applying for the issuance or renewal of a license issued
pursuant to the Colorado Medical Marijuana Code, Article 43.3 of Title 12 of the Colorado Revised Statutes, which license or license
renewal shall be valid, if not suspended or revoked, for a license period ending one year from the last day of the month of issuance of
the license or renewal;

NOW, THEREFORE, if the Principal is granted a license by the State pursuant to Article 43.3 of Title 12 of the Colorado Revised Statutes,
during the term of said license and any renewal thereof, the Principal shall report and pay all sales and use taxes due the State of
Colorado, or due any other entity for which the State is the collector or collecting agent, in a timely manner as provided by law.

IT IS FURTHER PROVIDED that the aggregate liability of the Surety for all breaches of the condition of this bond, regardless of the
number of years this bond shall continue in force, the number of claims made against this bond, and the number of premiums which shall
be payable or paid shall not exceed the amount of the bond.

IT IS FURTHER PROVIDED that pursuant to Section 12-43.3-304(2), C.R.S., the Surety shall not be required to make payments to the
State of Colorado claiming under this bond until a final determination of failure to pay taxes due to the State has been made by the State
Licensing Authority or a court of competent jurisdiction.

IT IS FURTHER PROVIDED that the Surety shall have the right to cancel this bond for any reason authorized by statute by filing forty-
five (45) days' written notice of such cancellation with the Principal and with the State Licensing Authority. If cancellation is based upon
nonpayment of premium, this bond may be cancelled by the Surety upon ten (10) days' written notice to the Principal and the State
Licensing Authority.

THIS OBLIGATION may be continued from year to year by the issuance by the Surety of a proper continuation certificate delivered to the
State Licensing Authority pursuant to Section 12-43.3-304(3), C.R.S.

Dated this 1st day of MAY, 2014

For the Principal: [Signature] For the Surety: SUSAN A. SALLADA, ATTORNEY-IN-FACT

ACKNOWLEDGMENT OF SURETY

STATE OF COLORADO PA

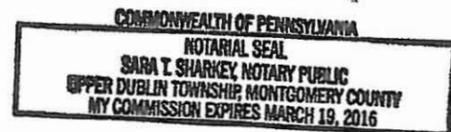
COUNTY OF MONTGOMERY] ss.

On this 1st day of MAY, 2014, before me, a notary public in and for the above State, personally appeared
SUSAN A. SALLADA, to me personally known and being by me duly sworn, did say that he or she is an
authorized corporate officer or the Attorney-in-Fact of PHILADELPHIA INDEMNITY* a corporation duly organized and existing
under the laws of the State of Colorado, or authorized to do business therein, and that he or she as such officer executed the foregoing
instrument for the purposes herein contained on behalf of said corporation, and further acknowledged that the instrument was executed
as the free act and deed of said corporation.

IN WITNESS WHEREOF, I hereunto set my name and affixed my official seal on the day and year written above.

[Signature]
Notary Public, State of Colorado

My commission expires: _____



PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004
Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint: Susan A. Sallada and Patricia A. Marinucci of Universal Service Agency, Inc. City of Fort Washington, State of Pennsylvania.

Its true and lawful Attorney(s) in fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$25,000,000.00

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY at a meeting duly called the 1st day of July, 2011.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company to: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with the respect to any bond or undertaking to which it is attached.

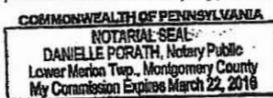
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 7TH DAY OF FEBRUARY 2013.



(Seal)

Robert D. O'Leary Jr., President & CEO
Philadelphia Indemnity Insurance Company

On this 7th day of February 2013, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



(Notary Seal)

Notary Public:

residing at: Bala Cynwyd, PA

My commission expires: March 22, 2016

I, Craig P. Keller, Executive Vice President, Chief Financial Officer and Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 1 day of MAY, 2014.



Craig P. Keller, Executive Vice President, Chief Financial Officer & Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

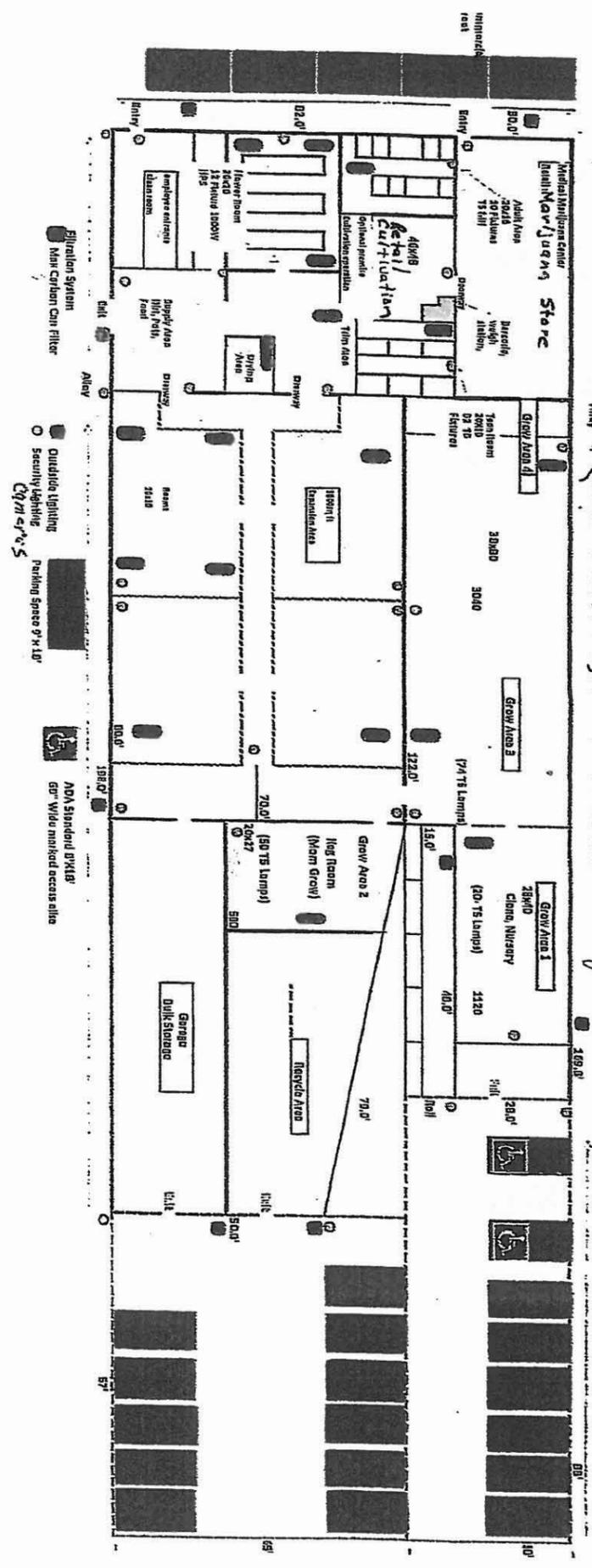
PB11831700147

Licensed Review

Miami Distributing, LLC
422 N Commercial, Tridadd CO

Commercial Review

on file



updated



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: M & M Distributing, LLC
 representative
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Medical Marijuana Optional Premise Cultivation Operation license renewal request by M & M Distributing, LLC at 422 N. Commercial Street

RECOMMENDED CITY COUNCIL ACTION: Consider renewal of the license as requested

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: Table for more information.

BACKGROUND INFORMATION:

- The renewal application is in order.
- The Fire Department reports compliance on behalf of the Fire and Building departments.
- The Police Department reported no calls for service and did not indicate any other issues with the renewal.
- The Health Department indicated compliance.
- The Police Department reports no changes to the criminal history of the licensees.
- Appropriate fees have been paid.

CONTACT FOR INFORMATION:

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



CITY OF TRINIDAD

City Clerk's Office
135 N Animas St
P.O. Box 880
Trinidad, Colorado 81082
719-846-9843

City of Trinidad
MAY 11 2015
City Clerk's Office

MEDICAL MARIJUANA LICENSE APPLICATION		
<input type="checkbox"/> New License Application Fee \$2,500.00	<input checked="" type="checkbox"/> License Fee/Renewal Fee \$1,000.00	
<input type="checkbox"/> Transfer of Ownership Application Fee \$1,500.00	<input type="checkbox"/> Change of Location \$1,500.00	
LICENSE TYPE		
<input checked="" type="checkbox"/> Medical Marijuana Center	<input type="checkbox"/> Medical Marijuana Infused-Products Manufacturer	
<input checked="" type="checkbox"/> Medical Marijuana-Optional Premises Cultivation Operation		
TYPE OF BUSINESS		
<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Individual*
<input checked="" type="checkbox"/> Limited Liability Corporation	<input type="checkbox"/> Other	
*Sole Proprietorship (Individual) – Verification of Lawful Presence is required per State law (Signed Affidavit and Photo ID)		

Applicant (Corporation/LLC) M + M Distributing, LLC

Applicant (Sole Proprietor) _____

Trade Name of Establishment (DBA) M + M Distributing LLC

Address of Premise 422 N. Commercial ST., Trinidad, CO 81082

Mailing Address 422 N. Commercial ST., Trinidad, CO 81082

Telephone 719-422-8298 Email Address jgdeangelis@hotmail.com

Contact Person/Manager John Micheliza Title President

Telephone 719-680-1019 Email Address jgdeangelis@hotmail.com

Does the Applicant have legal possession of the premise for at least one (1) year from the date that this license will be issued by virtue of ownership, lease or other arrangement?

- Ownership Lease Other (explain in detail)

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

Landlord	Tenant	Expires
----------	--------	---------

see attachment

****If premises are leased, attach notarized consent by the owner of the property to the licensing of the premises for a medical marijuana facility.**

ADDITIONAL DOCUMENTS TO BE SUBMITTED WITH APPLICATION

Individual History Records attached and completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers and employees of a Medical Marijuana License.

1. Fingerprinting by the Trinidad Police Department for:
 - all general partners of a partnership and limited partners owning 10% (or more) of a partnership;
 - all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation;
 - all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company; and
 - all managers and employees of a Medical Marijuana Licensewith the appropriate fee payable to Colorado Bureau of Investigation (currently ~~\$38.50~~, *March, 2014*)
\$39.50, June
- ✓ 2. Lease or Deed – Evidence of Possession
3. Conditional Use Permit approval
4. Copy of alarm system contract
- ✓ 5. Copy of state sales tax license
- ✓ 6. Certificate of Good Standing
7. Affidavit of Lawful Presence (Sole Proprietors only)
- ✓ 8. Diagram of Premises:
 - A floor plan, drawn to scale on 8-1/2 x 11" paper, showing the layout of the center and the principal uses of the floor area. Floor plan must include location of lighting and cameras required by state rules.
9. Copy of State Application with attachments

LIST OF OWNERS, OFFICERS, MANAGERS, EMPLOYEES & OTHERS WITH DIRECT OR INDIRECT FINANCIAL INTEREST

1. Name: John Micheliza Title: President
Address: [REDACTED] Trinidad, CO 81082
Financial Interest: 50%
2. Name: Geraldine DeAngelis Title: Sec/Treas
Address: [REDACTED] TRINIDAD, CO 81082
Financial Interest: 50%
3. Name: _____ Title: _____
Address: _____
Financial Interest: _____

4. Name: _____ Title: _____

Address: _____

Financial Interest: _____

5. Name: _____ Title: _____

Address: _____

Financial Interest: _____

6. Name: _____ Title: _____

Address: _____

Financial Interest: _____

7. Name: _____ Title: _____

Address: _____

Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana business; and that the application and documents submitted for other approvals relating to the medical marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

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

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

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Signed: John E Micheliza Title: President
(Must be signed by Individual Owner, Partner, or Officer)

Printed Name: John E Micheliza Date: 5-6-15

4. Name: _____ Title: _____

Address: _____

Financial Interest: _____

5. Name: _____ Title: _____

Address: _____

Financial Interest: _____

6. Name: _____ Title: _____

Address: _____

Financial Interest: _____

7. Name: _____ Title: _____

Address: _____

Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana business; and that the application and documents submitted for other approvals relating to the medical marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

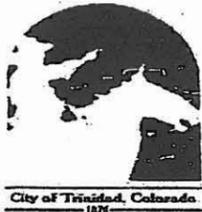
By accepting a license issued pursuant to this ordinance, a licensee releases the City, its officers, elected officials, appointed officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of dispensary owners,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

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

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Signed: Geraldine De Angelis Title: owner / Sec-Treas.
(Must be signed by individual Owner, Partner, or Officer)

Printed Name: Geraldine DeAngelis Date: 5/6/15



**CITY OF TRINIDAD, COLORADO
OFFICE OF THE CITY CLERK**

**LICENSEE'S STATEMENT REGARDING KNOWLEDGE
OF THE STATE OF COLORADO'S MEDICAL MARIJUANA CODES AND
REGULATIONS AND THE CITY OF TRINIDAD'S ORDINANCES AND LOCAL
RULES OF PROCEDURE GOVERNING MEDICAL MARIJUANA BUSINESSES**

The Local Licensing Authority, as the enforcement agency for the for the City of Trinidad, expects a Medical Marijuana Business licensee to be knowledgeable of the State of Colorado's and the City of Trinidad's Medical Marijuana laws, codes, regulations and ordinances and to seek further clarification of such information if necessary.

I, John E. Michelizza, hereby state that I have read Article 43.3 of Title 12, C.R.S., as amended, and the regulations promulgated thereunder, and the City of Trinidad Municipal Code regarding general business licensing and Medical Marijuana business licensing and understand the contents thereof.

John E. Michelizza
Printed Name of Licensee

JEM President
Authorized Signature of Licensee/Title

5-6-15
Date

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

STATE OF Colorado)
COUNTY OF San Juan)

ss.

Subscribed and sworn to before me this 6th day of May, 2015

Diana Connell
Notary Public Signature

My Commission Expires: October 29, 2018



City of Trinidad, Colorado
1874

**CITY OF TRINIDAD, COLORADO
OFFICE OF THE CITY CLERK**

**LICENSEE'S STATEMENT REGARDING KNOWLEDGE
OF THE STATE OF COLORADO'S MEDICAL MARIJUANA CODES AND
REGULATIONS AND THE CITY OF TRINIDAD'S ORDINANCES AND LOCAL
RULES OF PROCEDURE GOVERNING MEDICAL MARIJUANA BUSINESSES**

The Local Licensing Authority, as the enforcement agency for the for the City of Trinidad, expects a Medical Marijuana Business licensee to be knowledgeable of the State of Colorado's and the City of Trinidad's Medical Marijuana laws, codes, regulations and ordinances and to seek further clarification of such information if necessary.

I, Geraldine DeAngelis, hereby state that I have read Article 43.3 of Title 12, C.R.S., as amended, and the regulations promulgated thereunder, and the City of Trinidad Municipal Code regarding general business licensing and Medical Marijuana business licensing and understand the contents thereof.

Geraldine DeAngelis
Printed Name of Licensee

Geraldine DeAngelis
Authorized Signature of Licensee/Title

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

5/6/15
Date

DIANA CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144041984
MY COMMISSION EXPIRES OCTOBER 29, 2018

STATE OF Colorado)
COUNTY OF Las Animas)

ss.

Subscribed and sworn to before me this 6th day of May, 2015.

