



CITY OF TRINIDAD  
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad,  
Colorado, will be held on Tuesday, March 19, 2013 at 7:00 P.M.  
in City Council Chambers at City Hall

The following items are on file for consideration of Council:

**\* PROCLAMATION – TRINIDAD HIGH SCHOOL MINER GIRLS' BASKETBALL TEAM WEEK \***

- 1) **ROLL CALL**
- 2) **APPROVAL OF MINUTES**, Regular Meeting of March 5, 2013
- 3) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 4) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 5) **COMMITTEE REPORTS**
- 6) **UNFINISHED BUSINESS**
  - a) Public hearing for consideration of an ordinance amending Chapter 10, Municipal Court, Section 10-5, Municipal Judges – Appointment; oath; salary; powers – by adding subsection (6) to provide the Municipal Judge the authority to order restitution
    - i) Second reading of an ordinance amending Chapter 10, Municipal Court, Section 10-5, Municipal Judges – Appointment; oath; salary; powers – by adding subsection (6) to provide the Municipal Judge the authority to order restitution
- 7) **MISCELLANEOUS BUSINESS**
  - a) Special events permit application (malt, vinous and spirituous) filed by Confederacion Mutualista Mexicana e Hispano Americana at 150 E. Main Street for April 6, 2013 (Peacock Ball)
  - b) Hotel and restaurant liquor license renewal request by Brix at 231 E. Main Street
  - c) New tavern liquor license request by Mount Carmel Health, Wellness & Community Center at 911 Robinson Avenue
  - d) New tavern liquor license request by Southern Colorado Repertory Theatre, Ltd., at 131 W. Main Street
  - e) Memorial resolution acknowledging the contributions of Ted Frank Martinez upon his passing
  - f) Consideration of Monument Lake 2013 Operations Proposal
  - g) First reading of an ordinance providing for a moratorium until October 1, 2013, on the submission, acceptance or processing of applications and the licensing, permitting, establishment or operation of any recreational marijuana business that sells, cultivates, manufactures, prepares, packages, purchases, test, or otherwise provides for or allows the use of marijuana or marijuana products pursuant to Amendment 64 approved by the voters of the State of Colorado at the November 6, 2012, General Election, and codified as Article XVIII, Section 16 of the Colorado Constitution, including the use of land for such purpose or purposes, and setting a hearing date for consideration of said ordinance
  - h) Appointment to the Southern Colorado Economic Development District Board of Directors
  - i) Resolution designating a representative of the City to the NPGA Board of Directors and to the GSA Management Committee, and alternate representatives to the same

7) **MISCELLANEOUS BUSINESS (Cont.)**

- j) Consideration of amending Council rules and order of business as it pertains to the Regular Meeting Agendas of the Trinidad City Council to identify Committee Reports only when there are reports to be provided and to add Council Reports
- k) Authorize Mayor's execution of a letter of support for Las Animas and Huerfano Counties SHIP Program

8) **BILLS**

9) **PAYROLL**, March 2, 2013 through March 15, 2013

10) **ADJOURNMENT**

*Office of the Mayor*

**Trinidad, Colorado**

# Proclamation



**"TRINIDAD HIGH SCHOOL MINER GIRLS' BASKETBALL TEAM WEEK"**  
March 17- 23, 2013

*WHEREAS, our Lady Miners' 3A Basketball Team once again enjoyed a very successful basketball season, having made it to the 2013 CHSAA State Tournament, one of the "Great Eight"; and*

*WHEREAS, this success is in succession to this team having made it to the infamous "Final Four" in 2012; and*

*WHEREAS, on their road to success, the Lady Miners attained a second-place finish in the Tri-Peaks League District Tournament, and finished first in the Regional Tournament to advance to the "Great Eight" at State; and*

*WHEREAS, the Lady Miners, comprised of dedicated and hard-working young women, spent countless hours striving to achieve their objective of being successful athletes in their division; and*

*WHEREAS, the team's families, friends, teachers, coaches, and alumni shared in the Lady Miners' Basketball Team's dream and supported each player and each other throughout their accomplished season; and*

*WHEREAS, the Lady Miners Basketball Team has continued an accomplished record and has let their colleagues know that they are a force to be reckoned with.*

*NOW, THEREFORE, I, Bernadette Baca Gonzalez, Mayor of the City of Trinidad, Colorado, do hereby proclaim March 17- 23, 2013 as:*

**"TRINIDAD HIGH SCHOOL MINER GIRLS' BASKETBALL TEAM WEEK"**

*in celebration of the Lady Miners' 3A Basketball Team, and as an expression of this community's heartfelt pride in the team-players' collective and individual success.*

*In witness whereof I have hereunto set my hand*

*and caused the seal of this city to be affixed.*

*Mayor* \_\_\_\_\_

*Date* \_\_\_\_\_



The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, March 5, 2013 at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Baca Gonzalez, presiding
	Councilmembers	Bolton, Bonato, Mattie, Miles, Shew
Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett
Absent:	Councilmember	Velasquez

The pledge of allegiance was recited.

**APPROVAL OF THE MINUTES.** Regular Meeting of February 19, 2013. Mayor Baca Gonzalez noted a corrected set of minutes at Council's seating places, correcting the date only. A motion to approve the minutes as corrected was made by Councilmember Shew and seconded by Councilmember Mattie. The motion carried by a unanimous roll call vote, excepting Mayor Baca Gonzalez who abstained due to her absence from that meeting.

**PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN.** Trolley stop. Paula Little, Director of the A.R. Mitchell Memorial Museum on Main Street, addressed Council. She requested that the trolley stop in front of the museum be reinstated. Ms. Little said it had been a stop for the past 28 years but at the end of last season it was taken away. Ms. Little said she was told the reasoning for the stop being discontinued was because the thrift store next door needed an unloading zone and also that the trolley was encroaching in the pedestrian walkway. However, she said the stop was in front of the museum and not the thrift store. She proposed a compromise to move the parking space up five feet closer to the museum's front door. Losing the trolley stop will affect their tourism business to the museum and their gift shop. Ms. Little added that her understanding was that the City's road and bridge department took away the stop. Mayor Baca Gonzalez encouraged Ms. Little contact City Manager Acre during regular business hours to look into it and assist her, adding that it seems to be a reasonable request.

Mt. San Rafael Hospital. Bob Quist, CEO of Mt. San Rafael Hospital, addressed Council to introduce himself. He commented that he has seen more of City Council in the last couple of weeks than in the eight to ten months he has been here. Mr. Quist said this week the hospital sent out their spring newsletter to all City and County residents which includes information on calendar year 2012. He said the hospital served over 9,500 patients in the emergency department, approximately 23,000 through the clinic and about 29,000 through outpatient, which includes lab and imaging. In addition they averaged about ten patients per day last year, which was a little below the year before. Mr. Quist said it is subject to weather - with good weather they see fewer patients. That is part of what happened last quarter. Mr. Quist provided a copy of the newsletter with his business card attached to each Council member. He said the hospital wants to be transparent in their dealings with the City, the County and our citizens. He reminded that board meetings are open to the public and have been for the past six years, with the exception of executive sessions, and they have six meetings per year. It is rare to have anyone attend, however. Mr. Quist concluded that his office is always available and he's available by phone to respond to issues or questions. Mt. San Rafael Hospital wants to make sure they are providing the services our residents deserve. With feedback from the City, County and residents they hope to continue to do that.

**REPORT BY CITY MANAGER.** Pinon Canyon. City Manager Acre called to Council's attention at their seating places a copy of a reminder about the Pinon Canyon Open House on Friday. He said there will be a special presentation to Council at 8:45 a.m. and the public open house will be from 10:00 a.m. until noon. RSVPs for Council have been taken care of.

TSJC Educational Foundation. City Manager Acre reminded Council of the Trinidad State Junior College Educational Foundation's fundraiser this Saturday. He told Council to let Executive Assistant Anna Ridolfi know if they want her to RSVP on their behalf.

CML Annual Conference. City Manager Acre pointed out at Council's seating places a copy of the CML Annual Conference announcement. He asked Council to contact Executive Assistant Anna Ridolfi if they are interested in attending and noted that the hotels are filling up quickly. He added that he is planning on attending and there is money budgeted for Council's attendance the worthwhile conference.

Follow Up. City Manager Acre noted the copy of his correspondence at Council's seating providing follow up from some previous questions. He said he meant to hand it out last week. He said he wants to respond to all of Council in memo form or he may try by e-mail. It will be a means of tracking items to get Council answers.

Monument Lake Operations Plan. City Manager Acre also pointed to the copy of the Monument Lake Operations Plan at Council's seating. He said he wanted to get it to them well in advance of their next meeting, especially for new members. He told Council that the lessee, Mike Robb, will address Council next week concerning the Plan.

RFP Review. City Manager Acre advised Council that he sat in on an RFP review today with the SET (Stronger Economies Together) group - the Colfax County (Raton), Las Animas County / Huerfano County Economic Development group that was formed. He said he sat in with representatives from Huerfano County, Raton, Colfax County, and Las Animas County. They received four proposals and it was narrowed down to two firms, both out of Austin, Texas. The group is still looking for some funding. They've got a \$35,000 matching grant from DOLA and will need an additional \$15,000. They are trying to raise a little more money for a strategic plan. He concluded that this might be an umbrella for

Colorado Office of Economic Development and International Trade Meeting. City Manager Acre informed Council that he will be attending a meeting tomorrow in Walsenburg of the Colorado Office of Economic Development and International Trade for a follow up on the blue print done last year. Finance Director Larry Lochard from Las Animas County and people from the roundtable group, and he thought Pete Frasier from SCCOG will be attending so there will be good representation.