Diana Connell
Notary Public Signature

My Commission Expires: October 29, 2018

Lease

Landlord John E. Micheliza
Geraldine DeAngelis

Nicholas Reyes

Michael Reyes

Alicia Reyes

Trustees of the Judith A. Reyes Revocable Trust, U/T/D May 24, 2007

Tenant M & M Distributing LLC

Expires December 31, 2018

Colorado Marijuana Licensing Authority Appendix B - Optional Premises Cultivation License Renewal Application

Business Applicant must fill out an Appendix B for EACH OPC it is renewing.
 Please see Website for fee table.

Applicant's Legal Business Name (Please Print) M&M DISTRIBUTING LLC		Medical Marijuana License Number 403-01495	
Trade Name (DBA) M&M DISTRIBUTING		Website Address	
Physical Address			
Street Address of Optional Premises Cultivation 422 North Commercial		City Trinidad	State ZIP CO 81082
Business Phone Number (719) 422-8298	Home Phone Number (719) 680-1019	Email Address jgdeangeles@hotmail.com	
Mailing Address (if different from Business Address)			
Address 44910 County Road 40 422 N. Commercial ST,		City Trinidad	State ZIP CO 81082
Primary Contact Person for Business John Micheliza	Title President	Primary Contact Phone Number (719) 680-1019	
Primary Contact Address (city, state, zip) 44910 County Road 40, Trinidad, CO 81082		Primary Contact Fax Number (719) 846-7896	
Does the applicant have legal possession of the premises by virtue of ownership, lease or other arrangement? <input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____ (a) If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:			
Landlord See attachment	Tenant	Expires	
1. Has the licensed premise been modified since the last renewal period? If yes, provide a new diagram documenting the changes to the licensed premise (diagram should be no larger than 8 1/2" x 11" and does not have to be to scale). <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Provide a copy of all new lease amendments or lease extensions since the last renewal period.			
3. Provide a copy of the local license for this OPC.			
Local Licensing Authority Information (To be completed by the licensee)			
Local Licensing Authority Audra Garrett	Address 135 N. Animas ST., Trinidad, CO 81082		
Local Licensing Authority contact name Audra Garrett	Contact Phone 719-846-9843	Contact Email audragarrett@Trinidad, CO.gov	
Current License Status With Local Authority	Date of Approval	Date of Expiration	

Lease

Landlord John E. Micheliza
Geraldine DeAngelis

Nicholas Reyes

Michael Reyes

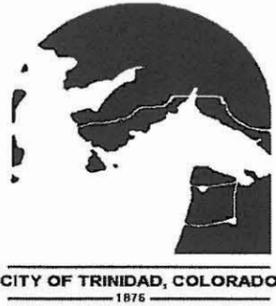
Alicia Reyes

Trustees of the Judith A. Reyes Revocable Trust, U/T/D May 24, 2007

Tenant M & M Distributing LLC

Expires December 31, 2018

5c



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: Representative of the applicant
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE:

SUBJECT: Special event permit application filed by Trinidad-Las Animas County Chamber of Commerce for 700 Smith Avenue on June 19 and 20, 2015 (Santa Fe Trail Festival)

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

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application is in order.
- The Fire Chief indicated his approval on behalf of the Fire and Building Departments.
- The Fire Chief has approved the safety plan.
- The Police Chief's approval of the security plan will be forthcoming.
- Disclosure statements are provided by Councilmembers Miles and Torres.
- Appropriate fees have been paid.

**APPLICATION FOR A SPECIAL
 EVENTS PERMIT**

Department Use Only

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

- SOCIAL ATHLETIC PHILANTHROPIC INSTITUTION
 FRATERNAL CHARTERED BRANCH, LODGE OR CHAPTER POLITICAL CANDIDATE
 PATRIOTIC OF A NATIONAL ORGANIZATION OR SOCIETY MUNICIPALITY OWNING ARTS
 POLITICAL RELIGIOUS INSTITUTION FACILITIES

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/>	MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY	LIQUOR PERMIT NUMBER
2170 <input type="checkbox"/>	FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE <i>Trinidad/Las Animas County Chamber of Commerce</i>	State Sales Tax Number (Required) <i>02709909</i>
---	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) <i>136 West Main St Trinidad, Co 81082</i>	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) <i>Central Park 700 Smith Avenue Trinidad, Co 81082</i>
--	---

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES/SECY OF ORG. or POLITICAL CANDIDATE <i>John Schecter</i>	<i>[REDACTED]</i>	<i>[REDACTED] Trinidad, Co 81082</i>	<i>[REDACTED]</i>
5. EVENT MANAGER <i>Ron T. Galasso</i>	<i>[REDACTED]</i>	<i>[REDACTED] Trinidad, Co 81082</i>	<i>[REDACTED]</i>

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

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

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

Date 06/19/15 Hours From 5:00p.m. To 12:00am 12:00am	Date 06/20/15 Hours From 10:00A.m. To 12:00am 12:00am	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To .m.	To .m.	To .m.	To .m.	To .m.

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

SIGNATURE <i>[Signature]</i>	TITLE <i>Event Coordinator</i>	DATE <i>08/31/15</i>
---------------------------------	-----------------------------------	-------------------------

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)
 The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.
THEREFORE, THIS APPLICATION IS APPROVED.

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

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

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

(Instructions on Reverse Side)



CITY of TRINIDAD

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

MEMORANDUM

TO: Audra Garrett, City Clerk

FROM: Gabriel Engeland, City Manager

SUBJECT: Special Event – June 19 & 20, 2015

DATE: May 14, 2015

The City of Trinidad has authorized use of the Central Park lower field at 700 Smith Avenue for the Santa Fe Trail Festival on June 19th and 20th, 2015 to the Trinidad-Las Animas County Chamber of Commerce, Inc. for liquor concessions as indicated on the special events permit application.



To: Gabriel Engeland
City Manager, Trinidad, Colo

From: Trinidad/Las Animas County Chamber

Date: March 31st, 2015

Dear Mr. Engeland,

This letter is in regards to our organization requesting permission from the City of Trinidad to use Central Park located on 700 Smith Avenue. for the purpose of holding the Santa Fe Trail Festival on Friday June, 19th and Saturday June 20th, 2015. Times for using the park on the 19th will be from 5:00 pm to 12:00 am and 20th from 10:00 am to 12:00 am. Various vendors will be planning on setting up on Thursday, June 18th as well.

We will be having non-food vendors combined with food vendors, musical entertainment and various types of other entertainment such as a petting zoo, eurobungy, etc. in the lower field of Central Park and having a car show in the upper field parking lot area. Security for the event will be Trinidad Police Department. We will be having a beer garden at the lower field area also. The beer garden will be contained by using coral panels. We have checked and found that we will not be interfering with the Triggers or any other organization at that time of the festival.

For any questions or concerns on this matter, please feel free to contact me at 719-859-4154. Your assistance in this matter is greatly appreciated. Thank you in advance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ron T. Galasso".

Ron T. Galasso, Event Coordinator
TLAC Chamber

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

TRINIDAD-LAS ANIMAS COUNTY CHAMBER OF COMMERCE

is a **Nonprofit Corporation** formed or registered on 01/13/1999 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19991007228.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/25/2015 that have been posted, and by documents delivered to this office electronically through 03/29/2015 @ 21:56:21.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 03/29/2015 @ 21:56:21 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9140392.



Wayne W. Williams

Secretary of State of the State of Colorado

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

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



To: Mayor Joe Reorda
Trinidad City Council Members

Date: May 12th, 2015

From: Ron T. Galasso, Event Coordinator
TLAC Chamber

Ref: Trinidad Santa Fe Trail Festival

Members of Council,

This letter is an explanation of the diagram for the upcoming Santa Fe Trail Festival to be held Friday, June 19th and Saturday, June 20th, 2015. Due to the construction in the downtown area, this year the Chamber has moved the Santa Fe Trail Festival to Central Park. The Chamber realized that this location serves well due to the electrical already being in position for vendors and it also having enough room to hopefully expand back to the same size it was before or even larger.

In looking at the diagram, you will find the following:

- A) This is the upper field parking lot at Central Park. It's use will be for a car and motorcycle show. We have checked the Triggers schedule and found that they are playing out of town that weekend so no conflict would occur.
- B) This is the stage for the bands and entertainment located in the lower field area near the Trinidad Greenhouse.
- C) This is the beer garden area for the event. The size of the beer garden will be 50' X 100' which will allow for occupancy of approx.. 200 people according to Trinidad Fire Chief Tim Howard. The beer garden will be paneled off by using corral panels borrowed from the Las Animas County Fairgrounds.
- D) This is an open area with seating and tables available for persons not wanting to drink alcohol but yet watch and listen to the entertainment on the stage.
- E) Will be vendors comprised of both non-food and food vendors for the event.
- F) Will be other forms of entertainment such as pony rides, petting zoo, eurobungy, etc.
- G) Will be a horseshoe tournament connected to the beer garden. Access to the tournament is through the beer garden only. Tournament to be paneled off by use of corral panels also and portable horseshoe pits to be used to prevent damage to the grass area of the park.

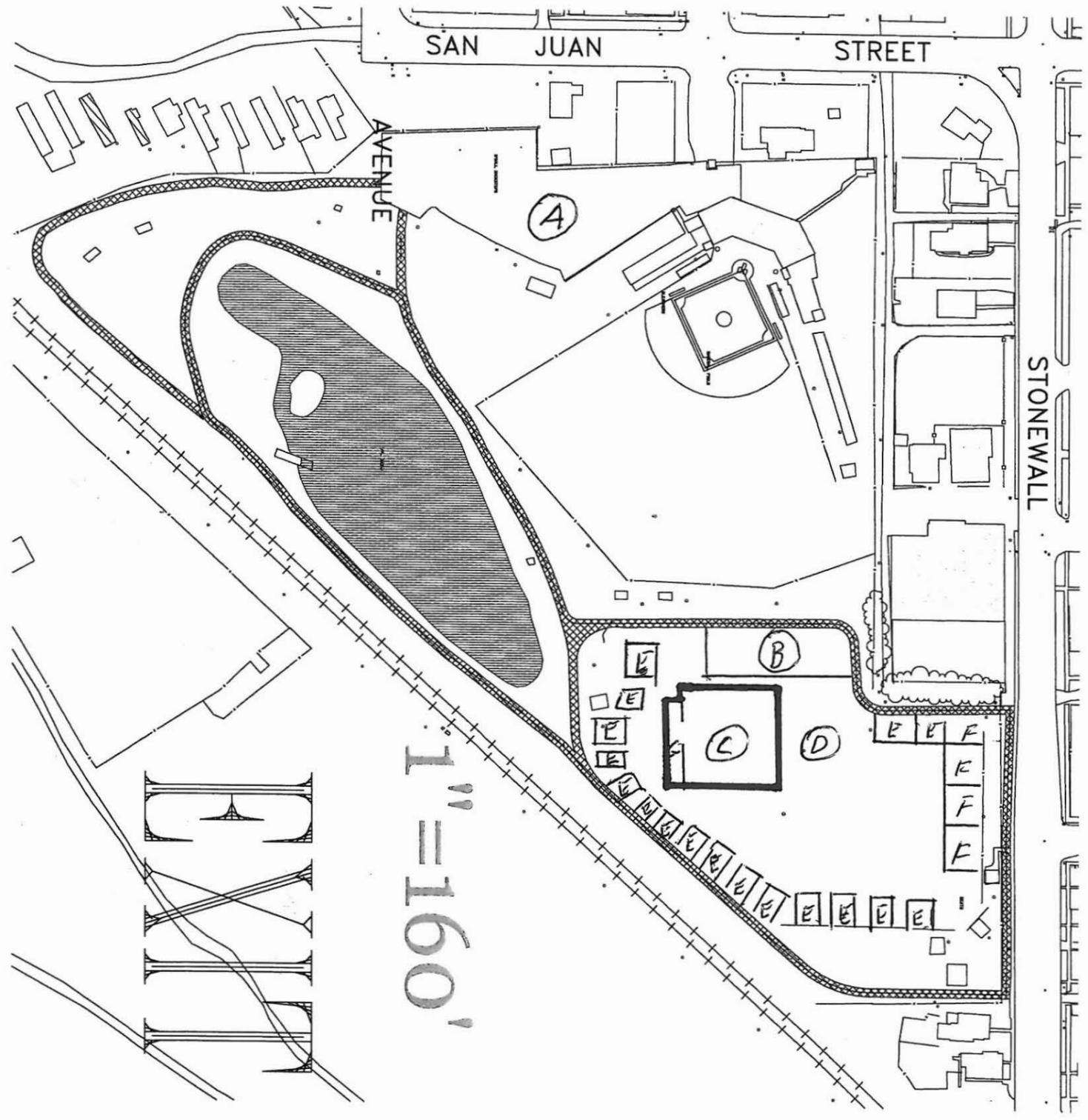
Security for the event will be handled by Trinidad Police Department

I respectfully submit this information for your review and if you have any questions or concerns, I will be present at the hearing in order to answer them or assist in anyway needed.

Thank You,

A handwritten signature in black ink, appearing to read "Ron T. Galasso".

Ron T. Galasso,
Event Coordinator
Santa Fe Trail Festival



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

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, and the ordinances of the City of Trinidad, Trinidad-Las Animas County Chamber of Commerce, 136 W. Main Street, Trinidad, Colorado, which business has applied for a Special Events Permit, to sell and dispense Malt, Vinous and Spirituous Liquors at 700 Smith Avenue, Trinidad, Colorado, on June 19 and 20, 2015, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 15th day May, 2015.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this
15th day of May, 2015.

CITY OF TRINIDAD, COLORADO

(S E A L)



Audra Garrett, City Clerk

5/15/15

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

Applicant: Trinidad-Las Animas County Chamber of Commerce

dba: Santa Fe Trail Festival – June 19 & 20, 2015

Address: 700 Smith Avenue

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 2, 2015

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: ok

5/18/15
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015

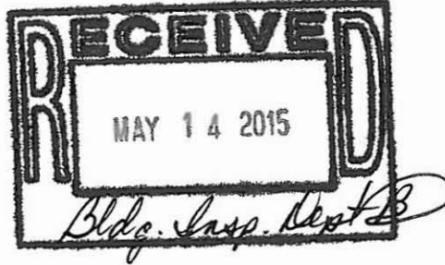
5/15/15

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

Applicant: Trinidad-Las Animas County Chamber of Commerce

dba: Santa Fe Trail Festival – June 19 & 20, 2015

Address: 700 Smith Avenue



Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 2, 2015

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: ok

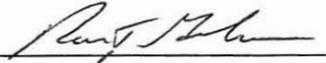
5/18/15
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015

**Fire Safety Plan
Santa Fe Trail Festival
June 19 & 20, 2015**

- I. Purpose
To address both the fire and safety concerns in case of an emergency during the Santa Fe Trail Festival. This policy has been approved by the Trinidad Fire Chief.
- II. Definitions
- a. "Special event" means any event that has requested a Special Event liquor permit.
 - b. "Beer garden" means any area within a Special Event that is designated for the sale and consumption of alcoholic beverages. The intent of a "beer garden" is to limit the area of sale and consumption of alcohol in order to maintain control of the licensed premise, and to avoid sale to underage and/or overly intoxicated persons.
- III. Preventative Measures.
- a. All food vendors and/or vendors with heat producing equipment will have a fire extinguisher in or adjacent to their booth.
 - b. There will be a fire extinguisher located within 10-15' of all generators and/or power distribution panels, and sound/lighting equipment.
 - c. The beer garden will have one primary entrance for all entry and exit traffic. The beer garden will consist of corral panels set up in a way that can be easily removed in case of an emergency.
 - d. Emergency personnel on site. Representatives from the City of Trinidad Police Department will be patrolling the event site along with Chamber members, some of whom have law enforcement backgrounds. Also space will be provided to both the Trinidad Ambulance District and the Fire Department. Personnel from these departments may not always be on site due to being called off premise for other situations in the community.
 - e. The occupancy load of the beer garden will be determined by the Trinidad Fire Department and will be strictly adhered to by the Trinidad & Las Animas County Chamber of Commerce and their staff/security.

Submitted by:  Date: 05/28/15

Approved by:  Date: 5/28/15

**Operations Plan
Santa Fe Trl Days**

Date of Operation: June 19, 2015 and June 20, 2015

Operational Period's: 1700-2400 and 1100-2400

Pre-Operation Briefing: To be assigned

Operations Supervisor: To be assigned

Location of operation: Central Park upper and lower field's

Operation Objectives: Provide security for the Santa Fe Trail Days festival, maintain public peace and order during this event. Provide security in the operational area to include beer garden and nightly dances. A map is attached to this plan to show the operational area. THE CHAMBER OF COMMERCE WILL BE PROVIDING SECURITY OFFICERS TO WORK THIS FUNCTION.

Radio Frequency: Officers assigned to this detail will set all 800 MGZ radios to TPD TAC 3. This will allow communications between officers and the Trinidad Communications Center. STAFF EVENT PERSONNEL will have a TPD radio. The TPD Operations Commander will have an event radio. This will allow staff personnel to contact TPD personnel in the event of an incident. **SEE OFFICER ASSIGNMENT FOR STAFF EVENT CONTACT.**

Event staffing (Security): there will be two (2) officers per operational period assigned to patrol this event.

Operational cycles will be as follows: June 19, 2015 1600-2400. A total of 2 officers will be utilized for this cycle. June 20, 2015 1100-1700. A total of 2 officers will be utilized for this cycle. June 20, 2015 1700-2400, 2 officers will be utilized for this operational cycle.

Officer assignments will be assigned below.

Handling of calls within operations area: Officers assigned to this detail will take all call's for service that occur within the park area. Violation of Statute will be handled accordingly by officers assigned to this operation. Any need for transport to jail and/or Detox will be done by patrol, a request will be made via TPD TAC 3 to the communications center. Officers will be responsible for affidavits and associated paper work upon the completion of their assignment. Custody I's will be turned over to the transporting officer upon turning the suspect over to transport.

Officers should note that the staff operating the "beer garden" have received TIPS training.

ALL persons who enter the beer garden shall be 21 years of age. Prior to entering the beer garden, ALL ID's will be checked. Only persons of legal age to consume alcohol

will be permitted In the beer garden. ALL persons of legal drinking age will have a color band placed on them. NO BAND NO ALCOHOL.

Officers AND BEER GARDEN STAFF should pay special attention to ensure that underage persons ARE NOT being served alcohol. Also officers should ensure that overly intoxicated persons are not being served (As per CRS and Municipal Code). Any violations of the Colorado Beer and Alcohol Code and Trinidad Municipal Alcohol Code shall be handled accordingly.

NO PERSON WHO IS NOT DESIGNATED BY THE SANTA FE TRAIL DAYS FESTIVAL STAFF, AS A BAR EMPLOYEE WILL BE ALLOWED BEHIND THE BAR. Any unauthorized person found behind the bar will be removed from the park area. Appropriate enforcement action will also be taken.

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

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

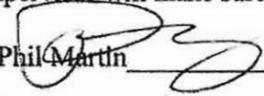
Person(s) assigned to the BAR shall wear a distinctive colored shirt that is NOT the same color as other event staff. This is so they can be easily identified as being authorized to work in the BAR area.

Officer Safety: All officers assigned to this operation will be in full uniform and will be required to wear their ballistic vests.

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

Officer assignments:

Breaks: Operations supervisor will make sure that officers are periodically given a break.

Prepared by: Det Sgt Phil Martin  Date: 6/1/15

Approved by:  Date: 6-1-15

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

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: Representative of the applicant
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Special event permit application filed by BPOE Lodge 181 at 120 S. Maple Street for June 27, 2015 (fundraiser)

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

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application is in order.
- The Fire Chief indicated his approval on behalf of the Fire and Building Departments.
- The Fire Chief has approved the safety plan.
- The Police Chief approved the security plan.
- Disclosure statements are provided by Councilmembers Miles and Torres.
- Appropriate fees have been paid.

**APPLICATION FOR A SPECIAL
 EVENTS PERMIT**

Department Use Only

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

- SOCIAL ATHLETIC PHILANTHROPIC INSTITUTION
 FRATERNAL CHARTERED BRANCH, LODGE OR CHAPTER POLITICAL CANDIDATE
 PATRIOTIC OF A NATIONAL ORGANIZATION OR SOCIETY MUNICIPALITY OWNING ARTS FACILITIES
 POLITICAL RELIGIOUS INSTITUTION

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	DO NOT WRITE IN THIS SPACE
2110	<input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY	LIQUOR PERMIT NUMBER
2170	<input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BPOE Lodge 181	State Sales Tax Number (Required) 00601743-0000
--	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) PO Box 77 Trinidad, CO 81082	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) 120 S. Maple Trinidad, CO 81082
---	--

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SECY OF ORG. or POLITICAL CANDIDATE John B. GARCIA			
5. EVENT MANAGER Clint Chavez			
6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES TO WHOM? BPOE Lodge 181		

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

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

Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To
6/27/15	12	p.m.	10												

OATH OF APPLICANT

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

SIGNATURE John B. Garcia	TITLE Ex. Ruler	DATE 5-14-15
-----------------------------	--------------------	-----------------

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

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

THEREFORE, THIS APPLICATION IS APPROVED.

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

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

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

(Instructions on Reverse Size)

Delislik

This Deed, made this tenth day of September in the year of our Lord one thousand nine hundred

and fifty... between The Wright Construction Company, Incorporated... and by virtue of the laws of the State of Colorado...

WITNESSETH that the said part of the first part, for and in consideration of the sum of...

Seventeen Thousand and no/100 DOLLARS

to the said part of the first part in hand paid by the said part of the second part, the receipt whereof is hereby confessed and acknowledged...

has granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell, convey and confirm unto the said part of the second part...

heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Las Animas and State of Colorado...

to-wit: Lot number four (4) in Block number one (1) of the subdivision of the town of Trinidad, Colorado, described as the part thereof...

said lot fronting on the south side of Main Street, being the south side of a simple street and bounded on the top by the north line of said street...

to the east by the north line of said lot one hundred and thirty (130) feet, and to the west by the north line of said lot one hundred and thirty (130) feet...

and to the south by the north line of said lot one hundred and thirty (130) feet, and to the east by the north line of said lot one hundred and thirty (130) feet...

Block number one (1) of the subdivision of the town of Trinidad, Colorado, described as the part thereof...

Lot number four (4) in Block number one (1) of the subdivision of the town of Trinidad, Colorado, described as the part thereof...

line of Main Street, being the south side of a simple street and bounded on the top by the north line of said street...

to the east by the north line of said lot one hundred and thirty (130) feet, and to the west by the north line of said lot one hundred and thirty (130) feet...

and to the south by the north line of said lot one hundred and thirty (130) feet, and to the east by the north line of said lot one hundred and thirty (130) feet...

East Street, being the south side of a simple street and bounded on the top by the north line of said street...

Lot number four (4) in Block number one (1) of the subdivision of the town of Trinidad, Colorado, described as the part thereof...

line of Main Street, being the south side of a simple street and bounded on the top by the north line of said street...

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East Street, being the south side of a simple street and bounded on the top by the north line of said street...

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and to the south by the north line of said lot one hundred and thirty (130) feet, and to the east by the north line of said lot one hundred and thirty (130) feet...

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to the east by the north line of said lot one hundred and thirty (130) feet, and to the west by the north line of said lot one hundred and thirty (130) feet...

This Deed

made this

day of

in the year of our Lord

one thousand nine hundred

and fifty

between

and by virtue of the laws of the State of Colorado

WITNESSETH, the

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State of Colorado

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STATE OF COLORADO,
COUNTY OF DENVER

I, the undersigned, a notary public in and for the said city and county in the State of Colorado, do hereby certify that...

the person whose name is subscribed to the foregoing deed...

signed, sealed and delivered the said instrument of writing as shown...

to me on this 10th day of September...

1900

Simon Butterman, Secretary

Cancelled by Ernest Wright, President

The Wright Construction Company

(SEAL)

(SEAL)

(SEAL)

(SEAL)

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

BENEVOLENT AND PROTECTIVE ORDER OF ELKS TRINIDAD ELKS LODGE#181

is a **Nonprofit Corporation** formed or registered on 01/13/1989 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19891002584.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/13/2015 that have been posted, and by documents delivered to this office electronically through 05/14/2015 @ 21:17:56.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 05/14/2015 @ 21:17:56 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9189236.



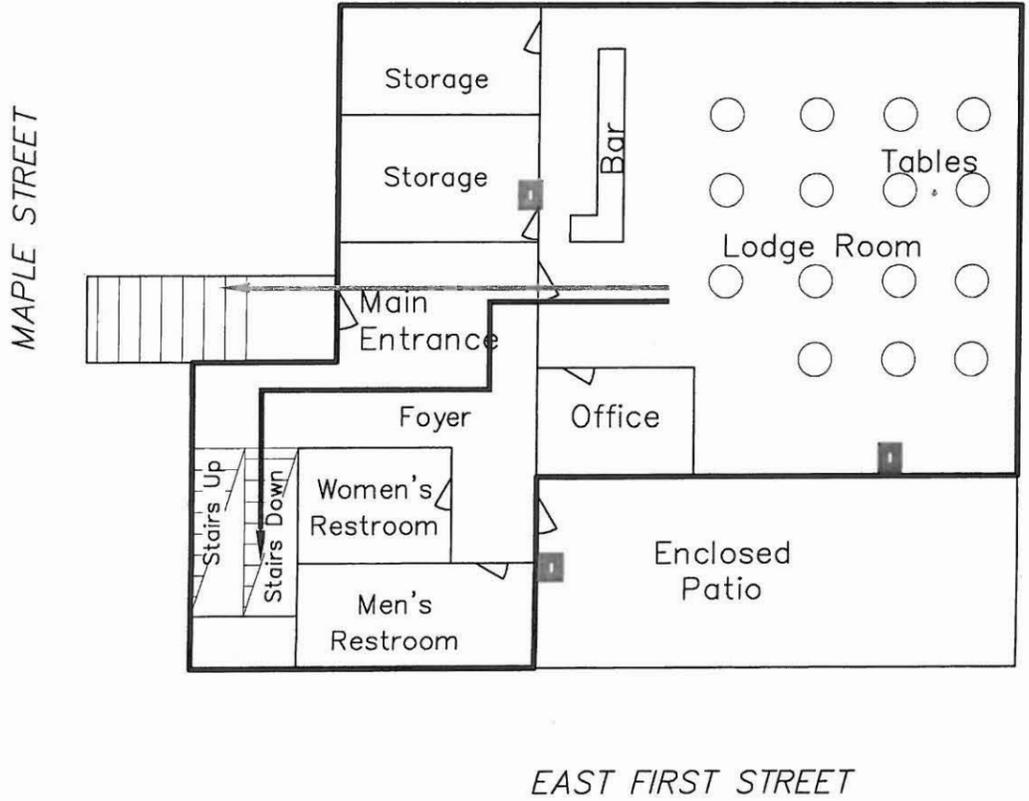
Secretary of State of the State of Colorado

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

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

MAIN FLOOR PLAN
BPOE LODGE 181

Address: 120 S. MAPLE
Phone No.: 846-2980
Capacity: 130



LEGEND

- Primary Route of Egress
- - - Secondary Route of Egress
- Fire Extinguisher
- ⌋ Door

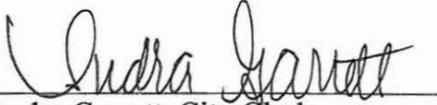
STATE OF COLORADO)
COUNTY OF LAS ANIMAS) SS
CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, and the ordinances of the City of Trinidad, BPOE Lodge 181, 120 S. Maple Street, Trinidad, Colorado, which business has applied for a Special Events Permit, to sell and dispense Malt, Vinous and Spirituous Liquors at 120 S. Maple Street, Trinidad, Colorado, on June 27, 2015, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 18th day May, 2015.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this
18th day of May, 2015.

CITY OF TRINIDAD, COLORADO



Audra Garrett, City Clerk

(SEAL)

5/19/15

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

Applicant: BPOE Lodge 181

dba: Fundraiser – June 27, 2015

Address: 120 S. Maple Street

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 2, 2015

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: OK

5-21-2015
Date

Robert Sandberg
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015

5/19/15

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

Applicant: BPOE Lodge 181

dba: Fundraiser - June 27, 2015

Address: 120 S. Maple Street

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 2, 2015

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: ok

5/21/15
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015

5/19/2015

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

Applicant's Name: BPOE Elks Lodge No. 181

DBA: Fundraiser - June 27, 2015

Business Address: 120 S. Maple Street

Type of License: Malt, Vinous, and Spirtiuous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 2, 2015

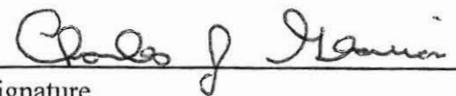
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

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

5-19-15
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: May 26, 2015

FIRE SAFETY PLAN

Fundraiser

Purpose:

To highlight both Fire and Safety Plans in case of emergency during the special even to be held at the Trinidad Elk's Lodge #181 at 120 South Maple Street in Trinidad, Colorado.

Preventing Measures:

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

- Exits
- Primary evacuation routes
- Location of fire extinguishers
- Occupancy inside the building

Inside the Building:

Fire extinguishers shall be placed as required by NFPA 10 and the International Fire Code as adopted by the Trinidad Fire Department. Fire extinguishers shall be provided within a 50 foot travel distance.

- Exit routes shall be clearly marked. The means of egress, including exit discharge, shall be illuminated at all times the building is occupied. The path of egress travel shall not be interrupted by a building element.

Obstructions shall not be placed within the required width of means of egress.

The occupancy load of the building, as determined by the Trinidad Fire Department, shall be posted and strictly adhered to by the staff of the Elk's Lodge.

Security will be the responsibility of the Members of the Elk's Lodge.

The Trinidad Police Department and the Trinidad Fire Department will not be on site, but will be readily available in case of an emergency.

Submitted by: John B. Garcia 5-14-15

Approved by: [Signature]
Trinidad Fire Chief

OPERATIONS PLAN

Dance Connection Fundraiser

Date of Operation: June 27, 2015
Location of Operation: BPOE Lodge 181
120 S. Maple
Trinidad, CO 81082

Operations Objectives:

Provide security for the Dance Connection Fundraiser. Maintain public peace and order during the event. Provide security in the operational area to include event bar. It should be noted that ingress/egress is located at the front entrance to the building (facing Maple Street). A map is attached to this plan to show the operational area.

Event Staffing (Security):

Security will be the responsibility of the Officers of the Benevolent Protective Order of Elks, Lodge #181.

Note that the staff operating the "Bar" have received TIPS training. It should also be noted that Anthony Gerardo will be operating the bar. ALL staff working the bar will have received TIPS training.

ALL persons who are served alcohol shall be 21 years of age or older. Prior to entering the bar, ALL id's will be checked. NO ID = NO ALCOHOL.

Bar staff should pay special attention to ensure that underage persons ARE NOT being served alcohol. Also staff should ensure that overly intoxicated persons are not being served alcohol. Any violations of the Colorado Beer and Alcohol Code and Trinidad Municipal Alcohol Code shall be reported immediately to the Trinidad Police Department.