Army Meeting. City Manager Acre told Council that next week he has his monthly meeting with the Army in Fort Carson on the feasibility plan and study regarding joint cost savings. He said he's been working on that along with the County Administrator on ways to work together. It's a model the Air Force has done and the Army post in Kansas has done this as well and we are trying to get it started here in Colorado.

Meeting with Pioneer Natural Resources representative. City Manager Acre advised that he will also be meeting with Karen Brown of Pioneer Natural Resources to get to know her better.

Pinon Canyon. Councilmember Bonato asked if Council members are traveling together to the Pinon Canyon Open House. Carpooling arrangements were discussed. Councilmember Bonato suggested that Col. Simpleman attend as the City's liaison. City Manager Acre and Mayor Baca Gonzalez both said they thought he would be attending and City Manager Acre said he would confirm it with Executive Assistant Anna Ridolfi.

**REPORT BY CITY ATTORNEY.** Amendment 64 and executive session. City Attorney Downs pointed to two folders at Council's seating places. He said the first one, marked confidential, contains information regarding the status of litigation that is the subject of executive session at the end of the meeting. The other folder is a packet of information on legalized marijuana and the Governor's Amendment 64 Task Force. He told Council that the Task Force convened on February 28<sup>th</sup>. The second page of the packet talks about the Task Force's meeting. They will not release their decisions until March 11<sup>th</sup>, however, the media was in attendance. The other attachment talks about recommendations discussed at that meeting from various sources of the media. He identified each attachment of the packet and pointed out that attachment #6 is related but not the same. It talks about the status of many of the medicinal marijuana dispensaries in Colorado. Among other things being recommended by the Task Force is a 15% excise tax. Councilmember Mattie commented that it is interesting to note that there was a news story tonight about Colorado and Washington having voted to make marijuana legal in violation of International Treaties. City Attorney Downs concluded that the news stories are from the February 28<sup>th</sup> meeting and the Department of Revenue is talking about regulations to be adopted July 1<sup>st</sup> and promulgated in October.

**COMMITTEE REPORTS.** None.

**UNFINISHED BUSINESS.** 3.2% Beer Retail License (Off-Premises) renewal request by Walmart Stores, Inc. d/b/a Walmart #962 at 2921 Toupal Drive. Art Armijo, Assistant Manager, addressed Council. He requested on Walmart's behalf that the license renewal be approved. He said Walmart has strict policies concerning sale of alcohol. They train their associates every six months, and card anyone who looks under the age of 40. He concluded that they would appreciate Council's consideration. A motion to approve the license renewal was made by Councilmember Miles and seconded by Councilmember Bolton. The motion carried by a unanimous roll call vote.

**MISCELLANEOUS BUSINESS.** Tavern liquor license renewal request by Monte Cristo Bar, Inc. at 124 Santa Fe Trail. Mike Ryman, owner of the Monte Cristo Bar, addressed Council. Councilmember Shew asked him how the on-line gambling was going, if it has picked up. Mr. Ryman said it has but most of his patrons are from New Mexico. At this point it is paying for itself with the additional hours. It is a good group of people as long as you don't get in front of the television. Councilmember Shew asked the hours. Mr. Ryman said they have simulcast Thursday through Sunday and he opens at noon each day. The races are usually over between 7:00 and 8:00 p.m. The track runs from Florida to California. He said he'd see how the summer goes with the big three races coming up, the Derby, the Preakness and the Belmont, and said he hopes to take some time off after that. A motion to approve the tavern license renewal was made by Councilmember Bolton. The motion was seconded by Councilmember Shew. Roll call was taken on the motion which carried unanimously.

Tavern liquor license renewal request by Lumber Jacks Bar & Grill, LLC d/b/a Lumber Jacks Bar & Grill at 1133 N. Linden Avenue. Mike Tyler and Joyce Paine, owners of Lumber Jacks Bar & Grill, addressed Council. Councilmember Shew moved for the renewal of the license and Councilmember Miles seconded the motion. Upon roll call vote the motion carried unanimously.

Appointment to the Arts and Culture Advisory Commission. Mayor Baca Gonzalez reminded that Reverend Bonnie Canizaro who has submitted a letter of interest to serve on the Commission introduced herself at the previous work session. A motion to appoint Bonnie Canizaro to the Arts and Culture Advisory Commission was made by Councilmember Mattie and the motion was seconded by Councilmember Bolton. The motion carried by a unanimous roll call vote.

First reading of an ordinance amending Chapter 10, Municipal Court, Section 10-5, Municipal Judges – Appointment; oath; salary; powers – by adding subsection (6) to provide the Municipal Judge the authority to order restitution, and setting a hearing date for consideration of said ordinance. The ordinance was introduced by Councilmember Bolton and then read aloud in its entirety. Councilmember Shew asked if there is a standard procedure for seeking restitution. City Attorney Downs explained that the Judge would assess restitution for an alleged victim on the finding of guilt. The victim is required to provide proof of loss, such as receipts, prescriptions, etc. At the sentencing the proof would be provided and the judge would order restitution. It could also be for property damage. There are also a small number of traffic cases, for instance if a person is not insured and there's an accident, the deductible could be sought by an order of restitution. The judge hasn't had the authority to order restitution previously. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on March 19, 2013 was made by Councilmember Bolton. The motion was seconded by Councilmember Shew and carried by a unanimous roll call vote.

AN ORDINANCE AMENDING CHAPTER 10, MUNICIPAL COURT, SECTION 10-5,  
MUNICIPAL JUDGES – APPOINTMENT; OATH; SALARY; POWERS – BY ADDING  
SUBSECTION (6) TO PROVIDE THE MUNICIPAL JUDGE THE AUTHORITY  
TO ORDER RESTITUTION

Consideration of Third Amendment to Provide Untreated Water to Colarelli International Resorts and Fine Living, LLC. Utilities Superintendent Jim Fernandez addressed Council. He said that \$146,518.79 is owed to the City based on two charges. The first is for 2012 water consumption in the amount of \$69,453.68. The second charge is the installment payment due on the original contract that sold water to Coastal, LLC. Coastal, LLC is defunct and we are now dealing with Colarelli International Resorts and Fine Living, LLC. Colarelli requested the total payment be done over 12 months, however the City agreed to 10 months because we didn't want to go into 2014. The ten monthly payments would therefore be in the amount of \$14,651.88. Supt. Fernandez recommended that in the spirit of cooperating with local business the City approve it. He continued that there is a paragraph in the original agreement that stipulates that if payment is not made the entire agreement is null and void and Colarelli loses its rights to any water the City would provide. Mayor Baca Gonzalez confirmed that staff monitors and ensures timely payments are made. Councilmember Bonato asked if with the drought situation what will happen if the City can't produce the water to the golf course. Do the payments stop or do they still come in? Supt. Fernandez answered that Colarelli is still obligated to make installment payments and would still be entitled to the 250 acre feet of water. However any water above that amount the City would have no obligation to provide. He noted that all of the agreements the City has with other water users for substitute water supply contain that same language. If the water is not there, it can't be provided and the City is under no obligation to deliver it. He added that the snow pack today is at 65% where it was previously at 61%. Councilmember Bonato confirmed that this is for non-potable water. City Attorney Downs added that it is for the golf course. City Manager Acre further clarified that they are paying for water they acquired last year. This year they haven't acquired any water but will have to pay if they do later. Councilmember Bonato asked if the City will be penalized if the water is not in storage at the dam. Supt. Fernandez answered that he didn't think there was any language that would create a penalty for the City. As of today, the City has 1,156 acre feet in storage. Should it be depleted the City could not fulfill the contracts we have. However, to his knowledge he said there would be no penalty assessed to the city. The City has obligations and needs to keep the minimum water supply up there. We are hopeful and believe we will have a pretty good runoff. He added that he believes the water amount in Trinidad Lake will increase. The mountain range is getting better every day. A motion to approve the Third Amendment was made by Councilmember Shew. Councilmember Bonato seconded the motion which carried unanimously upon roll call vote.

**BILLS.** A motion to approve payment of the bills as presented was made by Councilmember Mattie. The motion was seconded by Councilmember Bonato. Roll call was taken on the motion to approve the bills and it carried unanimously.

**PAYROLL,** February 16, 2013 through March 1, 2013. A motion to approve the payroll was made by Councilmember Miles and seconded by Councilmember Bolton. The motion carried unanimously.

**EXECUTIVE SESSION.** For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – for a conference with the City Attorney for attorney/client communications regarding personnel matters. Councilmember Bonato made a motion to enter into executive session for the stated purpose and the motion was seconded by Councilmember Miles. The motion carried unanimously and the executive session ensued at 7:38 p.m. The executive session was electronically recorded in accordance with Colorado law. Upon conclusion of executive session at 8:13 p.m. the meeting resumed

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

ATTEST:

BERNADETTE BACA GONZALEZ,  
Mayor

AUDRA GARRETT, City Clerk



CITY OF TRINIDAD, COLORADO  
1876

### COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Les Downs, City Attorney  
**DEPT. HEAD SIGNATURE:**  
**# OF ATTACHMENTS:** 1 *Les D.*

**SUBJECT:** Ordinance amending Chapter 10, Municipal Court, Section 10-5, Municipal Judges – Appointment; oath; salary; powers – by adding subsection (6) to provide the Municipal Judge the authority to order restitution

**PRESENTER:** Les Downs, City Attorney

**RECOMMENDED CITY COUNCIL ACTION:** Consider approval of the ordinance on second reading. The ordinance would be effective March 29, 2013.