No persons who is not designated by Elk's Staff, as a bar employee, will be allowed behind the bar. Any unauthorized person found behind the bar will be removed from the area. Appropriate enforcement action will also be taken.

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

Prepared by: John B. Garcia Date: 5-14-15
Approved by: Egg Date: 5-15-15
TPD Chief

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

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: Les Downs, City Attorney
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: New Retail Marijuana Product Manufacturing Facility license application filed by The Grow Foundry, Inc. d/b/a CODA Signature at 1105 Constitution Drive

RECOMMENDED CITY COUNCIL ACTION: Set the matter for public hearing.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is an application for a new license.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application appears to be in order and will be processed accordingly. A complete application packet will be provided for the hearing.
- City Council may not hold the hearing any earlier than 30 days from today. Therefore, the earliest a hearing may be set is July 7, 2015 at 7:00 p.m., the earliest regular Council meeting date following 30 days.
- Pursuant to TMC 14-204(f), the Local Licensing Authority may request that the state licensing authority conduct a concurrent review of a new license application prior to the local licensing authority's final approval of the license application.
- This is a quasi-judicial matter and as such Council should only consider evidence and testimony provided during the public hearing you set.

CONTACT FOR INFORMATION:

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

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

Landlord	Tenant	Expires
Altum Investments, Inc.	The Grow Foundry, Inc.	1-31-2020

****If premises are leased, attach notarized consent by the owner of the property to the licensing of the premises for a retail marijuana facility.**

ADDITIONAL DOCUMENTS TO BE SUBMITTED WITH APPLICATION

Individual History Records attached and completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers and employees of a Retail Marijuana License.

- ✓ 1. Fingerprinting by the Trinidad Police Department for:
 - all general partners of a partnership and limited partners owning 10% (or more) of a partnership;
 - all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation;
 - all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company; and
 - all managers and employees of a Retail Marijuana License with the appropriate fee payable to Colorado Bureau of Investigation (currently \$39.50, March, 2014)

- ✓ 2. Lease or Deed – Evidence of Possession

- ✓ 3. Conditional Use Permit approval

- ✓ 4. Copy of alarm system contract - *statement*

- ✓ 5. Copy of state sales tax license

- ✓ 6. Certificate of Good Standing

- ✓ A 7. Affidavit of Lawful Presence (Sole Proprietors only)

- ✓ 8. Diagram of Premises:
 - A floor plan, drawn to scale on 8-1/2 x 11" paper, showing the layout of the center and the principal uses of the floor area. Floor plan must include location of lighting and cameras required by state rules.

A one-time fee of \$1.00 per square foot of that portion of the licensed premises in which plants are located for cultivation purposes, including greenhouses, shall be due to the City. Any expansion of the licensed premises in which plants are located for cultivation purposes shall result in an additional \$1.00 per square foot charge for that additional area.

- ✓ 9. Copy of State Application with attachments

LIST OF OWNERS, OFFICERS, MANAGERS, EMPLOYEES & OTHERS WITH DIRECT OR INDIRECT FINANCIAL INTEREST

1. Name: Mark Grindeland Title: CEO
Address: 1200 Cherokee St. Unit 108 Denver, CO 80204
Financial Interest: 50%

2. Name: Elizabeth Cooke Title: President
Address: PO Box 1421 Arvada, CO 80001
Financial Interest: 50%

3. Name: _____ Title: _____
Address: _____
Financial Interest: _____

4. Name: _____ Title: _____
Address: _____
Financial Interest: _____

5. Name: _____ Title: _____
Address: _____
Financial Interest: _____

6. Name: _____ Title: _____
Address: _____
Financial Interest: _____

7. Name: _____ Title: _____
Address: _____
Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the retail marijuana business; and that the application and documents submitted for other approvals relating to the retail marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

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

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

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Mark Grindland

Chief Executive Officer

Signed:

[Signature]

Title:

President

(Must be signed by Individual Owner, Partner, or Officer)

MARK GRINDBLAND

5-15-15

Printed Name:

Elizabeth Cooke

Date:

5.15.15



City of Trinidad, Colorado
1872

**CITY OF TRINIDAD, COLORADO
OFFICE OF THE CITY CLERK**

**LICENSEE'S STATEMENT REGARDING KNOWLEDGE
OF THE STATE OF COLORADO'S RETAIL MARIJUANA CODES AND
REGULATIONS AND THE CITY OF TRINIDAD'S ORDINANCES AND LOCAL
RULES OF PROCEDURE GOVERNING RETAIL MARIJUANA BUSINESSES**

The Local Licensing Authority, as the enforcement agency for the for the City of Trinidad, expects a Retail Marijuana Business licensee to be knowledgeable of the State of Colorado's and the City of Trinidad's Retail Marijuana laws, codes, regulations and ordinances and to seek further clarification of such information if necessary.

I, Elizabeth Cooke / MARK GRUNDL hereby state that I have read Article 43.4 of Title 12, C.R.S., as amended, and the regulations promulgated thereunder, and the City of Trinidad Municipal Code regarding general business licensing and Retail Marijuana business licensing and understand the contents thereof.

The Grow Foundry, Inc.

Printed Name of Licensee

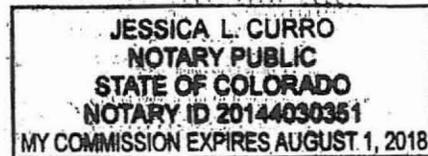
Mark Grundel CEO

E. J. Curro President

Authorized Signature of Licensee/Title

5-27-15

Date



STATE OF Colorado)

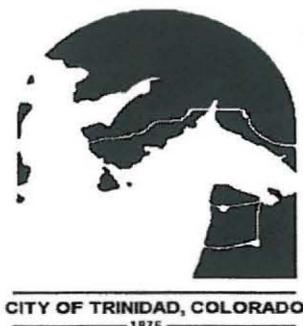
COUNTY OF Las Animas)

ss.

Subscribed and sworn to before me this 27 day of May, 2015.

Jessica L. Curro
Notary Public Signature

My Commission Expires: August 1, 2018



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: Les Downs, City Attorney
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: New Medical Marijuana Infused-Product Manufacturer license application filed by The Grow Foundry, Inc. d/b/a CODA Signature at 1105 Constitution Drive

RECOMMENDED CITY COUNCIL ACTION: Set the matter for public hearing.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is an application for a new license.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application appears to be in order and will be processed accordingly. A complete application packet will be provided for the hearing.
- City Council may not hold the hearing any earlier than 30 days from today. Therefore, the earliest a hearing may be set is July 7, 2015 at 7:00 p.m., the earliest regular Council meeting date following 30 days.
- Pursuant to TMC 14-204(f), the Local Licensing Authority may request that the state licensing authority conduct a concurrent review of a new license application prior to the local licensing authority's final approval of the license application.
- This is a quasi-judicial matter and as such Council should only consider evidence and testimony provided during the public hearing you set.

CONTACT FOR INFORMATION:

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



CITY OF TRINIDAD

City Clerk's Office
135 N Animas St
P.O. Box 880
Trinidad, Colorado 81082
719-846-9843

City of Trinidad
MAY 28 2015
City Clerk's Office

MEDICAL MARIJUANA LICENSE APPLICATION		
<input checked="" type="checkbox"/> New License Application Fee \$2,500.00	<input checked="" type="checkbox"/> License Fee/Renewal Fee \$1,000.00	
<input type="checkbox"/> Transfer of Ownership Application Fee \$1,500.00	<input type="checkbox"/> Change of Location \$1,500.00	
LICENSE TYPE		
<input type="checkbox"/> Medical Marijuana Center	<input checked="" type="checkbox"/> Medical Marijuana Infused-Products Manufacturer	
<input type="checkbox"/> Medical Marijuana-Optional Premises Cultivation Operation		
TYPE OF BUSINESS		
<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Individual*
<input type="checkbox"/> Limited Liability Corporation	<input type="checkbox"/> Other <small>Text</small>	
*Sole Proprietorship (Individual) – Verification of Lawful Presence is required per State law (Signed Affidavit and Photo ID)		

Applicant The Grow Foundry, Inc.
 (Corporation/LLC)
 Applicant n/a
 (Sole Proprietor) First Name Middle Initial Last Name

Trade Name of Establishment (DBA) CODA Signature
 Address of Premise 1105 Constitution Dr. Trinidad, CO 81082
 Mailing Address 1200 Cherokee St. Unit 108 Denver, CO 80204
 Telephone 720-596-4104 Email Address info@thegrowfoundry.com
 Contact Person/Manager Mark Grindeland Title CEO
 Telephone 617-818-2480 Email Address markgrindeland@thegrowfoundry.com

Does the Applicant have legal possession of the premise for at least one (1) year from the date that this license will be issued by virtue of ownership, lease or other arrangement?

- Ownership Lease Other (explain in detail)

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

Landlord	Tenant	Expires
Altum Investments, Inc.	The Grow Foundry, Inc.	1-31-2020

**If premises are leased, attach notarized consent by the owner of the property to the licensing of the premises for a medical marijuana facility.

Individual History Records attached and completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers and employees of a Medical Marijuana License.

- 1. Fingerprinting by the Trinidad Police Department for:
 - all general partners of a partnership and limited partners owning 10% (or more) of a partnership;
 - all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation;
 - all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company; and
 - all managers and employees of a Medical Marijuana Licensewith the appropriate fee payable to Colorado Bureau of Investigation (currently \$38.50, March, 2014)

- ✓ 2. Lease or Deed – Evidence of Possession *
- ✓ 3. Conditional Use Permit approval *Medical vote 2-10-15 * need copy of permit #*
- 4. Copy of alarm system contract
- ✓ 5. Copy of state sales tax license* *N/A for MRL/OTC*
- ✓ 6. Certificate of Good Standing⁴
- 7. Affidavit of Lawful Presence (Sole Proprietors only)
- ✓ 8. Diagram of Premises:
 - A floor plan, drawn to scale on 8-1/2 x 11" paper, showing the layout of the center and the principal uses of the floor area. Floor plan must include location of lighting and cameras required by state rules.
- ✓ 9. Copy of State Application with attachments

LIST OF OWNERS, OFFICERS, MANAGERS, EMPLOYEES & OTHERS WITH DIRECT OR INDIRECT FINANCIAL INTEREST

1. Name: Mark Grindeland Title: CEO
Address: [REDACTED]
Financial Interest: 50%

2. Name: Elizabeth Cooke Title: President
Address: [REDACTED]
Financial Interest: 50%

3. Name: _____ Title: _____
Address: _____
Financial Interest: _____

4. Name: _____ Title: _____

Address: _____

Financial Interest: _____

5. Name: _____ Title: _____

Address: _____

Financial Interest: _____

6. Name: _____ Title: _____

Address: _____

Financial Interest: _____

7. Name: _____ Title: _____

Address: _____

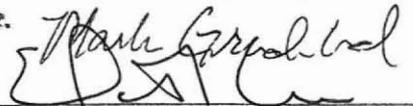
Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana business; and that the application and documents submitted for other approvals relating to the medical-marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

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

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

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Signed:  Title: CEO
(Must be signed by individual Owner, Partner, or Officer) President

Printed Name: MARK GRINBELAND Date: 5-15-15
Elizabeth Cooke 5-15-15



COUNCIL COMMUNICATION

59

CITY COUNCIL MEETING: June 2, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Appointment to the Arts and Culture Advisory Commission

RECOMMENDED CITY COUNCIL ACTION: Appointment is recommended to fill the one vacancy

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Advertisement was made seeking applicants to fill the vacancy as required by ordinance

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Two letters of interest were received for the one vacancy that exists. They were from Larry Carnes and from Camilla Campbell. Both qualify to fill the vacancy and introduced themselves at the work session on May 26th.

CONTACT FOR INFORMATION:

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

Audra Garrett

From: Kim Marquez [kim.marquez@trinidad.co.gov]
Sent: Monday, May 04, 2015 10:09 AM
To: 'Audra Garrett'
Subject: FW: Arts and Culture Advisory Commission

Hi Audra,

I received this letter of interest from Larry Carnes. What is the next step?

Kim

From: Larry Carnes [mailto:larry.carnes@trinidad.co.gov]
Sent: Monday, May 04, 2015 10:02 AM
To: kim.marquez@trinidad.co.gov
Subject: Arts and Culture Advisory Commission

Dear Ms Marquez --

Thank you for the information on the Arts and Culture Advisory Commission.

I have been a resident of Trinidad for 8 years and have served on a number of Boards and Commissions including but not limited to: Trinidad School District 1; Mt San Rafael Hospital, Trinidad Housing Authority Commission, Pueblo Catholic Diocese Human Development Commission and Trinidad Area Arts Council. I served on a number of Boards in Texas before coming to Colorado. There during my tenure as President of a Special Utility District, we made \$23 million in infrastructure improvements to our water system and approved \$7 million more.

Specifically regarding the arts, my wife Carla and I have been patrons of the arts since coming here. We've supported the Trinidad Area Arts Council, TALAS, SCRT and the Mitchell Museum. We've been patrons and members of the Denver Museum of Art, Houston Museum of Fine Art, Dallas Museum of Art, Chicago Art Institute and Philips Gallery in Washington, DC. In our home, we have paintings and other art works from more than a dozen local artists.

Please consider this as my expression of interest in joining the Trinidad Arts and Culture Advisory Commission. If more is required, please let me know.

Sincerely,

LARRY CARNES
709 S Maple Street
Trinidad, CO 81082

719-859-1671

*Verified
voter regis
& residency*

April 30, 2015

Trinidad City Council
135 N Animas St.
Trinidad, Co 81082

Dear Members of City Council,

I am writing this to apply for a position on either the Trinidad Tourism Board or the Arts and Culture Advisory Commission.

I was born and raised in Trinidad, graduating from Trinidad Catholic High School. After moving away for a while, I moved back and met my husband. We have one daughter, who was also born & raised in Trinidad, attended HS and TSJC. With my father and two of my brothers, we also ran a local freight company, Costa Lines, Inc. for over 40 years.

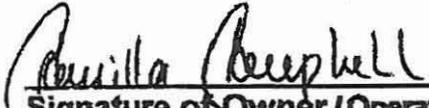
For the past 8 years I have been the owner/operator of Curly's Bead Emporium in downtown Trinidad, and hope to continue for many years to come. It has been a experience like no other.

As I tell many people, "it has been a wonderful ride". I have met many wonderful and interesting people. Many who have recently moved to Trinidad, as well as many tourists who continue to come back to Trinidad to shop at Curly's. Not to mention the great group of people that I have known for a very long time.

I have seen many changes in Trinidad, it's ups and downs. But I will always have faith in our little community. It's a wonderful place to live and I am very proud of our town.

I have been involved with Merchant association since I started with the shop. I am currently acting as one of its organizers. I would welcome the opportunity to become an active member on either board, and believe my experience with both tourists and the Arts would be an asset.

Thank You, for your consideration on these two positions.


Signature of ~~Owner~~/Operator

Camilla Campbell
Owner/Operator
Curlys Bead Emporium
301 W Main St.
Trinidad, Co 81082
719.846.8647

*Verified voter
registration +
Residency
AG*



COUNCIL COMMUNICATION

5h

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, ACM/City Clerk
PRESENTER: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Appointments to the Tourism Board

RECOMMENDED CITY COUNCIL ACTION: Appointments are recommended to fill the two vacancies

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

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

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Five letters of interest were received for the two vacancies that exist. The letters were received from:
 Austin Urquhart (miscellaneous)
 Lorin Manuel (restaurant)
 Linda Barron (miscellaneous)
 Marsha Royse (restaurant)
 Camilla Campbell (miscellaneous)
- All applicants introduced themselves at the May 26th work session.
- All applicants meet the qualifications.
- One appointment will need to be made until 2/10/2016 and the other until 2/10/2017.