**SUMMARY STATEMENT:** The proposed ordinance would provide the Municipal Court Judge the authority to seek restitution for victims of damage or injury

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** N/A

**ALTERNATIVE:** N/A

#### BACKGROUND INFORMATION:

- Judge Garcia asked that this ordinance be drafted for Council’s consideration
- This item was discussed at the work session on February 26, 2013, and approved on first reading on March 5, 2013.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10, MUNICIPAL COURT, SECTION 10-5, MUNICIPAL JUDGES – APPOINTMENT; OATH; SALARY; POWERS - BY ADDING SUBSECTION (6) TO PROVIDE THE MUNICIPAL JUDGE THE AUTHORITY TO ORDER RESTITUTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that Section 10-5(6) of Chapter 10, of the Code of Ordinance, Municipal Judges - Appointment; oath; salary; powers, is hereby enacted as follows:

Section 10-5(6). The Municipal Judge is empowered to order a defendant who is found guilty of violating any provision of the City of Trinidad Municipal Code or any of the ordinances of the City, or who is granted a deferred prosecution or deferred sentence, to make restitution or reparation, or both, to the victim of the defendant's conduct for the damage or injury sustained.

INTRODUCED BY COUNCILMEMBER BOLTON, READ AND ORDERED PUBLISHED this 5<sup>th</sup> day of March, 2013.

FINALLY PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2013.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
BERNADETTE BACA GONZALEZ,  
Mayor

ATTEST:

\_\_\_\_\_  
AUDRA GARRETT, City Clerk



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Audra Garrett, City Clerk  
**DEPT. HEAD SIGNATURE:** *Audra Garrett*  
**# OF ATTACHMENTS:** 13

**SUBJECT:** Special events permit application (malt, vinous and spirituous) filed by Confederacion Mutualista Mexicana e Hispano Americana at 150 E. Main Street for April 6, 2013 (Peacock Ball)

**PRESENTER:** Confederacion Mutualista Mexicana e Hispano Americana

**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 permit application is in order.
- Departmental reports from the Building Inspector and Fire Chief indicate that the emergency backup lights are inoperable. The Fire Chief has further documented his intent to follow up in two weeks. The departmental and security reports from the Police Department were not available at the time packets were prepared.
- Disclosure statements provided by Councilmembers Miles and Velasquez are attached.
- 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.)**

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

<b>LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:</b>	<b>DO NOT WRITE IN THIS SPACE</b>
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>Confederacion Mutualista Mexicana e Hispano Americana</i>	State Sales Tax Number (Required) <i>41-72221</i>
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2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) <i>34451 Hwy 12 TRINIDAD, CO 81082</i>	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) <i>The Mitchem Museum 150 E. MAIN ST. TRINIDAD, CO 81082</i>
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NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SECY OF ORG. or POLITICAL CANDIDATE <i>Ralph Ponce</i>	[REDACTED]	<i>TRINIDAD, CO 81082</i>	[REDACTED]
5. EVENT MANAGER <i>Ron Riddle</i>	[REDACTED]	<i>Trinidad, CO 81082</i>	[REDACTED]

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____
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8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

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

Date	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
<i>APRIL 6, 2013</i>				
From <i>5pm</i> .m.	From .m.	From .m.	From .m.	From .m.
To <i>12A</i> .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>Ralph Ponce</i>	TITLE <i>President</i>	DATE <i>3-4-2013</i>
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**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
		-750 (999)	\$ .

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

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

**CONFEDERACION MUTUALISTA MEXICANA E HISPANO-AMERICANA**

is a **Nonprofit Corporation** formed or registered on 11/18/1930 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 19871092664.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 02/27/2013 that have been posted, and by documents delivered to this office electronically through 02/28/2013 @ 13:56:49.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 02/28/2013 @ 13:56:49 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8474931.



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

Secretary of State of the State of Colorado

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

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

*a. R. Mitchell*

**Director**  
Paula Little

Feb. 27, 2013

**Board of Directors**

Bernadette Baca -  
Gonzalez  
John N. Bearden  
Mike Dixon  
Cosette Henritze  
Marilyn Leuszler  
Cy Michaels  
Cindy Montoya  
Karen Phillips Irons

To whom it may concern:

Re: Special Events Permit

The Confederacion Mutualista Mexicanae Hispana and Noah's Ark have permission to use the Mitchell Museum for their Peacock Ball on April 06, 2013.

Sincerely,  
Paula Little

*Paula Little*  
Director  
A.R. Mitchell Museum

**Emeritus**  
Willard Loudon

**Honorary**  
Jay Cimino  
Charles Murphy  
Rodney Wood

**A.R. MITCHELL MEMORIAL MUSEUM**

150 East Main St. • P.O. Box 95 • Trinidad, CO 81082 • (719) 846-4224  
[www.armitchell.org](http://www.armitchell.org)    [mitchellmuseum@qwestoffice.net](mailto:mitchellmuseum@qwestoffice.net)

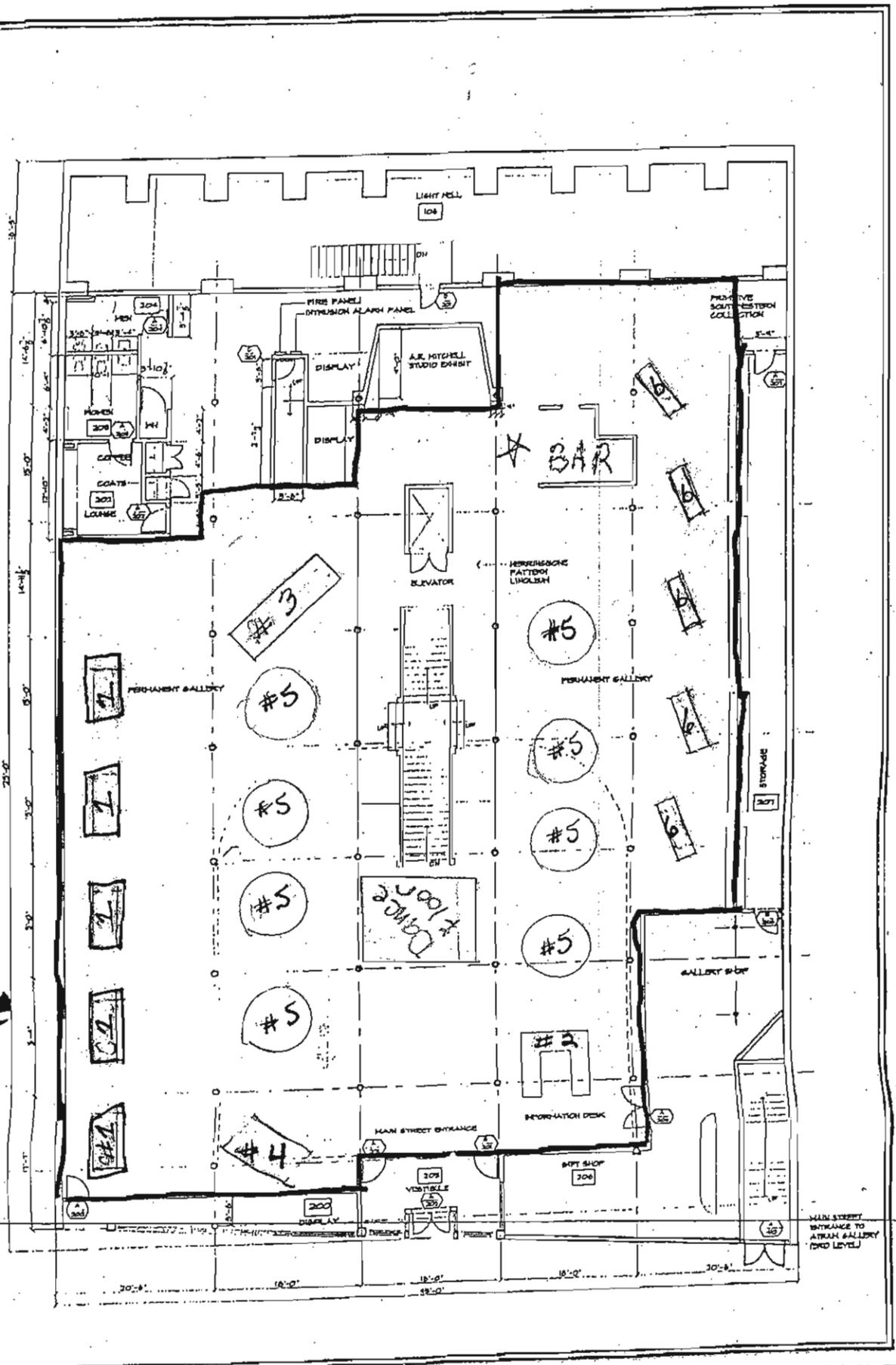
# 7 floor Plan - Ground Floor Peacock Ball

GROUND FLOOR PLAN

SCALE 3/32" = 1'-0"