Current ordinance language concerning Tourism Board membership:

Section 7-47.1 Membership; appointment; term; removal; organization and meetings.

(1) The City Tourism Board shall consist of five (5) members who shall be appointed by the City Council, and WHO shall not be a member of the City Council or a Council Officer, as defined in Section 2-16 of the Code of Ordinances. Pursuant to Section 8.3 of the City Charter, any member of the Board must be a resident of the City and have resided within the City for a period of not less than one year immediately preceding appointment, and be registered to vote. THE FIVE (5) MEMBERS SHALL BE EITHER (i) RESIDENTS AND REGISTERED VOTERS OF THE CITY OF TRINIDAD, OR (ii) RESIDENTS AND REGISTERED VOTERS OF LAS ANIMAS COUNTY,

5h

COLORADO, WHO OWN A TOURISM-RELATED BUSINESS WITHIN THE CITY OF TRINIDAD. Of the five (5) members, at least one (1) member shall be employed in the lodging industry, and at least one (1) member shall be employed in a restaurant operation. The remaining three (3) members shall be employed in or volunteer in businesses or activities which serve tourists.

CONTACT FOR INFORMATION:

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

Austin Urquhart

112 W 3rd St
Trinidad, CO 81082
719.859.2222

May 13, 2015

Re: Tourism Board

To Whom It May Concern:

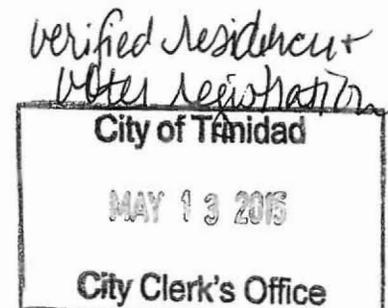
I am writing to express my interest in one of the open positions on the Tourism Board for the City of Trinidad.

I am the General Manager of Movie Picture Showhouse. In this role I work with the general public on a daily basis, as well as other businesses. The theatre is one of the main family-oriented entertainment options located here in Trinidad, so I have great interest in tourism in this area. The theatre has had a bad reputation in the past, but I have worked non-stop since taking over as General Manager to change the perception of the theatre, to improve the service, improve the standing within the community, and to bring more people in. Tourism is a major concern, as new people in the community equals more customers to all businesses within Trinidad.

I think Trinidad has a lot of potential, and needs to have a focused vision for progress to move forward and continue to grow. Currently there are a lot of projects going on in and around Trinidad, and those projects are directly impacting some businesses, and indirectly impacting others. This means businesses need to work together, and not against each other. I have seen many examples of one business sending customers to another business, since the other one could better suit the customer need. This is what it is going to take.

We are one community, and we need a unified vision to bring more tourism into the area, and continue on the path to making this community a thriving one. I appreciate your consideration in placing me in a vacant Board position.

Kindest regards,
Austin Urquhart



10:21 AM
KM



City of Trinidad
MAY - 8 2015
City Clerk's Office

Café What A Grind
341 N. Commercial Street
Trinidad, CO 81082
719-846-0505

05/08/2015

RE: Tourism Board

To whom it may concern,

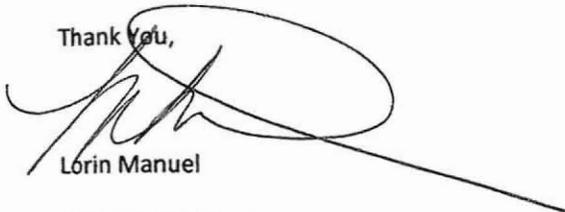
This is my letter of interest for one of the vacant positions on the City of Trinidad Tourism Board.

I have been an active member of the Trinidad business community since 2008 when we opened Café What A Grind. I deal directly with the public and tourists on a daily basis in my restaurant. My business, as well as, most businesses within the Trinidad community, relies heavily on our tourist base, so I have a vested interest how important tourism is for our community. I have many years prior to being a business owner dealing with the general public as a Crime Scene Investigator for the City of Mesa, AZ.

I believe in our community and want to see it thrive. Tourism is extremely important aspect of my business and I am constantly trying to brainstorm ideas to bring more tourists into our community and to the downtown businesses. I believe this tourist season is a very important one. We have construction on Commercial Street that directly affects the businesses in the entire downtown area. We need to come up with proactive approaches to bring the tourist base into the downtown areas and to draw them into our great small businesses.

I hope you will consider me to fill one of these positions, for I want to see Trinidad grow and prosper.

Thank You,



Lorin Manuel

Café What A Grind

2612 Desperado
registered to
vote / verified
residency

Linda T. Barron
1144 Robinson Avenue
Trinidad, CO 81082

May 15, 2015

City of Trinidad
Mayor & City Council
135 N. Animas
Trinidad, CO 81082

RE: Tourism Board

Dear Honorable City Council Members:

This is my letter of interest to serve on the Tourism Board for the City of Trinidad.

I believe I can contribute substantially to this Board for the following reasons:

I am a businesswoman and retailer since 1985 in the City of Trinidad.

I am a current paid member of the TLAC Chamber of Commerce since 1994.

I have been President and Board member of the TLAC Chamber of Commerce from 1995 to 2001.

I am currently a Board member and President-Elect of the TLAC Chamber of Commerce since 2014.

I was founder and chairman for the Las Animas / Huerfano County American Red Cross from 1999 to 2002.

I successfully initiated and was chairman for the Vietnam War Memorial at the Colorado Welcome Center which is a tourist attraction.

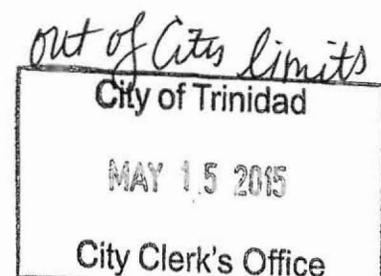
I have worked with several City of Trinidad organizations, promotions and events that had positive results, such as, Ride the Rockies Race in 2000 and Run for the Wall from 2000 to 2004.

I am a very strong advocate for Tourism in the City of Trinidad; and I sincerely love what the City of Trinidad has to offer for our local citizens and tourists – its multicultural history, agricultural and mining heritage, the local commerce, the future of the energy industry, the beautiful scenery of Fisher's Peak, Simpson's Rest and historic downtown Trinidad.

As a concerned citizen for the City of Trinidad, I feel I can contribute productively to the Tourism Board. The City of Trinidad's future will greatly depend on this Board. I can be a strong, Board team player, planning positively the future of tourism for the benefit of our local citizens and the entire community.

Respectfully,


Linda T. Barron



verified voter registration

May 12, 2015

Dear Tourism Board;

I would like to express my interest on serving on your board. Being the owner of two businesses [Royse's Black Jacks Steakhouse and Royse's Bed and Breakfast] that relies heavily on tourism and local community support, I understand how vital your role in the community is.

Tourism is one of the main pillars for future growth in our community and I would be honored to serve in the tourism's mission to promote and enhance the attractiveness of our community to all.

I hope you will consider me an asset who is willing to work tirelessly to build our community.

Sincerely,



Marsha Royse

City of Trinidad

MAY 12 2015

City Clerk's Office

Out of City limits

April 30, 2015

Trinidad City Council
135 N Animas St.
Trinidad, Co 81082

Dear Members of City Council,

I am writing this to apply for a position on either the Trinidad Tourism Board or the Arts and Culture Advisory Commission.

I was born and raised in Trinidad, graduating from Trinidad Catholic High School. After moving away for a while, I moved back and met my husband. We have one daughter, who was also born & raised in Trinidad, attended HS and TSJC. With my father and two of my brothers, we also ran a local freight company, Costa Lines, Inc. for over 40 years.

For the past 8 years I have been the owner/operator of Curly's Bead Emporium in downtown Trinidad, and hope to continue for many years to come. It has been a experience like no other.

As I tell many people, "it has been a wonderful ride". I have met many wonderful and interesting people. Many who have recently moved to Trinidad, as well as many tourists who continue to come back to Trinidad to shop at Curly's. Not to mention the great group of people that I have known for a very long time.

I have seen many changes in Trinidad, it's ups and downs. But I will always have faith in our little community. It's a wonderful place to live and I am very proud of our town.

I have been involved with Merchant association since I started with the shop. I am currently acting as one of its organizers. I would welcome the opportunity to become an active member on either board, and believe my experience with both tourists and the Arts would be an asset.

Thank You, for your consideration on these two positions.


Signature of Owner/Operator

Camilla Campbell
Owner/Operator
Curlys Bead Emporium
301 W Main St.
Trinidad, Co 81082
719.846.8647

Verified voter
Registration +
Residency
AG

Current Roster:

CITY TOURISM BOARD (2 yr terms - 5 members - Council appointed)

Ordinance #1677 - 5 members appointed by Council

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>TERM</u> <u>EXPIRES</u>
02/05/13	Vacant – restaurant	02/10/2017
02/03/15	Cy Michaels (lodging)	02/10/2017
02/04/14	Pat Patrick	02/10/2016
02/04/14	Susan Palmer	02/10/2016
02/04/14	Fred Vaugeois	02/10/2016

PUBLIC NOTICE

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

Two (2) on the Tourism Board; and
two (2) on the Parks & Recreation Advisory Committee;
one (1) on the Library Advisory Board;
one (1) on the Arts and Culture Advisory 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. However, in order to serve on the Tourism Board an applicant shall be either a resident and registered voter of the City of Trinidad, or a resident and registered voter of Las Animas County, Colorado, who is employed in a restaurant operation within the City of Trinidad or who are employed in or volunteer in businesses or activities which serve tourists.

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., May 15, 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: May 1, 8, 15
Legal ad
Furnish Proof of Publication



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, Asst. City Mngr.
PRESENTER: Audra Garrett, Asst. City Mngr.
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: First reading of an ordinance repealing Article 3, Non-Conformance, Section 5-23, Non-Conformance, of Chapter 5 (“Buildings”) of the Code of the City of Trinidad, Colorado, thereby requiring only the specific renovations made to vacant buildings comply with current building codes unless the use changes, in accordance with the International Code adopted by the City, and setting a hearing date for consideration of said ordinance

RECOMMENDED CITY COUNCIL ACTION: Consider the proposed ordinance and if acceptable, approve it on first reading and forward it to the June 16th regular meeting for a public hearing and second reading.

SUMMARY STATEMENT: Repeal of non-conforming status language in Chapter 5.

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

POLICY ISSUE: This ordinance would eliminate the need for complete renovation of vacant buildings to current code standards when there is no change in use.

ALTERNATIVE: Consider alternate language rather than repeal;
 Do nothing and continue with enforcement of this section

BACKGROUND INFORMATION:

- Steve Thomas, Colorado Code Consulting, recently presented the City with a Building Department evaluation. Among the suggestions within his report was the elimination of the non-conformance section in Chapter 5. Mr. Thomas noted that the cost of bringing a building into compliance with the current code can be extraordinarily expensive for the building owner, thus creating an obstacle to potential buyers and adversely affecting economic development.
- Mr. Thomas also noted in his presentation to Council on May 12th that other Colorado municipalities do not have non-conformance language in their code.

CONTACT FOR INFORMATION:

Les Downs, City Attorney, 719-846-9843 ext. 120
 Audra Garrett, Asst. City Manager, 719-846-9843 ext. 135



CITY OF TRINIDAD, COLORADO

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF TRINIDAD, COLORADO, REPEALING ARTICLE 3, NON-CONFORMANCE, SECTION 5-23, NON-CONFORMANCE, OF CHAPTER 5 ("BUILDINGS") OF THE CODE OF THE CITY OF TRINIDAD, COLORADO, THEREBY REQUIRING ONLY THE SPECIFIC RENOVATIONS MADE TO VACANT BUILDINGS COMPLY WITH CURRENT BUILDING CODES UNLESS THE USE CHANGES, IN ACCORDANCE WITH THE INTERNATIONAL CODES ADOPTED BY THE CITY

WHEREAS, Chapter II, § 2.4, of the Home Rule Charter for the City of Trinidad, Colorado, provides that "[t]he City shall have all powers of local self government and Home Rule possible for a city to have under the Constitution and laws of [the state of Colorado] as fully and completely as though they were specifically enumerated in this Charter."; and

WHEREAS, § 31-15-601 *et seq.*, C.R.S., confers upon the City general powers to establish building and fire safety regulations; and

WHEREAS, the International Codes adopted by the City adequately establishes safeguards to protect the public health, safety, and general welfare of citizens from fire and other hazards attributed to the built environment; and

WHEREAS, the City Council of the City of Trinidad, Colorado, herein desires to promote the occupancy of vacant buildings within the City to improve the local economy.

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

Section 1. Repeal of Article 3, Non-Conformance, Section 5-23, Non-Conformance of Chapter 5 ("BUILDINGS") of the Code of the City of Trinidad, Colorado. Chapter 5 ("BUILDINGS") of the Code of the City of Trinidad, Colorado, is hereby repealed in its entirety as follows:

ARTICLE 3. RESERVED.

Section 5-23. Reserved.

INTRODUCED BY COUNCILMEMBER _____, READ AND ORDERED PUBLISHED this 2nd day of June, 2015.

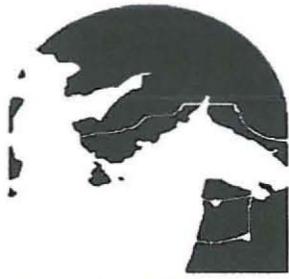
FINALLY PASSED AND APPROVED this ____ day of _____, 2015.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the ____ day of _____, 2015.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

5i

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, City Clerk
PRESENTER: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Appointments to the Tree Board

RECOMMENDED CITY COUNCIL ACTION: Appointment is recommended to fill the one vacancy

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

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

ALTERNATIVE: Re-advertise to solicit additional letters of interest

BACKGROUND INFORMATION:

- One letter of interest was received for the two vacancies that exist. The letter received was from Jon Neil Barclay. Mr. Barclay was asked to be in attendance at the regular meeting to introduce himself so that you may consider the appointment.

CONTACT FOR INFORMATION:

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

5i

Audra Garrett

From: Jon Neil Barclay [jonneilbarclay@gmail.com]
Sent: Friday, May 01, 2015 8:05 AM
To: audra.garrett@trinidad.co.gov
Subject: Tree Board

Ms. Garrett,

Please accept this email as my application to be considered for a vacancy on the City Tree Board. As you know I am a Trinidad native who has returned to Trinidad and am very interested in serving on a board that is dedicated to preserving and adding to the beauty of the City's public places. Thank you for your consideration.