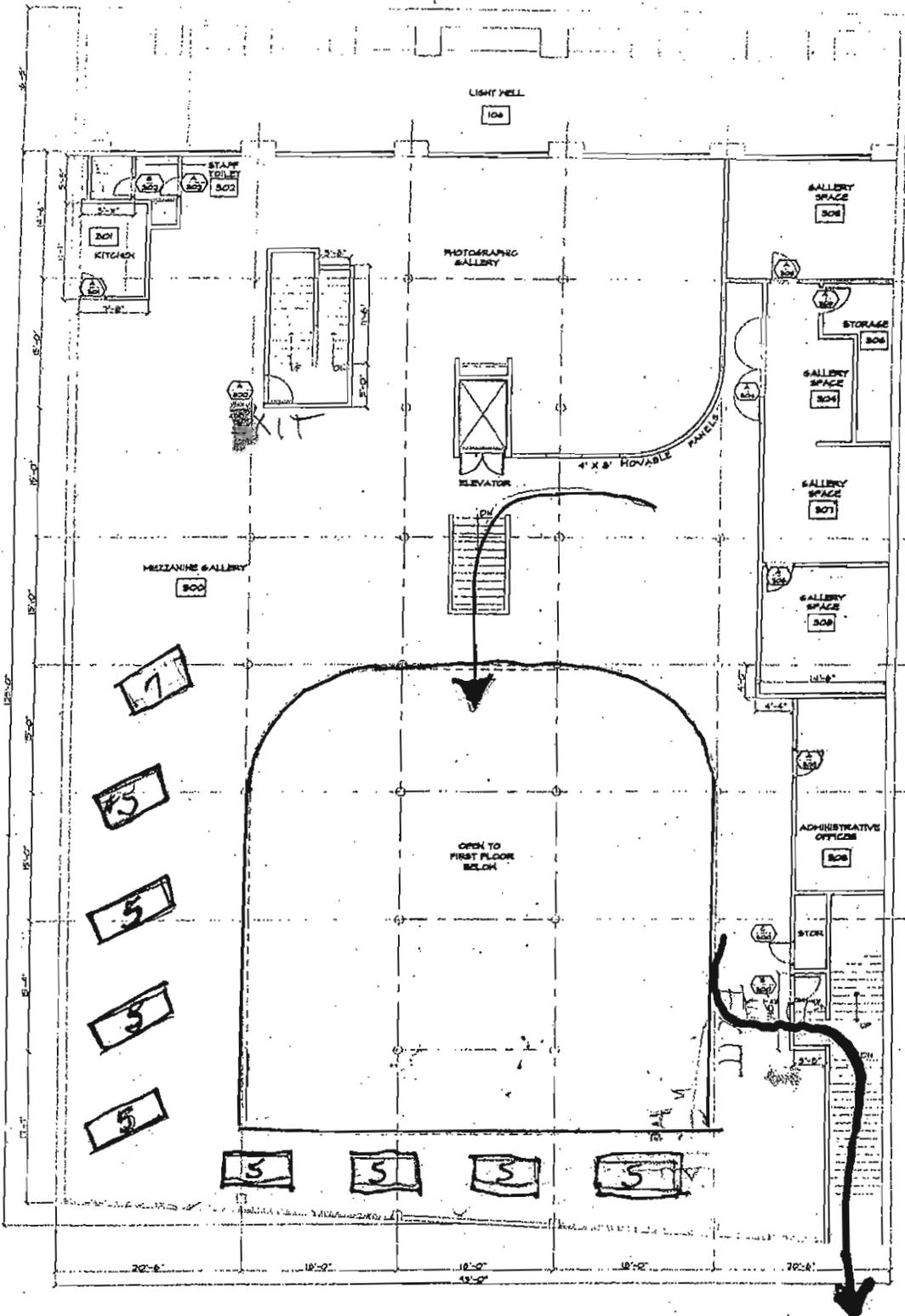
NORTH  
0 4 8 16 32



MAIN STREET  
ENTRANCE TO  
ATRIUM GALLERY  
(2ND LEVEL)

# 7 floor Plan - Mezzanine Peacock Ball

MEZZANINE PLAN



SCALE: 3/8" = 1'-0"



0 4 8 16 32

A.R. MITCHELL MUSEUM  
JANISON BUILDING  
150 EAST MAIN STREET  
TRINIDAD, COLORADO

THE FLORIN GROUP 25 East Tenth, Suite 302, Colorado Springs, Colorado 80901 (719) 471-1121  
Architectural, Engineering, Historic Preservation, Construction Management

A2  
12.09.02



## Karen Griego

---

**From:** Karen Griego [Karen\_Griego.ins@comcast.net]  
**Sent:** Friday, March 01, 2013 1:09 PM  
**To:** 'charles.glorioso@trinidad.co.gov'  
**Subject:** Noah's Ark Animal Welfare Association/Peacock Ball Fundraiser  
**Attachments:** hppscan6.pdf

Dear Chief,

I am forwarding to your attention documentation that I am presenting to Chief Perea in conjunction with our annual fundraising event, The Peacock Ball. The event will be held from 5:00 to 12:00 on April 6, 2013 at the A.R. Mitchell Museum. I am forwarding this information to you as we need to hire three officers that evening for security purposes. We also need your authorization so that the special events license can be obtained by the La Casa organization. Please let me know what additional information you need from Noah's Ark so that I can get it to you asap. Thank you for your assistance. We greatly appreciate it.

Karen Griego

Floor Plan

Noah's Ark

A.R. Mitchell Museum

April 6, 2013

March 1, 2013

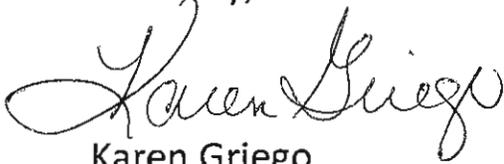
To Whom It May Concern:

I am forwarding a copy of our tentative floor plan for the Peacock Ball to be held on 04/06/13 at the Mitchell Museum. I was advised that Chief Perea has requested this information for the special events permit. The legend is as follows:

1. Game Tables (Casino type)
2. Raffle Table/Reception Table
3. Silent Auction Items Display Table
4. Band (Live)
5. Guest Tables
6. Food/Buffer Tables
7. Staff and Volunteer Tables

In addition we will have three off duty police officers on the premises during the event. Two will be stationed at the front entrance and one will be stationed next to the elevator. If you need additional information, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen Griego". The signature is fluid and elegant, with the first letters of each word being capitalized and prominent.

Karen Griego

719-846-9871

719-680-9871

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

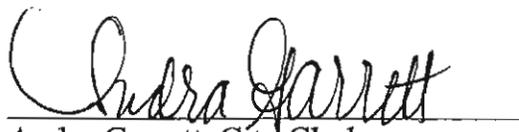
CERTIFICATE OF POSTING

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, Confederacion Mutualista Mexicana e Hispano Americana, 34451 Highway 12, Trinidad, Colorado, which business has applied for a Special Events Permit, to sell and dispense Malt, Vinous and Spirituous Liquors at 150 E. Main Street, Trinidad, Colorado, on April 6, 2013, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 6th day March, 2013.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 6<sup>th</sup> day of March, 2013.

(SEAL)

CITY OF TRINIDAD, COLORADO



Audra Garrett, City Clerk

3/6/13

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

Applicant: Confederacion Mutualista Mexicana e Hispano Americana

dba: Peacock Ball – April 6, 2013

Address: 150 E. Main Street

Type of License: SEP – Malt, Vinous and Spirituous

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: March 19, 2013

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Emergency Back-up lights are NOT working

will follow up in 2 wks  
Recommend approval

3-8-13  
Date

  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 14, 2013

March 1, 2013

Fire Safety Plan

Noah's Ark Animal Welfare Association

Annual Peacock Ball Fundraiser – A.R. Mitchell Museum, 150 E. Main St., Trinidad,  
CO 81082

Dear Chief Perea,

We are submitting the following information to you for approval of our fire safety plan for the Peacock Ball to be held at the Mitchell Museum on 04/06/13 from 5:00 PM to 12:00 PM. The ball will consist of a mixer from 5:00 to 6:00, dinner from 6:00 to 7:30 PM, a raffle during the entire event, silent auction during the entire event, dancing from 8:00 to 12:00, and casino games from 6:00 to 11:00 pm.

Our fire safety plan is as follow:

1. Exit routes are clearly marked.
2. The means of egress are illuminated at all times.
3. The building served by the means of egress is occupied.
4. The flow of egress travel will not be interrupted by any building element.
5. Obstructions shall not be placed in the required width of means of egress.
6. The occupancy load as determined by the Trinidad Fire Department will be strictly adhered to by the Noah's Ark Peacock Ball volunteers, staff, A.R. Mitchell staff, and security personnel of the Trinidad Police Department.

7. Fire Extinguishers shall be appropriate to the Special Event in quantity and size, and shall have been inspected by a certified inspection company.
8. Smoke and carbon monoxide detectors are present and operable.
9. Noah's Ark volunteers will refrain from using excessive extension cords.
10. All liquor sales will be provided by La Casa Confederacion.
11. All dinner items will be prepared off premises. No cooking will be done at the museum.

Please contact me if you need any additional information.

*ok*  
*Spere*  
*3-8-13*

Sincerely,

  
Karen Griego

Noah's Ark Animal Welfare Assoc.

Peacock Ball Committee Member

3/6/13

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

Applicant: Confederacion Mutualista Mexicana e Hispano Americana

dba: Peacock Ball – April 6, 2013

Address: 150 E. Main Street

Type of License: SEP – Malt, Vinous and Spirituous

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: March 19, 2013

11:15

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Fire fighting & battery back up  
not working

3-8-13  
Date

Chris A. Kelly  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 14, 2013

**DISCLOSURE STATEMENT**

I, Linda Velasquez, hereby state and affirm that I am a member of Gino's Sports Bar, LLC, a Colorado limited liability company formed on September 9, 2011, whose principal office address is 310 Spruce Street, Trinidad, Colorado, 81082; that said limited liability company owns and operates Gino's Sports Bar, a tavern 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 991 E. Main Street, in the City of Trinidad, County of Las Animas, State of Colorado; that I hold a 25% interest in Gino's Sports Bar, 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.