Jon Neil Barclay
Attorney At Law

*Verified residency +
voter registration
JNB*



COUNCIL COMMUNICATION

5k

CITY COUNCIL MEETING: June 2, 2015
PREPARED BY: Audra Garrett, Asst. City Mngr.
PRESENTER: Audra Garrett, Asst. City Mngr.
DEPT. HEAD SIGNATURE:
CITY MANAGER SIGNATURE: 

SUBJECT: Consideration of an ordinance repealing and re-enacting Section 9-5 of Chapter 9, Licenses, regarding garage sales

RECOMMENDED CITY COUNCIL ACTION: Consider the ordinance and if acceptable, approve this evening and forward it to the June 16th regular meeting for a public hearing and second reading

SUMMARY STATEMENT: Local permitting requirements for garages sales

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Regulation of businesses within the municipality

ALTERNATIVE: The ordinance could remain unchanged

BACKGROUND INFORMATION:

- In 1995 City Council approved an ordinance requiring a garage sale permit be obtained by citizens wishing to have garage sales. There were several reasons behind the permit requirement: a concern of run-on garage sales that constitute businesses, which then implicates the zoning of the property, and at the time the mines were operational and there was a concern about the residential traffic waking miners who worked a graveyard shift.
- Throughout the years many people have suggested to staff that the number of days should be extended.
- The City issues between 200 to 250 no-cost permits yearly.
- Staff suggests that garage sale monitoring could be done without a permitting process through code enforcement monitoring and complaints.

CONTACT FOR INFORMATION:

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

5k



ORDINANCE NO.

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 9-5 OF CHAPTER 9, LICENSES, REGARDING GARAGE SALES

WHEREAS, Chapter II, § 2.4, of the Home Rule Charter for the City of Trinidad, Colorado, confers upon the City “all powers of local self government and Home Rule possible for a city to have under the Constitution and laws of [the state of Colorado] as fully and completely as though they were specifically enumerated in this Charter”; and

WHEREAS, Chapter 9, Licenses, Section 9-5, Exempt Activities, requires a person holding a garage sale to obtain a permit from the City Clerk; and

WHEREAS, the intent of regulating garage sales was to control the duration and mitigate impact to neighbors created by foot and vehicle traffic, in harmony with residential zoning; and

WHEREAS, citizens have expressed a desire to be allowed up to four days in which to hold garage sales; and

WHEREAS, regulation of garage sales to meet the intent of the language to be repealed is attainable without requiring a permit to be obtained from the City.

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

Section 9-5. Exempt activities, is hereby repealed and re-enacted as follows:

(4) No license shall be required of any person for the holding a garage sale exceeding not more than four days in length, at a given location, in a calendar year. No garage sale may be conducted prior to 8:00 a.m. or after 8:00 p.m. of any day.

INTRODUCED BY COUNCILMEMBER _____, READ AND ORDERED PUBLISHED, this 2nd day of June, 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:

AUDRA GARRETT, City Clerk



COUNCIL COMMUNICATION

51

CITY COUNCIL MEETING: June 2, 2015
PREPARED BY: Audra Garrett, Asst. City Mngr.
PRESENTER: Audra Garrett, Asst. City Mngr.
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Consideration of amendments to the contract between the City and Noah's Ark Animal Welfare Association

RECOMMENDED CITY COUNCIL ACTION: Consider the proposed changes and if acceptable approve the contract

SUMMARY STATEMENT: Contract for confinement and care of stray, abandoned, lost and unwanted pets

EXPENDITURE REQUIRED: Yes, \$25,000. Additionally, the City would allow Noah's Ark to retain all funds received from licensing of pets (City collected license fees: 2012-\$2,222; 2013-\$1,799; 2014-\$2,171; 2015 thru March 31-\$973)

SOURCE OF FUNDS: General Fund-Miscellaneous

POLICY ISSUE: Regulation and care of animals within the municipality

ALTERNATIVE: Alternate language could be used within the contract;
Licensing responsibilities could remain with the City;
The funding allocation could be adjusted;

BACKGROUND INFORMATION:

- Noah's Ark has been interested in having the ability to issue pet licenses for a number of years. With their new database, the City would be able to access the licensing information for the City's purposes, however, the responsibility of license issuance would lie with Noah's Ark. Noah's Ark would retain the funds derived from licenses.
- The amended contract is largely a housekeeping measure. For instance, when the original contract was entered into, it called for a Performance Review Committee to oversee the performance of the Association. The committee is defunct and has been since approximately 2007; Noah's Ark was not allowed to accept animals from outside of the City, for instance.

CONTACT FOR INFORMATION:

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

51

**ANIMAL SHELTER SERVICE CONTRACT
AND LEASE AGREEMENT**

This agreement is entered into by the city of Trinidad, Colorado, a municipal corporation (hereinafter "City"), and Noah's Ark Animal Welfare Association, a Colorado non-profit corporation, 224 North Chestnut, Trinidad, CO 81082 (hereinafter "Contractor"), in Trinidad, Colorado, to be effective on ____ day of _____, 2015 (the "Commencement Date").

WHEREAS, City has operated a municipal facility for the confinement and care of the stray, abandoned, lost and unwanted pet animals as part of the City's animal control responsibilities; and

WHEREAS, Given its limited staff and other resources, City desires to privatize the sheltering and care of stray and lost or abandoned animals in an effort to improve the delivery of humane animal care services, the reunification of pet animals with their owners, and the placement of abandoned yet adoptable pet animals with new owners; and

WHEREAS, City desires to retain and employ the services of Contractor as an experienced animal protection and care provider and to assume the operation of the City's animal shelter facilities.

NOW, THEREFORE, in consideration of the promises, terms and conditions as set forth below, and for good and valuable consideration, the adequacy and receipt of same, which are hereby acknowledged by both parties, it is agreed as follows:

LEASE OF SHELTER FACILITIES

1. Effective upon the commencement date of this agreement, City does continue to convey possession and lease to Contractor City's animal shelter facilities situated at 224 North Chestnut, Trinidad, Colorado (the "Shelter"), inclusive of the animal shelter building, kennel facilities, and all that land currently in closed with fencing appurtenant to the shelter building, plus those unsubdivided parcels of land to the west and north of the shelter building as illustrated on the attached Trinidad Shelter Site Plan (the "Site Plan"), which plan is incorporated herein and made part here of as Exhibit 1 (collectively known as the "Leased Premises").
2. The term of the lease for the Leased Premises as herein provided shall correspond to the term of this agreement.
3. Contractor shall pay to City rent at the rate of one dollar (\$1.00) per year for each year, or part thereof, Contractor occupies and operates the Leased Premises under the terms of this Agreement.
4. The City agrees to waive disposal fees for dead animals and also continue the current arrangement with City maintenance regarding water/sewage expenses.
5. Contractor shall keep the Leased Premises in a safe and good operating condition, normal wear and tear excepted, and shall maintain a clean and sanitary environment in and around the Shelter consistent with established health and sanitation standards applicable to pet animal facilities under Colorado law.

IMPROVEMENT TO SHELTER FACILITIES

6. Permanent and/or fixed improvements shall, upon completion, become the property of the City and shall be included in the Leased Premises. Non-permanent improvements (i.e. cat cages, outdoor dog houses, mobile office units and/or storage sheds, moveable kennels and cages, chain-link fencing and gates) shall be and remain the personal property of Contractor and upon the expiration or other termination of the Agreement shall be removed from the Leased Premises, and the Leased Premises shall be restored to their original pre-lease condition, normal wear and tear excepted.

7. All improvements made by Contractor under the terms of this Agreement shall comply with all zoning, building and/or other applicable codes or regulations pertinent thereto. In the event any real property or other taxes are assessed and become due on such improvements or the Leased Premises as a result of Contractor's occupancy and use of same, Contractor shall timely pay such taxes, subject to any appeal or relief from the same as may be provided by law.

8. It is the desire, intention and goal of the City and Contractor that improvements undertaken to the Shelter and shelter facilities shall be directed at bringing the facilities into compliance with all standards and/or requirements applicable to a licensed pet animal facility or pound Underwood Colorado Pet Animal Care and Facilities Act, C. R. S. ss 35 – 80 – 101, et seq., as amended.

SHELTER LICENSURE AND SERVICES

9. The following terms when used in this section or otherwise in this Agreement shall mean as follows:

Days means days during which the Shelter is open to the public.

Dispose or disposition means adoption of a pet animal, return of a pet animal to its owner, release of a pet animal to a licensed pet animal care facility or group, or euthanasia.

Euthanasia means to produce a humane death by means accepted and/or endorsed by the American Veterinary Medical Association.

Pet animal means dogs, cats, rabbits, guinea pigs, hamsters, mice, ferrets, birds, or any other species of domesticated warm-blooded animal sold, transferred, owned or retained for the purpose of being kept as a companion or household pet, except livestock.

Livestock means cattle, horses, mules, burros, sheep, poultry, swine, llamas, and goats, regardless of use, and any animal that is used for working purposes on a farm or ranch, and any other animal designated by the Colorado Commissioner of Agriculture, which animal is raised for food or fiber production.

10. Contractor will maintain such policies and procedures regarding the sheltering and care of pet animals, and undertake such improvements and/or repairs to the Shelter, so as to maintain licensure

for the Shelter from the Colorado Department of Agriculture under the Colorado Pet Animal Care and Facilities Act.

11. Contractor shall accept, shelter and provide care for all pet animals picked up, captured or otherwise originating from within the jurisdictional boundaries of the City, or delivered to the shelter by residents or employees of the City, inclusive of law enforcement personnel. The Contractor may accept animals originating outside of the City's boundary, as long as it does not impinge upon space for all animals originating in the City.

12. Contractor shall provide care for all pet animals placed in the Shelter in accordance with accepted and generally recognized good animal shelter and veterinary practices. Contractor shall have responsibility for performing euthanasia except in such emergency situations as noted in section 17.

13. Contractor shall at all times operate and maintain the Shelter in accordance with federal and state law and regulation governing the licensure and operation of pet animal facilities and/or shelters. Such licensure is to include Contractor's obtaining such license(s) as necessary to provide access to and use of controlled substances utilized in the euthanasia of pet animals.

14. Except for injured, ill or disabled pet animals that are experiencing extreme pain or suffering, all pet animals delivered to or held by Contractor under the terms of this Agreement and not reclaimed by their owner or other authorized person shall be held and cared for by Contractor for not less than the minimum holding period specified by state law before they become available for adoption or otherwise disposed of. At the time of the execution of this Agreement, such minimum holding period is five (5) days, except that Contractor may determine that the animal without identification may be disposed of in three (3) days if Contractor determines the Shelter has no additional resources to care for such pet animal, or determines that such pet animal is dangerous. As used herein, "days" means on which the Shelter is open to the public.

15. If Contractor acquires or comes into possession of a pet animal from its owner, or the authorized representative of the owner, the pet animal will become the property of Contractor at the time of transfer of the pet animal, and the pet animal may be disposed of by and at the discretion of Contractor.

16. If a pet animal is reasonably determined to be abandoned, such pet animal shall become the property of Contractor and may be disposed of by and at the discretion of Contractor.

17. Pet animals delivered to Contractor which in the opinion of a veterinarian are experiencing extreme pain or suffering may be disposed of by Contractor through euthanasia after Contractor has exhausted reasonable efforts to contact the animal's owner; however, for pet animals with identification, or whose owner is otherwise known, Contractor shall exhaust reasonable efforts to contact the animal's owner for up to twenty-four (24) hours before euthanizing the animal. Contractor may seek and obtain reasonable assistance from City's law-enforcement personnel in attempting to contact an owner as required under this provision. City may also euthanize pet animals in instances where the animal is suffering extreme pain and when communication with Contractor is not available or cannot be performed expeditiously. However, City will only perform such euthanasia after reasonable efforts to obtain a veterinarian's opinion have failed. City shall also have authority to euthanize an animal, which poses an immediate threat to an officer or others.

18. Contractor shall at no time sell, transfer, provide or make available any animal under its care to a person or private or public facility for use in medical or any other kind of research or experimentation.

19. Whenever Contractor acquires or accepts a stray or abandoned pet animal from a private person, it shall obtain as much information as reasonably available from such person, inclusive of the person's name, address and telephone number, as will allow City to investigate and follow-up the circumstances of the animal's status.

20. Nothing contained in this Agreement shall prohibit Contractor from sheltering and caring for any pet animal for any period of time beyond those minimum holding periods as otherwise established in this Agreement.

21. Contractor shall provide City Animal Control Personnel with a current key and/or lock combination with which to gain access to the Shelter during those days or hours when the Contractor's staff is off-duty.

22. Contractor shall not release a dog or cat to its owner or another authorized person without proof that such animal is currently, or will be promptly, vaccinated for rabies. Owners of unvaccinated animals will be required to purchase a pre-paid vaccination voucher at the shelter to be used at a local veterinarian within 2 weeks. If the voucher is not used within 14 days, the payment will be considered forfeited.

23. Contractor shall not release a pet animal required to be licensed by the City without proof that such animal is currently licensed. If such proof cannot be provided or produced, Contractor shall be required to sell such license. If a current rabies vaccination is not in place, reference section 22 and the Contractor shall take payment in advance for the license, which will be issued by the Contractor upon proof of the rabies vaccination. If proof of the vaccine and finalizing the license is not done within 14 days, the payment will be considered forfeited.

24. Contractor shall establish and collect fees for the impoundment and care of animals housed at the Shelter. All revenue(s) generated and/or derived from such fees shall be the property of Contractor.

25. Contractor shall not release a pet animal to its owner or other authorized person without first assessing and collecting from such person fees and charges for the impoundment and care of the animal and any required vaccination or license fees if applicable (sections 22 and 23). If there is an outstanding citation for a violation of any municipal animal control or licensing ordinance with regard to the animal, Contractor shall advise and direct the owner to immediately contact City for purposes of satisfying same and shall provide the owner with the appropriate address and telephone number. If an owner comes forward to claim animal with no prior identification, the animal will be held pending identification of the owner and issuance of any required citations.

26. Contractor shall not release or dispose of any pet animal placed in its care by City for quarantine purposes absent direction and written authorization from City.

27. Contractor shall establish and collect fees for the adoption of pet animals and shall not release for adoption, or adopt out, any dog or cat that is not spayed or neutered; except that persons adopting puppies or kittens that are deemed too young for spaying or neutering shall be required to sign a Spay/Neuter Agreement and deposit as established by the Pet Animal Care Facilities Act.

28. Contractor shall provide a shelter manager to oversee shelter operations, protocols and medical care decisions not less than twenty (20) hours per week, Monday through Friday, and a part-time caretaker for weekends, holidays and emergencies. The shelter manager and caretaker shall be employees of the Contractor, and Contractor shall provide workers' compensation insurance, unemployment insurance and make all wage withholdings as required by all federal, state and local taxing authorities.

29. Contractor shall implement a Shelter Volunteer Program to facilitate good and regular animal care, and to provide socialization and behavioral training for animals so as to enhance their adoptability.

30. Contractor shall make the Shelter open to the public a minimum of twenty (20) hours per week, Monday through Saturday.

31. Contractor shall maintain contemporaneous and accurate records of the total number, type and sex of all animals impounded at the Shelter, the number of animals brought to the shelter by owners and/or citizens, and those brought to the Shelter by City personnel; the total number and type of animals reclaimed by their owner(s) and the total number of animals euthanized. Contractor shall also maintain and make available such records as reasonably requested by City.

IMPOUNDING PROCEDURES FOR STRAY ANIMALS

32. Stray or abandoned pet animals impounded by law enforcement:

a. The officer delivering the animal to the Shelter shall complete an impound form used by Contractor.

b. After admission of the animal to the facility, Contractor shall undertake reasonable efforts to determine the owner of the animal and, if the owner is known, take reasonable steps to notify the owner of the animal's location and status. City shall provide Contractor reasonable assistance in efforts to identify the animal's owner.