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Linda Velasquez

12/4/12

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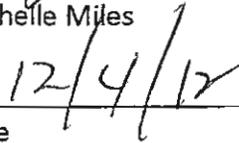
Date

**DISCLOSURE STATEMENT**

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



Michelle Miles



Date



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Audra Garrett, City Clerk  
**DEPT. HEAD SIGNATURE:** *Audra Garrett*  
**# OF ATTACHMENTS:** 6

**SUBJECT:** Hotel and restaurant liquor license renewal request by Brix at 231 E. Main Street

**PRESENTER:** Representatives of Brix

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

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** N/A

**ALTERNATIVE:** N/A

### BACKGROUND INFORMATION:

- The renewal application is in order.
- Departmental reports from the Building Inspector and Fire Chief indicate that the emergency backup lights are inoperable. The Fire Chief has further documented his intent to follow up in two weeks. A departmental report from the Police Department was not returned, presumably because the business has not been open.
- Disclosure statements provided by Councilmembers Miles and Velasquez are attached.
- Appropriate fees have been paid.

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

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

BRIX  
 480 S MARION PARKWAY # 1806  
 DENVER CO 80209

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

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW** **RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>BRIX</b>		DBA <b>BRIX</b>		
Liquor License # <b>42915620000</b>	License Type <b>Hotel &amp; Restaurant (city)</b>	Sales Tax License # <b>42915620000</b>	Expiration Date <b>4/19/2013</b>	Due Date <b>3/5/2013</b>
Street Address <b>231 E MAIN ST TRINIDAD CO 81082-2710</b>				Phone Number <b>(720) 427 2565</b>
Mailing Address <b>480 S MARION PARKWAY # 1806 DENVER CO 80209</b>				
Operating Manager <b>Clayton Marquez</b>	Date of Birth [REDACTED]	Home Address <b>[REDACTED] Denver CO 80209</b>	Phone Number [REDACTED]	

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease 01-31-2018
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

**AFFIRMATION & CONSENT**

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

Type or Print Name of Applicant/Authorized Agent of Business <b>Clayton Marquez</b>	Title <b>Owner/manager</b>
Signature <i>Clayton Marquez</i>	Date <b>03-08-2013</b>

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

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

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

3/8/13

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

Applicant: Brix, Inc.

dba: Brix

Address: 231 E. Main Street

Type of License: Hotel & Restaurant

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: March 19, 2013

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: \_\_\_\_\_

*Inspected OK*

3-8-13

Date

*[Signature]*  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 14, 2013

3/8/13

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

Applicant: Brix, Inc.

dba: Brix

Address: 231 E. Main Street

Type of License: Hotel & Restaurant

Renewal  Transfer  Change of Location  New  Special Event

FOR CONSIDERATION AT  
COUNCIL MEETING DATE: March 19, 2013

\*\*\*\*\*

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Approved

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

3-8-13  
Date

Shi S. Kelly  
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: March 14, 2013

## Audra Garrett

---

**From:** John Martinez [jmartinez@la-h-health.org]  
**Sent:** Monday, March 11, 2013 8:56 AM  
**To:** Audra Garrett  
**Subject:** RE: liquor license

Audra,  
Brix has complied with this office, they have applied with for their 2013 food license.

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

### Las Animas-Huerfano Counties District Health Department

#### Trinidad Office

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

#### Walsenburg Office

119 E. Fifth Street  
Walsenburg, CO 81089  
(Ph) 719-738-2650  
(Fax) 719-738-2653

**From:** Audra Garrett [<mailto:audra.garrett@trinidad.co.gov>]  
**Sent:** Friday, March 08, 2013 10:51 AM  
**To:** John Martinez  
**Subject:** liquor license

Hi John,  
Please confirm compliance with your office for Brix, Inc. at 231 E. Main Street.

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



DISCLOSURE STATEMENT

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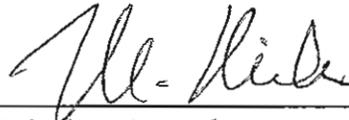
Linda Velasquez

12/4/12

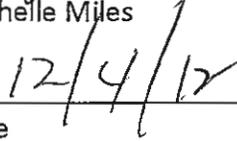
Date

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Michelle Miles



Date



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Audra Garrett, City Clerk  
**DEPT. HEAD SIGNATURE:** *Audra Garrett*  
**# OF ATTACHMENTS:** 1

**SUBJECT:** New tavern liquor license request by Mount Carmel Health, Wellness & Community Center at 911 Robinson Avenue

**PRESENTER:** Les Downs, City Attorney

**RECOMMENDED CITY COUNCIL ACTION:** Consider setting the public hearing date and tentative neighborhood boundary. A hearing date cannot be set any earlier than 30 days from today. The earliest regular Council meeting would therefore be May 7, 2013.

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

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

**ALTERNATIVE:** You may consider hold a special meeting either on April 23 or April 30, 2013 if you wish and/or if the applicant so requests.

### BACKGROUND INFORMATION:

- The application appears to be in order and will be processed accordingly.

**COLORADO LIQUOR  
 RETAIL LICENSE APPLICATION**

NEW LICENSE     TRANSFER OF OWNERSHIP     LICENSE RENEWAL

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

1. Applicant is applying as a

Corporation, *NON PROFIT CORPORATION*       Individual

Partnership (includes Limited Liability and Husband and Wife Partnerships)       Limited Liability Company

Association or Other *NON-PROFIT*

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation      Fein Number

*MOUNT CARMEL HEALTH, WELLNESS & COMMUNITY CENTER*      *27 35 46 373*

2a. Trade Name of Establishment (DBA)      State Sales Tax No.      Business Telephone

*MT. CARMEL HEALTH, WELLNESS & COMMUNITY CENTER*      *26 595 008*      *719-845-4800*

3. Address of Premises (specify exact location of premises)

*911 ROBINSON AVENUE*

City      County      State      ZIP Code

*TRINIDAD*      *LAS ANIMAS*      *CO*      *81082*

4. Mailing Address (Number and Street)      City or Town      State      ZIP Code

*P.O. BOX 504*      *TRINIDAD*      *CO*      *81082*

5. If the premises currently have a liquor or beer license, you MUST answer the following questions:

Present Trade Name of Establishment (DBA)	Present State License No.	Present Class of License	Present Expiration Date
---	---------------------------	--------------------------	-------------------------

LIAB	SECTION A	NONREFUNDABLE APPLICATION FEES	LIAB	SECTION B (CONT.)	LIQUOR LICENSE FEES
2300	<input type="checkbox"/>	Application Fee for New License .....	1985	<input type="checkbox"/>	Resort Complex License (City) .....
2302	<input checked="" type="checkbox"/>	Application Fee for New License - w/Concurrent Review .....	1986	<input type="checkbox"/>	Resort Complex License (County) .....
2310	<input type="checkbox"/>	Application Fee for Transfer .....	1988	<input type="checkbox"/>	Add Related Facility to Resort Complex ... \$ 75.00 X _____ Total _____
			1990	<input type="checkbox"/>	Club License (City) .....
			1991	<input type="checkbox"/>	Club License (County) .....
			2010	<input checked="" type="checkbox"/>	Tavern License (City) .....
			2011	<input checked="" type="checkbox"/>	Tavern License (County) .....
			2012	<input type="checkbox"/>	Manager Registration - Tavern .....
			2020	<input type="checkbox"/>	Arts License (City) .....
			2021	<input type="checkbox"/>	Arts License (County) .....
			2030	<input type="checkbox"/>	Racetrack License (City) .....
			2031	<input type="checkbox"/>	Racetrack License (County) .....
			2040	<input type="checkbox"/>	Optional Premises License (City) .....
			2041	<input type="checkbox"/>	Optional Premises License (County) .....
			2045	<input type="checkbox"/>	Vintners Restaurant License (City) .....
			2046	<input type="checkbox"/>	Vintners Restaurant License (County) .....
			2220	<input type="checkbox"/>	Add Optional Premises to H & R .....
			2370	<input type="checkbox"/>	Master File Location Fee .....
			2375	<input type="checkbox"/>	Master File Background .....

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

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

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

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

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

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

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

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

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

Landlord	Tenant	Expires

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

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

NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST
<u>NONE</u>			

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

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

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

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

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

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

17a. Name of Manager (for all on-premises applicants) SCOTT CANDLAND (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I). NO Date of Birth [REDACTED] ←

17b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.

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

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

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
JAY CIMINO	[REDACTED] COLORADO SPRINGS, CO 80906	[REDACTED]	CEO	N/A
GINA STEFANEZ	[REDACTED] COLORADO SPRINGS, CO 80906	[REDACTED]	TREAS.	N/A
ANGELA ANN CESARIO	[REDACTED] COLORADO SPRINGS, CO 80906	[REDACTED]	SECY	NA

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

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

**Additional Documents to be submitted by type of entity**

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

Registered Agent (if applicable)

Address for Service

**OATH OF APPLICANT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature

*[Handwritten Signature]*

Title

President

Date

3-1-13

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

Date application filed with local authority

R 3/16/13 filed 3/19/13

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1)) C.R.S.

**THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:**

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

Yes No

Been fingerprinted .....

Been subject to background investigation, including NCIC/CCIC check for outstanding warrants .....

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

(Check One)

Date of Inspection or Anticipated Date \_\_\_\_\_

Upon approval of state licensing authority.

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

Local Licensing Authority for

Telephone Number

- TOWN, CITY  
 COUNTY

Signature

Title

Date

Signature (attest)

Title

Date



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Audra Garrett, City Clerk  
**DEPT. HEAD SIGNATURE:** *Audra Garrett*  
**# OF ATTACHMENTS:** 1

**SUBJECT:** New tavern liquor license request by Southern Colorado Repertory Theatre, Ltd., at 131 W. Main Street

**PRESENTER:** Les Downs, City Attorney

**RECOMMENDED CITY COUNCIL ACTION:** Consider setting the public hearing date and tentative neighborhood boundary. A hearing date cannot be set any earlier than 30 days from today. The earliest regular Council meeting would therefore be May 7, 2013.

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

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

**ALTERNATIVE:** You may consider hold a special meeting either on April 23 or April 30, 2013 if you wish and/or if the applicant so requests.

### BACKGROUND INFORMATION:

- The application appears to be in order and will be processed accordingly.



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

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

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

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

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

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

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

Landlord <u>TARABINO REAL ESTATE CO, INC</u>	Tenant <u>SOUTHERN COLORADO REPERTORY THEATRE</u>	Expires <u>6-30-14</u>
---	--	---------------------------

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

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

NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST
<u>N/A</u>			

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

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

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

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

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

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

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

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

18. **Tax Distraint Information.** Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? Yes No  
   
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NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
HARRIET VAUGEDIS	TRINIDAD, CO 81082	[REDACTED]	PRES.	N/A
MICHAEL TRANSTER	TRINIDAD, CO 81082	[REDACTED]	V. PRES.	N/A
CAROL PATRICK	TRINIDAD, CO 81082	[REDACTED]	SEC.	N/A
V JAMES DAVIS	TRINIDAD, CO 81082	[REDACTED]	MGR.	N/A

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

**Additional Documents to be submitted by type of entity**

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

Registered Agent (if applicable) \_\_\_\_\_ Address for Service \_\_\_\_\_

**OATH OF APPLICANT**

*I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.*

Authorized Signature: *Harriet Vaugedis*    Title: *PRESIDENT*    Date: *3/13/2013*

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

Date application filed with local authority: *R 3/13/13*    Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)

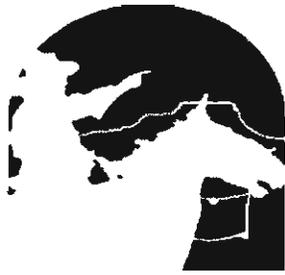
**THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:**

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

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

Local Licensing Authority for \_\_\_\_\_ Telephone Number \_\_\_\_\_  
 TOWN, CITY  
 COUNTY

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_  
 Signature (attest) \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_



CITY OF TRINIDAD, COLORADO  
1976

### COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Audra Garrett, City Clerk  
**DEPT. HEAD SIGNATURE:** *Audra Garrett*  
**# OF ATTACHMENTS:** 1

**SUBJECT:** Resolution acknowledging the contributions of Ted Frank Martinez upon his passing

**PRESENTER:** Audra Garrett, City Clerk

**RECOMMENDED CITY COUNCIL ACTION:** Adopt the resolution to be forwarded to Mr. Martinez's family

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** N/A

**ALTERNATIVE:** N/A

**BACKGROUND INFORMATION:**



RESOLUTION NO.

A MEMORIAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, ACKNOWLEDGING THE CONTRIBUTIONS OF TED FRANK MARTINEZ UPON HIS PASSING

WHEREAS, Almighty God, in His infinite wisdom, has seen fit to take Ted Frank Martinez from this earthly life; and

WHEREAS, during his lifetime, Ted Frank Martinez, distinguished himself as an artist, civil servant and humanitarian; and

WHEREAS, Ted Frank Martinez faithfully served the people of the City of Trinidad as a member of the Home Rule Charter Commission in 1993; a member of the Arts and Culture Advisory Commission from May, 2007, to February, 2009; and, as City Councilmember from January, 1998, to January, 2002; and

WHEREAS, upon the passing of Ted Frank Martinez, the City of Trinidad wishes, by this Resolution to acknowledge his many contributions to the community and to express its regret and sorrow to the Family of Ted Frank Martinez.

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

The Mayor and City Council do hereby extend their condolences to the Family of Ted Frank Martinez, and by this Resolution do hereby remember the many outstanding contributions made by Ted Frank Martinez, to the Trinidad Community.

BE IT FURTHER RESOLVED that this Resolution shall become a part of the official minutes of the proceedings of the Trinidad City Council and a copy of the same shall be provided to the Family of Ted Frank Martinez.

INTRODUCED, READ AND ADOPTED this 19th day of March, 2013.

\_\_\_\_\_  
BERNADETTE BACA GONZALEZ, MAYOR

\_\_\_\_\_  
FRANKLIN SHEW, Mayor Pro Tem

\_\_\_\_\_  
CAROL BOLTON, Councilmember

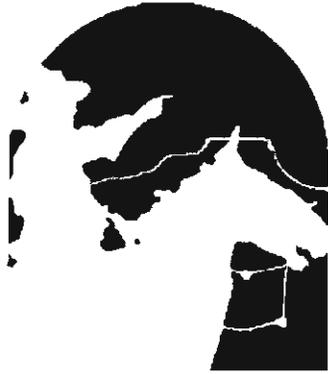
\_\_\_\_\_  
JOE BONATO, Councilmember

\_\_\_\_\_  
ANTHONY MATTIE, Councilmember

\_\_\_\_\_  
MICHELLE MILES, Councilmember

\_\_\_\_\_  
LINDA VELASQUEZ, Councilmember

7f



CITY OF TRINIDAD, COLORADO  
1876

## Council Communication

City Council Meeting: March 19, 2013  
Prepared: March 1, 2013  
Dept. Head Signature: Tom Acre  
# of Attachments: 1

**SUBJECT:** Monument Lake Resort Operations Proposal for 2013

**Presenter:** Mike Robb, Westland Resources

**Recommended City Council Action:** City Council motion to approve the proposed Monument Lake Operation Plan. Information was provided to City Council at the March 12, 2013 Work Session.

**Summary Statement:** The City of Trinidad owns Monument Lake Park and entered into a lease agreement with Westland Resources, LLC in March 2008 for the operation and maintenance of Monument Lake Park. Westland Resources submits an operation proposal to the City for review and approval each year. Mr. Mike Robb with Westland Resources will be available to answer questions regarding Monument Lake Park and the 2013 operation proposal. A copy of the 2012 and 2013 operation proposals are attached for your review.

**Expenditure Required:** No expenditure is required at this time for the operation proposal presented by Westland Resources. However, the Trinidad Water Department has budgeted \$149,000 for Monument Lake Park Improvements which are considered outside of the scope of the contract between the City and Westland Resources.

North Campground Restroom Facility (new construction)	\$ 25,000
Repair/Replace Water Valve Boxes/Manholes (routine maintenance)	\$ 5,000
Roadway Improvements (routine maintenance)	\$ 4,000
Bathhouse Design & Construction (partial funding major replacement)	\$100,000
Building Improvements (repair balcony, sidewalks etc. per CIRSA audit)	\$ 15,000

**Source of Funds:** Water Department Capital Outlay Budget

**Policy Issue:** Operation and maintenance of Monument Lake Park

**Alternative:** Not Applicable

7f

**Background Information:** The City of Trinidad and Westland Resources, LLC entered into the lease agreement on March 4, 2008. The initial term of the lease is for 10-years with two consecutive additional 5-year extensions. The lease calls for annual lease payments of \$30,000 per year which the City agreed to waive in exchange for the funds being used for repair and restoration of the Monument Lake Park facilities. In addition, Westland Resources, LLC is required to commit an additional 1% of gross sales above \$1,000,000 for capital contribution to the repair and restoration. The City receives an accounting each year of the expenses related to the capital improvements and repairs made at Monument Lake Park.

MONUMENT LAKE RESORT  
OPERATIONS PROPOSAL  
2013

WESTLAND RESOURCES, LLC  
JANUARY 30, 2013

**OPERATIONS PROPOSAL  
MONUMENT LAKE RESORT  
2013**

Opening day: May 17, 2013

Closing day: September 15, 2011 (Closing day may vary depending on weather)

**RATES**

Season Park Pass \$30.00

Day Pass \$7.00

Winter day pass \$3.00

Motel \$99.00

Cabins \$109.00

Cabin with kitchenette \$119.00

Double Occupancy

Additional Persons \$8.00 ea.

All rates per night plus applicable tax

RV Full hookup \$29.00

RV partial hookup \$25.00

RV no hookup \$20.00

Tent camping \$20.00 per tent

RV dump station \$5.00

All rates per night plus applicable tax

Phone ahead for reservations for rooms, cabins and RV hookup sites

RV no hookup and tent sites are on first come first serve

Pedal boat rental \$15.00/hour

Fishing boat rental

\$75.00 per day 2 person boat

\$45.00 1/2 day

Rental includes electric trolling motor and life vests

All rates plus applicable tax

All persons aboard rentals are required to wear a life vest/ no exceptions

## SERVICES OFFERED

Fishing  
Motel and cabin rentals  
Camping for RV and tent campers  
Fishing and pedal boat rentals  
Furnish equipment for various games and activities, horseshoes, baseball, volley ball, etc.  
Restaurant serving 3 meals daily.  
Mira Monte utilized for meetings, banquets, wedding receptions, etc.  
Store by the Shore will offer fishing tackle, bait, sundries, groceries, beverages, beer, etc.  
Large field below dam utilized for company picnics and other large functions.  
Game room and vending machines.

## MARKETING AND MERCHANDISING

Informing and educating potential park patrons about what the park is, services and activities offered, and future plans and progress of those plans is the number one priority of Westland's marketing strategy. The Monument Lake Resort website serves as the primary avenue to accomplish this. Marketing will be conducted on a local and regional basis, through direct contact and mail, print media which includes magazines and newspapers.

The web address is [www.monumentlakeresort.com](http://www.monumentlakeresort.com)

## PERSONNEL

Resort operations will require 14 employee positions. Additional duties during peak season will be supplemented with part time help on an as needed basis. Typical employee numbers 22. Personnel are key to the success of any business. Pursuit of quality individuals to fill positions is of high priority. The following is a list of job title and description:

### **General Manager:**

Responsible for overall resort operation including restaurant and motel. Conducts all human resource duties, book keeping, overall planning and budgeting, and purchasing. Assist Park Coordinator, Groundskeeper and Head Chef in planning.