33. Stray or abandoned pet animals delivered by private parties:

a. The person delivering the animal to the Shelter shall complete the Stray Animal form used by Contractor.

b. Contractor shall obtain the name, address, telephone number, driver's license number, if any, and signature of the person delivering the animal.

c. Contractor shall undertake reasonable efforts to determine the owner of the animal and, if the owner is known, take reasonable steps to notify the owner of the animal's location and status.

City shall provide Contractor reasonable assistance in efforts to identify the animal's owner.

34. Private parties wishing to forfeit their own animals shall be placed on a "as space allows" waiting list for admission to the Shelter. Animals shall be accepted as space becomes available in the order as entered on the admissions waiting list.

35. Injured, disabled or ill animals shall be evaluated by Contractor upon admission to the Shelter to determine whether emergency veterinarian examination, care or treatment is reasonably necessary. Contractor shall be responsible for the reasonable costs of emergency treatment deemed necessary by the licensed veterinarian to stabilize an injured or ill pet animal when there is no known owner for the animal, or when a known owner cannot be located in sufficient time to authorize such emergency treatment in advance. The owner of any animal receiving emergency treatment shall ultimately be responsible to pay the cost for all emergency treatment or care provided the animal, and/or reimburse Contractor therefore, which cost or reimbursement shall be paid upon the owner reclaiming the animal unless alternative payment arrangements are made in writing with Contractor.

36. Except as otherwise provided for in this Agreement, Contractor may, within its discretion, dispose of any pet animal not reclaimed or adopted upon the expiration of the required holding period.

37. Impounded animals which in the professional opinion of a veterinarian are experiencing extreme pain or suffering may be euthanized immediately after Contractor has exhausted reasonable efforts to contact the animal's owner, if known.

38. Any impounded animal which is known, or is reasonably suspected, to have bitten or injured any person so as to cause an abrasion or puncture of the skin; or any animal which, in the opinion of a licensed veterinarian or City, reasonably appears to be afflicted with rabies, shall be closely confined by Contractor for a period of not less than ten (10) days, or for such longer or shorter period as designed by City or the Colorado Department of Public Health and Environment. City shall be responsible for carrying out rabies quarantine protocols and shall promptly notify the appropriate health officer or office of the Colorado Department of Public Health and Environment of every impounded animal known or suspected of having rabies. Regular impound rates will apply.

COMPENSATION

39. City shall pay to Contractor the sum of Twenty-five Thousand dollars (\$25,000.00) for all shelter services delivered by Contractor under this Agreement. The Contractor shall also receive all proceeds from the sale of City Licenses. All financial commitments made by the City within this Agreement are subject to Section 51 of this Agreement.

INSURANCE

40. Contractor shall at all times during the term(s) of this Agreement maintain a policy or policies of general public liability and property casualty insurance insuring itself, the City, and the Leased Premises from any and all claims, injuries, damages, casualties and losses of any kind whatsoever, including death, as may arise from the Contractors errors, omissions, negligence, operations

or activities committed or occurring while performing under this Agreement. Such insurance shall act as primary insurance for the Leased Premises, be issued by a company authorized to do business in Colorado, and be in amounts for general liability purposes not less than those liability limits for governmental entities established under the Colorado Governmental Immunity Act, C.R.S. s24-10-114, as amended. Currently, such limits are \$150,000.00 per person and \$600,000.00 in the aggregate per occurrence. City shall be named as a co-insured or additional insured on all insurance policies required under this paragraph. Contractor, upon request, shall furnish City written confirmation of such insurance policy or policies and the effective dates thereof.

41. Contractor shall not be responsible for damage or destruction to the Leased Premises beyond its cause or control. In the event the Leased Premises are damaged or destroyed by causes determined to be within Contractor's control, normal wear and tear excepted, Contractor shall promptly repair, restore, or rebuild same to the condition and operational status as existed prior to such damage or destruction utilizing the proceeds from the insurance policy or policies required hereunder. Alternatively, Contractor may choose to terminate this Agreement and vacate the Leased Premises, subject to Contractor repairing and restoring said premises to the conditions existing thereon at the time Contractor first entered onto same. Contractor may also terminate the Agreement if the Leased Premises are destroyed or damaged as the result of causes beyond its control and City fails to promptly reconstruct or repair same.

DEFAULT

42. If Contractor violates any of the terms or conditions herein contained, and continues in such violation(s) for a period of ninety (90) days after written notice thereof by certified mail from the City to Contractor, then City shall have the option to declare this Agreement terminated and the lease of the Leased Premises forfeited, whereupon Contractor shall immediately and peaceably surrender possession and vacate the Leased Premises. The City's written notice shall specify the provision(s) of the Agreement violated, the information available to the City upon which is relied in concluding that a violation exists, and the action required of Contractor to cure the violation.

43. If City violates any of the terms or conditions herein contain, and continues in such violation(s) for a period of ninety (90) days after written notice thereof by certified mail from Contractor to City, excepting a failure to timely make a payment to Contractor as required hereunder, then Contractor shall have the option to declare this Agreement terminated and vacate the Leased Premises while removing its property therefrom. In the event a default should arise from the City's failure to timely make a payment to Contractor as required hereunder, then Contractor may, at its option, deem this Agreement terminated fourteen (14) days after notice of such default by Contractor to City, and vacate the Leased Premises.

CITY'S ADDITIONAL OBLIGATIONS AND CRUELTY/ABUSE INVESTIGATIONS

44. City shall throughout the term of this Agreement continue to manage and operate the City's Animal Control Program, inclusive of the provisions and maintenance of animal control vehicles. City shall also maintain exclusive authority with regard to the legal disposition of dangerous and/or vicious animals.

45. City shall have sole responsibility to investigate and prosecute vicious, animal abuse and neglect cases.

TERM OF AGREEMENT-RENEWAL TERMS

46. The term of this Agreement shall be one (1) year commencing from the date first written above. The Agreement shall automatically renew from year to year. Either party to this Agreement can terminate the Agreement upon sixty (60) days notice. During the sixty (60) days, the parties agree to meet and confer regarding the termination of the Agreement. In the event the parties cannot agree otherwise then the Contractor shall peaceably surrender and vacate the Leased Premises at the conclusion of the term, unless the parties agree in writing to continue Contractor's services on a month-to-month basis.

GENERAL TERMS

47. Additions to or modifications on this agreement may only be made and become effective upon subsequent written Agreement executed by both parties.

48. To the extent this Agreement calls for or requires the expenditure of public funds by City beyond the current fiscal year, such expenditure(s) shall be subject to and dependent upon duly adopted annual appropriations by the City Council for the City of Trinidad. In the event the City Council, within its discretion, fails to adopt and authorize sufficient appropriations to fund this Agreement in or for any given fiscal year, then the Agreement shall automatically terminate and the parties shall be fully relieved of their respective rights and obligations hereunder.

49. Contractor shall provide all services to City under this Agreement as an independent contractor and not as an employee or agent of the City. Contractor shall defend, and indemnify and hold the City, its employees and officers, harmless from any claims, damages, or injuries of any kind whatsoever that may be asserted or arise from the acts, errors or omissions committed, or allegedly committed, by Contractor and/or its employees or agents in performing the services under this Agreement. Notwithstanding the foregoing, Contractor shall not be obligated to defend or indemnify City for claims or losses arising from the negligence, errors or omissions of City or its employees or officers. Nothing in this paragraph is intended or shall be construed to waive or lessen the protections and limitations provided to the City under the Colorado Governmental Immunity Act or any other law.

50. The following persons will serve as the parties' contact persons purpose of providing notice(s) or authorizations as called for under this Agreement.

For Contractor
Kim Riddle, Executive Director
Noah's Ark Animal Welfare Association
P.O. Box 478, Trinidad, CO 81082
(719) 680-2385

For City
Gabriel Engeland, City Manager
City of Trinidad
P.O. Box 880, Trinidad, CO 81082
(719) 846-9843

51. This Agreement constitutes the entire understanding and Agreement between the parties and supersedes any prior Agreement(s) or understanding(s) between them relating to the subject matter hereof.

52. This Agreement shall not become effective or be valid absent the approval of same by the City Council for the City of Trinidad by duly passed ordinance, a copy of which shall be appended hereto.

IN WITNESS WHEREOF the parties have executed this Agreement by the authorized signatures as listed below.

For Noah's Ark Animal Welfare Association

For the City of Trinidad

By: _____
Title: _____
Date: _____

By: _____
Title: _____
Date: _____

ATTEST:

Audra Garrett, City Clerk

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

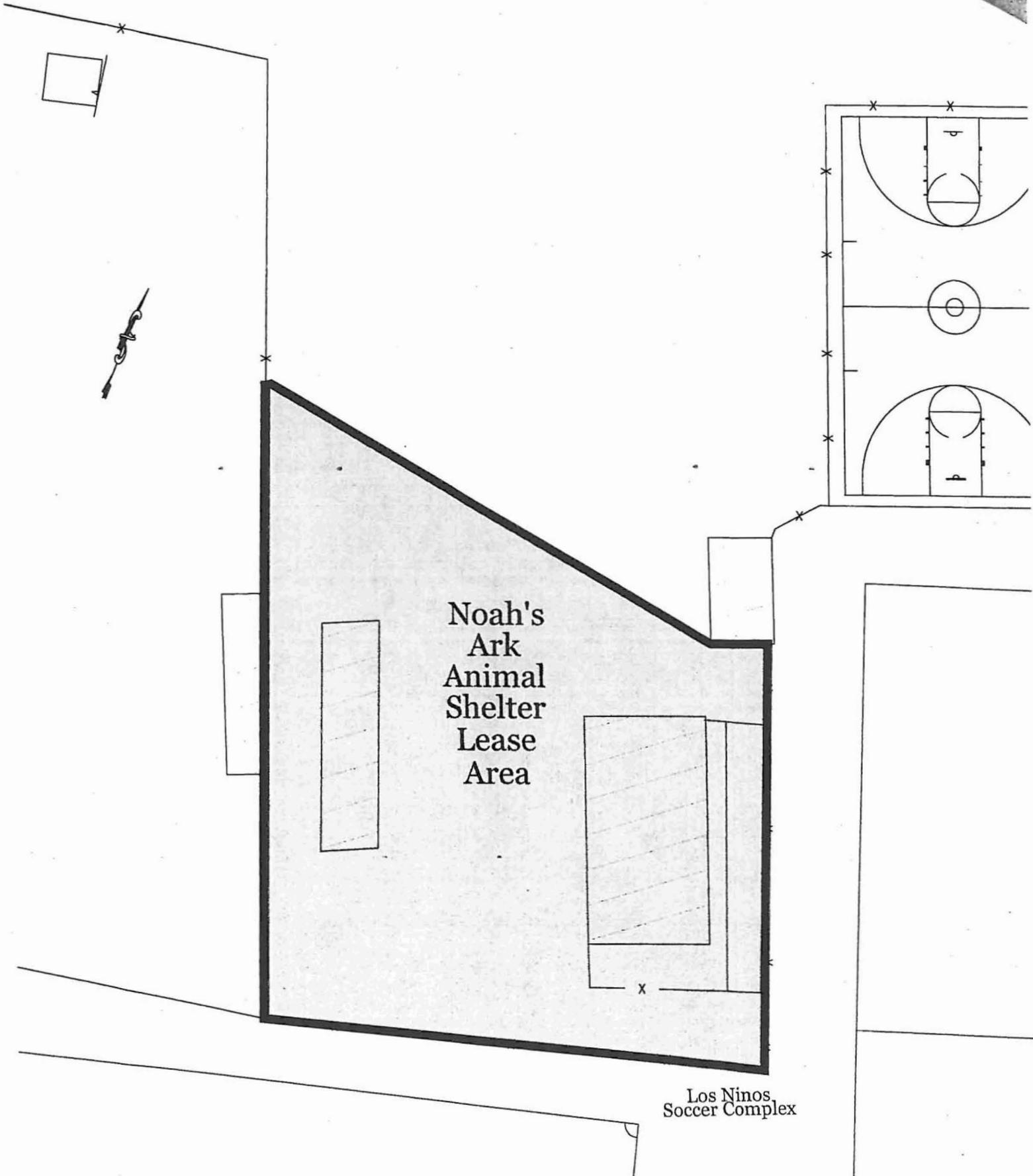
Subscribed and sworn to before me by _____, as
_____ of Noah's Ark Animal Welfare Association, on this _____ day of
_____, 2015.

My Commission Expires: _____

Notary Public

Riverwalk

EXHIBIT 1
SITE PLAN



Noah's
Ark
Animal
Shelter
Lease
Area

Los Ninos
Soccer Complex



COUNCIL COMMUNICATION

5m

CITY COUNCIL MEETING: June 2, 2015 Regular Meeting
PREPARED BY: Audra Garrett, Asst. City Mngr.
PRESENTER: Audra Garrett, Asst. City Mngr.
DEPT. HEAD SIGNATURE: *Audra Garrett*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Consideration of an ordinance pertaining to licensing of animals in the City of Trinidad

RECOMMENDED CITY COUNCIL ACTION: Consider the proposed changes and if acceptable, approve the ordinance on first reading and forward it to the June 16th meeting for public hearing and second reading

SUMMARY STATEMENT: Local licensing requirements for animals

EXPENDITURE REQUIRED: The City would allow Noah's Ark to retain all funds received from licensing of pets (City collected license fees: 2012-\$2,222; 2013-\$1,799; 2014-\$2,171; 2015 thru March 31-\$973)

SOURCE OF FUNDS: General Fund-Miscellaneous

POLICY ISSUE: Regulation of animals within the municipality

ALTERNATIVE: Licensing responsibilities could remain with the City;
The funding allocation could be adjusted;

BACKGROUND INFORMATION:

- Noah's Ark has been interested in having the ability to issue pet licenses for a number of years. With their new database, the City would be able to access the licensing information for the City's purposes, however, the responsibility of license issuance would lie with Noah's Ark. Noah's Ark would retain the funds derived from licenses.
- The contract calls for licensing by Noah's Ark.

CONTACT FOR INFORMATION:

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

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CITY OF TRINIDAD, COLORADO

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS CONTAINED IN CHAPTER 4 (“ANIMALS”), OF THE CODE OF THE CITY OF TRINIDAD, COLORADO, PERTAINING TO LICENSING OF ANIMALS IN THE CITY OF TRINIDAD

WHEREAS, Chapter II, § 2.4, of the Home Rule Charter for the City of Trinidad, Colorado, confers upon the City “all powers of local self government and Home Rule possible for a city to have under the Constitution and laws of [the state of Colorado] as fully and completely as though they were specifically enumerated in this Charter”; and

WHEREAS, § 31-15-401(1)(m)(l), C.R.S., confers upon the City the power “[t]o regulate and to prohibit the running at large and keeping of animals . . . within the municipality and to otherwise provide for the regulation and control of such animals, including, but not limited to, licensing, impoundment, and disposition of impounded animals.”; and

WHEREAS, in furtherance of promoting local compliance with animal licensing and vaccination requirements, the City Council desires to transfer the license issuance responsibility to Noah’s Ark Animal Welfare Association and in furtherance of their local efforts commit the funds received from licensing to the Association.

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

Section 1. Repeal and Re-Enactment of § 4-14, 4-15 and 4-16 of Chapter 4 (“Animals”), Article 3 (“Dogs and Cats”), of the Code of the City of Trinidad, Colorado. Section 4-11 of Chapter 4 (“Animals”), Article 3 (“Dogs and Cats”), of the Code of the City of Trinidad, Colorado, is hereby repealed and re-enacted in its entirety as follows:

Section 4-14. License and registration required; fees.