### **Grounds Keeper:**

Care of grounds. Trash, general repairs, daytime security, etc.

**Main Desk:**

Oversee motel and cabins including housekeeping, reservations and desk duty, event planning,.

**Food and beverage Manager:**

Responsible for restaurant management. Menu planning, catering, personnel, sanitation, and event planning.

**Chef's Assistant:**

Assists Head Chef in menu planning and meal preparation, oversee kitchen help, bus and wait staff.

**Breakfast and lunch cook:**

Kitchen cook and supervisor for breakfast and lunch meals, coordinate with Head Chef and Assistant.

**Wait Staff:**

Serve as hosts and wait on tables, table prep, sanitation.

**Bus and Kitchen helpers:**

Responsible for assisting in kitchen duties, plating food, fetching ingredients, sanitation, washing dishes etc.

**Store Clerk Boat HQ:**

On duty in Store by the Shore as retail clerk, responsible for boat rentals and maintenance of boats and accessories.

**Housekeeping:**

House keeping and laundry for motel and cabins, house keeping for all other facilities.

**Night Security:**

Responsible for night security and wildlife conflicts.

## **SECURITY, SAFETY, AND LAW ENFORCECEMENT**

A set of Resort Regulations have been developed which includes guidelines to help prevent wildlife conflicts and recommendations for conduct if one is involved in a conflict, especially with bears. Wildlife awareness, and conflict prevention and response will be included in staff training, as well as seminars and short programs designed for patrons sponsored by the Colorado Division of Wildlife. An Emergency Evacuation Plan has been developed. Copies of the resort regulations will be provided to all who enter the park. Anyone violating resort regulations will be given one warning. Should they not respond to this warning they will be subject to fine or asked to leave the resort. If further escalation of a situation occurs the Sheriff's department will be called. In the case of wildlife conflicts or infractions the Colorado Division of Wildlife will be called.

Outline of Safety protocol submitted with previous plan.

## **CONSERVATION**

The conservation fund generated by the sale of resort passes 2012 is \$3056.50. These funds will be used for installation of campground improvements, and conservation devices and practices.

The Natural Resource Conservation Service has conducted a Baseline Resources Inventory and Evaluation so that we may build a conservation plan for the park. This inventories all natural resources, assesses their condition, and makes recommendations for improvements. This report serves as the base for all campground renovations and improvements. Submitted with previous plan.

## **FISH HATCHERY**

City was successful with second grant submittal for Assessment and has been completed. The planning grant was submitted by the city and was successful.

## **OTHER GRANTS**

Westland Resources, LLC was successful in a grant application, to build new floating boat docks, through the Colorado Division of Parks and Wildlife, Motorboat Program and was awarded a grant total of \$15000.00, Westland Resources, LLC will contribute \$8000.00 as matching funds and in kind. Total project Funds from the Conservation Fund built up by Westland will be utilized for the matching and in kind contribution. Materials for the docks have been purchased and construction has begun but weather has put it on hold.

## **2013 CONSTRUCTION AND EXPENDITURES**

The repairs of the thresholds on the upper level of the lodge were not completed in 2012 and will be completed in 2013.

Suitable spark arrestors for the lodge have not yet been found.

Replace broken light fixtures in cabins.

Replace broken chairs in cabins.

Buff and refinish floor in restaurant as well as table tops will be coated with epoxy finish.

Install 12 more fire pits.

Replace range and oven combo in restaurant.

Code updates for Ansul fire suppression system in restaurant.

2013 CONSTRUCTION ESTIMATES AND PURCHASES

1/30/2013

Light fixtures cabins	\$	160.98
Replace broken chairs cabins 6	\$	156.24
Refinish floor restaurant	\$	625.00
Refinish tables restaurant	\$	585.00
Firepits installed 12	\$	8,460.00
Repairs fire system exhaust hoods restaurant	\$	1,700.00
New range & ovens restaurant	\$	7,200.00
TOTAL 2013 renovations	\$	18,887.22

BALANCE OF LEASE FOR FIRST 10 YEARS \$ 79,229.21

Minus 2013 renovations \$ 18,887.22 \$ 60,341.99

REIMBURSEMENT JOURNAL  
 MONUMENT LAKE RESORT  
 WESTLAND RESOURCES, LLC

2008

Date	Check #	Description	Amount	To Date LT
11-Apr	259	Blue Diamond Builders	\$ 10,806.49	
11-Apr	258	Hollon Electric	\$ 2,409.59	
6-May	9	Blue Diamond Builders	\$ 13,475.00	
				\$ 26,691.08
19-May	1001	Hollon Electric	\$ 2,720.10	
				\$ 29,411.18
16-May	1002	TJ's Refrigeration	\$ 3,818.00	
20-May	1003	M M Plumbing	\$ 3,162.39	
				\$ 36,391.57
2-Jun	1031	Blue Diamond Builders	\$ 9,200.00	
4-Jun	1035	Al's Gas	\$ 1,532.25	
				\$ 47,123.82
16-Apr		Brandt Enterprises	\$ 103.17	
30-Apr	268	Purgatoire Valley Construction	\$ 155.00	
3-Jul	2042	Blue Diamond Builders	\$ 8,785.00	
7-Aug	1295	Blue Diamond Builders	\$ 1,700.00	
10-Sep		Trinidad Builders	\$ 93.51	
2-Oct		Trinidad Builders	\$ 119.04	
		100% reimbursed		\$ 58,079.54
30-Jun				\$ 116,159.08

2009

			To Date 09	50% Reim	To Date LT
5/28/2009	Topar fee tube	\$ 246.96			
	Big R Horseshoes curtian rods	\$ 142.41			
	CCI Bear proof cans	\$ 963.14			
	Trinidad Builders sakrete	\$ 113.05			
	Serta Beds	\$ 4,729.28			
	Blue Diamond Builders	\$ 30,040.00			
	Expense not reimbursed	\$ 1,074.94			
	Total	50%	\$ 37,309.78	\$ 37,309.78	\$ 18,654.89
					\$ 153,468.86
8/31/2009	Katom Restaurant Supply	\$ 2,473.41			
	Blue Diamond Builders	\$ 16,000.00			
	Total	50%	\$ 18,473.41	\$ 55,783.19	\$ 9,236.71
					\$ 171,942.27
12/4/2009	Topar	\$ 102.90			
	Blue Diamond Builders	\$ 13,600.00			
	Blue Diamond Builders	\$ 8,950.00			
	Topar	\$ 71.23			
	Westland Resources, LLC	\$ 3,733.00			
	Westland Resources, LLC	\$ 2,771.00			
2009	Total	50%	\$ 29,228.13	\$ 85,011.32	\$ 14,614.07
					\$ 201,170.40

2010

			To Date 10	50% Reim	To Date LT
4/26/2010	Jamestown	\$ 1,935.00			
	Topar	\$ 290.50			
	A&A Welding	\$ 360.00			
	Walmart	\$ 99.99			
	CNS Stores	\$ 99.99			
	Sams	\$ 1,153.54			
	Kingdom Carpet	\$ 11,286.37			
	San Isabel	\$ 2,618.54			
	CCI	\$ 7,542.00			
	American Furniture	\$ 160.03			
	Sears	\$ 2,932.21			
	Kingdom Carpet	\$ 2,423.75			
	Serta	\$ 4,671.66			
	Westland resources, LLC	\$ 12,374.59			
		\$ 47,948.17	\$ 47,958.17	\$ 23,974.09	\$ 249,118.57
9/13/2010	Biz Chair	\$ 1,709.82			
	Kingdom Carpets	\$ 507.13			
	Kingdom Carpets	\$ 1,412.39			
	San Isabel	\$ 2,554.81			
	American Furniture	\$ 2,048.99			
	Oak Express	\$ 1,031.04			
	Westland Resources, LLC	\$ 15,023.19			
		\$ 24,287.37	\$ 72,245.54	\$ 12,143.69	\$ 273,405.94
1/11/2011	A&A Welding	\$ 152.00			
	Blue Diamond Builders	\$ 5,200.00			
	Topar	\$ 509.36			
	Blue Diamond Builders	\$ 2,857.50			
	Kingdom Carpet	\$ 1,589.00			
	TJ Refrigeration	\$ 147.25			
	Kingdom Carpet	\$ 1,504.65			
	Rigoberto Montiel Stucco	\$ 825.00			
	Blue Diamond Builders	\$ 27,000.00			
	Katom Restauranr Supply	\$ 6,459.56			
	Westland Resources LLC	\$ 12,421.66			
		\$ 58,665.98	\$ 130,911.52	\$ 29,332.99	\$ 332,071.92