(1) All dogs and/or cats kept, harbored and maintained by their owners, except as provided in Subsection (4) hereof, shall be licensed and registered annually, and each owner shall pay to Noah’s Ark Animal Welfare Association for its use and benefit, the following license fees:

- (a) Female dogs (unspayed) and male dogs (Unneutered)-----\$15.00
- (b) Male dogs (neutered) and female dogs (spayed)-----\$ 8.00
- (c) Cats-----\$ 3.00

(2) All license fees shall be due and payable not later than the 15th day of January of the ensuing year.

(3) The owner shall state at the time application is made for license, and upon printed forms provided for such purpose, his/her name and address, and the name, breed, color and sex of each dog and/or cat owned or kept by him/her.

(4) All dogs and/or cats over four (4) months old shall be licensed as herein provided, within ten (10) days after their acquisition or purchase by the owner or after their arrival in the City.

Section 4-15. Tag and collar.

(1) A license tag will be furnished by Noah's Ark Animal Welfare Association upon receipt of the application, together with a certificate from a veterinarian licensed to practice veterinary medicine in this State, unless the same has been waived as provided in Section 4-16, that the dog and/or cat has a certificate of rabies vaccination that is valid until the end of the year, together with the payment of the required fee. Every owner shall be required to provide each dog and/or cat with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn.

(2) In case a dog and/or cat tag is lost or destroyed, a duplicate will be issued by Noah's Ark Animal Welfare Association upon presentation of a receipt showing the payment of the license fee for the current year and the payment of Two Dollars (\$2.00) fee for the issuance of the duplicate tag.

(3) Dog and/or cat tags shall not be transferable from one dog and/or cat to another and no refund shall be made on any dog and/or cat license fee because of the death of the dog and/or cat or the owner leaving the City before the expiration of the license.

Section 4-16. Vaccination.

(1) Each dog and/or cat shall be vaccinated against rabies and such vaccination shall be repeated as determined by the veterinarian administering the original vaccination. A certificate of vaccination shall be completed in duplicate by the veterinarian, and one (1) copy retained in the veterinarian's file. In the event the dog and/or cat is not of age to be properly vaccinated, the vaccination shall be waived therein and a certificate delivered to Noah's Ark Animal Welfare Association.

(2) No dog and/or cat shall be licensed as provided in Section 4-14 unless a valid certificate of rabies vaccination accompanies the application for the license.

Section 2. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

Section 3. Effective Date. This Ordinance shall be published and become effective ten (10) days after final passage, as provided in § 5.5 of the Home Rule Charter for the City of Trinidad, Colorado.

INTRODUCED BY COUNCILMEMBER _____, READ AND ORDERED PUBLISHED
this 2nd day of June, 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 A. REORDA, Mayor

ATTEST:

By: _____
AUDRA GARRETT, City Clerk



COUNCIL COMMUNICATION

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CITY COUNCIL MEETING: June 2, 2015
PREPARED BY: Linda Vigil
PRESENTER: Mike Valentine, PW/Util. Director
DEPT. HEAD SIGNATURE: *Mike A. Valentine*
CITY MANAGER SIGNATURE: *[Signature]*

SUBJECT: Consideration of the RFP (Request for Proposal) received from Short Elliott Hendrickson, Inc. (SEH, Inc.) for the design work at Five Points Roundabout.

RECOMMENDED CITY COUNCIL ACTION: Approval of the RFP received from SEH, Inc.

SUMMARY STATEMENT: The 5-point intersection at Arizona Ave., Colorado Ave., Commercial St., and I-25 at Exit 14 has been a traffic safety issue from its initial construction. Solutions have been to control traffic with lights which led to confusion and traffic accidents. The current solution has been to make Arizona Ave a one-way street, which worked well enough until we lost the segment of Pine St. due to new I-25 alignment. In order to make 5-points intersection functional and return Arizona Ave. to a two-way traffic roundabout configuration is being proposed. The city is a recipient of a grant from the Energy Impact Assistance Fund (DOLA) for the amount of \$75,000 and city would need to utilize \$25,000 capital improvement project (CIP) funds. RFP's were solicited and received from four (4) engineering firms for the design work at the Five Points Roundabout Project. Of the four engineering firms, Short Elliott Hendrickson, Inc. (SEH, Inc.) was selected unanimously among city staff based on their presentation and the low design cost of \$97,540.

EXPENDITURE REQUIRED: \$97,540

SOURCE OF FUNDS: \$75,000 in DOLA grant funds and \$25,000 in capital improvement funds appropriated in the 2015 City Budget

POLICY ISSUE: N/A

ALTERNATIVE: City Council could decide not to complete the design work for the project nor utilize the designated CIP funds for the design.

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BACKGROUND INFORMATION:

RFP's were reviewed by city staff and interviews conducted among the four engineering firms for the project. Of the four firms, staff selected Short Elliott Hendrickson, Inc. (SEH, Inc.) based on their presentation and low design cost of \$97,540. The city has been awarded grant funds from the Energy Impact Assistance Fund (DOLA) for the amount of \$75,000 and the remaining cost would be allocated from the \$25,000 capital improvement project (CIP) funds.

CONTACT FOR INFORMATION:

Mike Valentine, Public Works/Utilities Director
(719) 846-9843, ext. 122

BID SUMMARIES

COMMERCIAL STREET PHASE III-FIVE POINTS ROUNDABOUT

Wilson & Company

5755 Mark dabbling Blvd. Suite 200

Colorado Springs, CO 80919

Total Estimate: \$134,554

JR Engineering

7200 South Alton Way, Suite C400

Centennial, CO 80112

Total Estimate: \$102,135

SEH Inc.

503 North Main Street

Suite 225, Thatcher Building

Pueblo, CO 81003-3138

Total Estimate: \$97,540

SGM

225 East 2nd Street

Salida, CO 81201

Total Estimate: \$104,395



COUNCIL COMMUNICATION

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CITY COUNCIL MEETING: June 2, 2015
PREPARED BY: Gabriel Engeland, City Manager
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS: 1

SUBJECT: An Ordinance to Limit the Number of Retail Marijuana Stores in Downtown Trinidad

PRESENTER: Gabriel Engeland, City Manager
Les Downs, City Attorney
Audra Garrett, Assistant City Manager

RECOMMENDED CITY COUNCIL ACTION: Consider the proposed Moratorium on Retail Marijuana Stores in the Historic District

SUMMARY STATEMENT: Council requested a model ordinance that could limit the number of retail marijuana stores in downtown Trinidad.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Discussion on a moratorium of retail marijuana stores in historic downtown Trinidad.

ALTERNATIVE: Council could continue with its current policy of letting the market determine the appropriate number of retail marijuana stores.

BACKGROUND INFORMATION:

During an executive session of the Council on May 12, 2015, Council Members indicated they would like to discuss ways in which they could deny license(s) to marijuana retailers in downtown Trinidad. The attached ordinance, if adopted, places a moratorium on the submission, acceptance, or processing of applications and the licensing, permitting, establishment or operation of any Retail Marijuana Stores that sells marijuana for retail purposes, until a date certain in the Historic Preservation zoning district.

The potential positive impacts of adopting this ordinance are:

- Should the Goal Academy cease to operate, this ordinance could protect the nature and character of the Historic District.
- This ordinance could limit in number and intensity the amount of recreational marijuana stores operating on the edges of the historic district, and not covered by the "buffer" zone created by Goal Academy.

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- Those businesses currently operating or eligible to operate may realize more business if there is a lesser concentration in the immediate area/less competition.
- This ordinance would push new businesses into the Community Commercial or Industrial zone districts.
- The ordinance would allow for diversification of business types in those areas where marijuana is currently allowed.

The potential negative impacts of adopting this ordinance are:

- A loss of revenue generated by the marijuana industry which is taxed at 9%.
- A loss of sales tax revenue which appears to be generated by marijuana tourists. Currently sales tax collections, excluding marijuana collections, are up 19% year-to-date. It is too early to tell how much of this number is sustainable.
- A loss of visitors and tourists to Trinidad and the historic downtown area. Currently the City lodging tax is up 15% year to date, in part due to marijuana sales.
- Area real estate agents report an increase in property and building sales in Trinidad's historic district. The primary driver behind the increase in sales and interest is for marijuana cultivation and sales, both as a recreational and medicinal product.
- Properties in the Historic District that have been vacant for decades and have suffered deterioration are being renovated and made viable.
- Currently, the marijuana facilities which are open employ 61 people in all zoning districts (30 in the Historic District). It is expected that more jobs will be created if this industry continues to expand through market demands.
- This ordinance would push new businesses into the Community Commercial or Industrial zone districts, thereby reducing downtown traffic flow.

The proposed ordinance, as requested by City Council, would provide for a one-year moratorium from the ordinance's effective date if approved.



CITY OF TRINIDAD, COLORADO

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD TO LIMIT THE NUMBER OF RETAIL MARIJUANA STORES IN THE DOWNTOWN TRINIDAD HISTORIC PRESERVATION ZONING DISTRICT, BY IMPOSING A MORATORIUM ON SUCH ESTABLISHMENTS IN THAT DISTRICT

WHEREAS, the City of Trinidad adopted Trinidad Ordinance No. 1960 on the 19th day of June, 2014, thereby allowing the sale and cultivation of retail marijuana; and

WHEREAS, City Council, at the time of the adoption of Trinidad Ordinance No. 1960 did not impose a limit on the number of retail marijuana stores, or a limit on the number of retail marijuana stores in any particular location in the City of Trinidad; and

WHEREAS, the historic portion of downtown Trinidad is unique in many respects, and it is the desire of City Council to preserve and protect the unique nature of historic downtown Trinidad; and

WHEREAS, there are already a fairly high number of retail marijuana stores in and around historic downtown Trinidad; and

WHEREAS, in an effort to limit the number of retail marijuana stores in historic, downtown Trinidad, Council desires to impose a moratorium on the submission, acceptance, or processing of applications and the licensing, permitting, establishment or operation of any Retail Marijuana Stores pursuant to Amendment 64 and codified as Article XVIII, § 16 of the Colorado Constitution, and upon the use of land for such purpose or purposes within the Historic Preservation zoning district of the City of Trinidad, Colorado, to study the impact of those operating in the district.

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

Section 1. Moratorium. Upon the adoption of this Ordinance a moratorium is imposed until June 26, 2016, on the submission, acceptance, or processing of conditional use permit applications by the Planning Department as of the close of business on June 30, 2015, in support of an application for a Retail Marijuana Store in the Historic Preservation zoning district of the City of Trinidad, Colorado.

Further, upon the adoption of this Ordinance, a moratorium is imposed until June 26, 2016, on the submission, acceptance, or processing of Retail Marijuana Store license applications by the City Clerk's office as of the close of business on August 31, 2015, in the Historic Preservation zoning district of the City of Trinidad, Colorado.

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

INTRODUCED BY COUNCILMEMBER _____; READ AND ORDERED
PUBLISHED this 2nd day of June, 2015.

PASSED AND APPROVED this _____ day of _____, 20__.

THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the _____ day of _____, 20__.

JOSEPH A. REORDA, MAYOR

ATTEST:

AUDRA GARRETT, CITY CLERK



Council Communication

City Council Meeting: June 9, 2015

Prepared by: Linda Vigil

Presenter: Mike Valentine

Dept. Head Signature: *Russ A. Watson*

of Attachments: 1

SUBJECT: Water Treatment Plant Improvements, Phase 2 Project

RECOMMENDED CITY COUNCIL ACTION: Consideration of the bid results for the Water Treatment Plant Improvements, Phase 2 Project.

SUMMARY STATEMENT: In the later part of 2014 as Phase I of the project was progressing, city personnel began experiencing problems with elevated storage tank and some repairs were necessary to ensure the functionality of the storage tank. The 2nd phase of the Water Treatment Plant project involves the removal of existing elevated washwater tank and to furnish/install a new elevated washwater tank. A formal invitation to bid was provided to the prequalified contractors and Moltz Construction, Inc. is the low bidder (see attached bid summary).

EXPENDITURE REQUIRED: \$1,217,00.00

SOURCE OF FUNDS: Water Department Reserve Fund and DOLA Energy Impact Grant was awarded for Phase II & III in the amount of \$1,192,500.00. The engineer's estimate was \$1,594,752.00

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

ALTERNATIVE: If council should choose to not award the expenditures necessary for Phase II of the project, it will be extremely difficult to continue our means of providing a reliable water supply and to meet State standards for public health safety.

BACKGROUND INFORMATION: In 2013, City Council approved the engineering contract with Black & Veatch to conduct the Water Treatment Plant Improvements Design. The requested work was in response to a sanitary survey and inspection from the Colorado Department of Public Health and Environment at the WTP in 2011. During the inspection, CDPHE pointed out the need for the City to upgrade the WTP facility to include (1) refurbishing or abandoning the standing water tank, (2) modify and upgrade the chlorine disinfection system, (3)

construct new filter backwash tank system, (4) replace existing filter bed backwash valves and actuators and WTP inlet and drain valves, and (5) design new residuals storage pond. Kevin Meador, Project Engineer provided City Council a report on the findings and recommendations. In the presentation, Black & Veatch identified the necessary improvements and recommendations for 2013, 2014, 2015 and 2016. Recently, city staff conducted a bid opening and received bids from three of four pre-qualified contractors.

CONTACT FOR INFORMATION:

Mike Valentine, Public Works/Utilities Director
(719) 846-9843, ext. 122

PROJECT: Water Treatment Plant Improvements-Phase II (Storage Tank) DATE: May 27, 2015

Time: 2:00 p.m. (M.S.T)

No.	Pre-Qualified Bidder's Name	Lump Sum Amount	Required Documents
1	Aslan Construction, Inc. 120 Bunyan Avenue, Suite 200 Berthoud, Colorado 80513 970-344-1040	#1,686,800. ⁰⁰	<input checked="" type="checkbox"/> Bid Form Signed <input checked="" type="checkbox"/> Addendum No. 1 & 2 acknowledged <input checked="" type="checkbox"/> List of Subcontractors <input checked="" type="checkbox"/> Equipment Questionnaire <input checked="" type="checkbox"/> Bid Bond Included
2	Glacier Construction Co. 8490 E. Crescent Parkway, Suite 250 Greenwood Village, Colorado 80111 303-221-5383	No Bid	<input type="checkbox"/> Bid Form Signed <input type="checkbox"/> Addendum No. 1 & 2 acknowledged <input type="checkbox"/> List of Subcontractors <input type="checkbox"/> Equipment Questionnaire <input type="checkbox"/> Bid Bond Included
3	Moltz Construction, Inc. 8807 County Road 175 P.O. Box 729 Salida, Colorado 81201 719-539-7319	#1,217,000. ⁰⁰	<input checked="" type="checkbox"/> Bid Form Signed <input checked="" type="checkbox"/> Addendum No. 1 & 2 acknowledged <input checked="" type="checkbox"/> List of Subcontractors <input checked="" type="checkbox"/> Equipment Questionnaire <input checked="" type="checkbox"/> Bid Bond Included
4	Velocity Construction, Inc. 1330 South Cherokee Street Denver, Colorado 80223 303-984-7800	#1,235,900. ⁰⁰	<input checked="" type="checkbox"/> Bid Form Signed <input checked="" type="checkbox"/> Addendum No. 1 & 2 acknowledged <input checked="" type="checkbox"/> List of Subcontractors <input checked="" type="checkbox"/> Equipment Questionnaire <input checked="" type="checkbox"/> Bid Bond Included

Bids opened and read aloud on May 27, 2015 @ 2:00 pm by Kurt A. Matteson

and witnessed by L Vigil