		2011	TO DATE 11	50% REIM	TO DATE LT
4/6/2011	4/6/2011 Triple P roofing	\$ 12,500.00	\$ 12,500.00	\$ 6,250.00	\$ 344,571.92
1/3/2012	1/3/2012 Kingdom Carpet	\$ 1,776.67			
	Kingdom Carpet	\$ 179.20			
	Home Depot	\$ 113.25			
	American Furniture	\$ 637.96			
	Texas Lamp	\$ 426.79			
	Sams Clib	\$ 1,996.35			
	Home Depot	\$ 38.08			
	Home Depot	\$ 716.19			
	Lowe's	\$ 527.35			
	Lowe's	\$ 162.41			
	Rigoberto Montiel	\$ 1,400.00			
	Tundra restaurant Supply	\$ 89.92			
	Texas Lamp	\$ 91.52			
	Topar	\$ 2,198.97			
	Katom restaurant Supply	\$ 113.27			
	Trinidad Builders	\$ 47.68			
	Abc Plumbing	\$ 93.65			
	Trinidad Builders	\$ 425.27			
	Katom Restaurant Supply	\$ 119.88			
	Home Depot	\$ 196.41			
	Redwing Electric	\$ 261.26			
	Redwing Electric	\$ 518.01			
	Heartland	\$ 139.97			
	M&M Plumbing	\$ 789.00			
	Blue Diamond Builders	\$ 1,790.00			
	Topar	\$ 241.82			
	Redwing Electric	\$ 345.22			
	Keller Glass	\$ 69.91			
	Redwing Electric	\$ 1,342.13			
	Sherwin Williams	\$ 240.80			
	Keller Glass	\$ 74.21			
	Home Depot	\$ 279.73			
	M&M Plumbing	\$ 794.50			
	Redwing Electric	\$ 191.80			
	westland resources, LLC	\$ 8,175.25			
		\$ 26,604.43	\$ 39,104.43	\$ 13,302.22	\$ 371,176.35
	TOTAL 50/50				\$ 400,000.00
	Balance				\$ 28,823.65
		2012	TO DATE 12	REIM 50%	TO DATE LT
9/11/2012	Westland Resources, LLC	\$ 29,430.00	\$ 29,430.00	\$ 14,411.83	\$ 400,000.00
50/50	Westland Resources, LLC	\$ 200,000.00	City	\$200,000.00	\$ 400,000.00

9/11/2012	BALANCE REMAINING ON LEASE		\$ 100,000.00	
			To Date 2012	To Date LT
9/11/2012	Westland Resources, LLC	\$ 606.35		\$ 606.35
9/11/2012	Adjustment as per city	\$ 2,985.50	\$ 2,985.50	\$ 2,985.50
1/30/2012	Lowes landscaping timbers	\$ 2,426.32		
	Diamond T dirt work cabins	\$ 1,310.00		
	Replace pedal boats 4	\$ 3,471.00		
	Replace chairs cabins 2	\$ 62.29		
	Leone Sand Gravel fill dirt	\$ 628.47		
	Leone Sand Gravel fill dirt	\$ 1,257.49		
	Grand Rental compactor	\$ 790.20		
	Bass Pro Shops Replace trolling	\$ 120.72		
	Redwing Electric repairs	\$ 234.18		
	TJ's Refrigeration repairs	\$ 451.25		
	TJ's Refrigeration repairs	\$ 210.00		
	Gradys parts	\$ 70.39		
	Fastenall parts	\$ 9.41		
	Walmart pillows housekeeping	\$ 37.42		
	Walmart pillows housekeeping	\$ 48.11		
	Walmart paint	\$ 20.15		
	Glass Shop 2 windows cabins	\$ 360.46		
	ABC Plumbing supplies	\$ 57.03		
	ABC Plumbing supplies	\$ 56.71		
	Home Depot landscaping	\$ 68.48		
	Home Depot plumbing	\$ 97.36		
	Home Depot gen supplies	\$ 57.97		
	Big R Plumbing	\$ 96.17		
	Lowes light fixtures cabins	\$ 56.33		
	Big R plumbing	\$ 7.03		
	Bass Pro Shops replace vests	\$ 374.89		
	Lowes plumbing	\$ 14.76		
	Big R plumbing	\$ 14.41		
	Home Depot stain	\$ 345.33		
	Big R plumbing	\$ 5.96		
	Westland Resources landscaping	\$ 5,025.00		
	Total	\$ 17,785.29	\$ 17,785.29	\$ 20,770.79
	BALANCE REMAINING ON LEASE		\$ 79,229.21	



NEVER STOP IMPROVING

LOWE'S HW, INC.  
2900 WEST PUEBLO BLVD  
PUEBLO, CO 81005 (719) 289-9110

\*\*\*\*\*

ORDER INFORMATION

TO OBTAIN A STATUS OF YOUR ORDER VISIT

WWW.LOWES.COM/STATUS

AFTER BEING NOTIFIED THAT THE PICKUP LATER ORDER IS  
AVAILABLE, PLEASE COME TO THE CUSTOMER SERVICE DESK  
TO PICK UP THE MERCHANDISE.

\*\*\*\*\*

- SOS SALE -

SALES#: S2742JS2 1435389 TRANS#: 88940967 03-28-12

88918 ALL-WEATHER	1,203.46
4X8-20' .40 ACQ RGV HEM F	
19 @ 63.34	
[PICK UP LATER]	
88918 ALL-WEATHER	130.68
4X8-16' .40 ACQ RGV HEM F	
2 @ 65.34	
[PICK UP LATER]	
88918 ALL-WEATHER	925.00
4X8-12' .40 ACQ RGV HEM F	
25 @ 37.00	
[PICK UP LATER]	

PO #: 127816049

INVOICE 75531 SUBTOTAL: 2,259.14

SUBTOTAL: 2,259.14

TAX: 167.18

BALANCE DUE: 2,426.32

N/C: 2,426.32

N/C:XXXXXXXXXXXX1928 AMOUNT:2,426.32 AUTHCD:T9656Z

KEYED REFID:949037274201 03/28/12 09:37:17

*Handwritten signature*

STORE: 2742 TERMINAL: 01 03/28/12 09:37:30



THANK YOU FOR SHOPPING LOWE'S.  
SEE REVERSE SIDE FOR RETURN POLICY.  
STORE MANAGER: DUANE H.

WE HAVE THE LOWEST PRICES. GUARANTEED!  
IF YOU FIND A LOWER PRICE, WE WILL BEAT IT BY 10%.  
SEE STORE FOR DETAILS.

\*\*\*\*\*

LOWE'S

**Diamond T. Enterprises, LLC.**

# Invoice

208 Prospect St., Ste. A.  
 Trinidad, Colorado 81082  
 Phone: 719-846-7109

Bill To
Monument Lake Resort C/O Mike Robb

Date	Invoice #
5/14/2012	
Work Ticket #	6363
Job Site	

Requester	Property Number	Terms	Project/Job
Mike Robb			

Serviced	Description	Qty/Hrs.	Rate	Amount
	Scope of Work: - Moving Material		0.00	0.00
	Mobilization of Equipment		150.00	150.00
	Backhoe: S. Ortivez loading Tandem with material and clean-up	8	75.00	600.00
	Dump Truck Hauling: C. Wren hauling material away to designated area	8	70.00	560.00

*pt*

	<b>Payments/Credits</b>	\$0.00
	<b>Balance Due</b>	\$1,310.00



*We sell top quality products at reasonable prices*

www.pedalboat.com

sales@pedalboat.com

14350 Interstate 20  
Canton, Texas 75103  
Ph: (903) 829-9151  
Fax: (903) 829-2618

Date 6/23/12

Invoice No 623120

Order Method PhoneOrder

Sold To MIKE ROBBINS

Firm MONUMENT LAKE RESORT

Address 4789 STATE HIGHWAY 12

City WESTON, CO 81091

Phone (719) 868-2226

Email

Ship To MIKE ROBBINS

Firm MONUMENT LAKE RESORT

Address 4789 STATE HIGHWAY 12

City WESTON, CO 81091

Phone (719) 868-2226

SKU	Description	Quantity	Price	Amount
4980116	Sun Slider Blue	1	599.00	599.00
6124380	Contour Commander Blue	1	899.00	899.00
6133018	Contour Colonel Blue	2	649.00	1298.00

*Pedal Boats*

**Thank you for your order!**

Please let us know if we can be of further assistance.

No returns after 30 days - All returns must have prior approval

Subtotal	2796.00
Shipping	675.00
SalesTax	0.00
<b>Total</b>	<b>3471.00</b>

4711 Dillon Avenue  
Pueblo, CO 81008

Store: (719) 542-5169

4711 DILLON DR  
PUEBLO CO 81008-2112  
719 542-5169

# Sales Order 521105329

Customer# 522556061 Date: 05/15/12  
52EL ERICA LOOP Time: 05:44PM  
Order Date: 05/15/12  
Customer Pickup Date: 05/21/12

Item	Qty	Shp		
P 272W ARROWBACK CHAIR-WHITE/NATURAL	2	0	\$29.00	\$58.00
P COMMENTS ADDITIONAL COMMENTS ONLY	1	1	\$0.00	\$0.00

Subtotal: \$58.00

Delivery:

Tax: \$4.00

Total: \$62.00

### Current Payments

05/15/12 MASTER-CARD \*\*\*\*\*1928 \$62.00

Payments: \$62.00

Amount Due: \$0.00

*Replica Chair  
Cebias*

### Sold To:

MIKE ROBB  
4789 HWY 12  
WESTLAND RESOURCES LLC  
WESTON  
CO 81091  
719 868-2226  
719 868-2226  
719 845-9464

INSPECT ON DOCK DOCK HOURS M-F 11-8 S-S 11-6 NO FREE DELIVERY ON EXCHANGES

Take our online survey for a chance to win a \$2500 Samsung home Entertainment package.

Go to [www.afwonline.com/survey](http://www.afwonline.com/survey) to enter.

# LEONE SAND & GRAVEL, LLC. & SRG'S LANDSCAPING SUPPLY

PHYSICAL ADDRESS: 2450 & 2400 E. MAIN STREET

MAILING ADDRESS: 2400 E. MAIN STREET

TRINIDAD, COLORADO 81082

PLANT: (719) 846-9349

OFFICE: (719) 846-4170

FAX: (719) 845-0605

DATE 4-20-12

TO Mike Robb Monument Lake

DELIVERY ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

BILLING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

CASH Pd CK# 1192 Bell CHG. \_\_\_\_\_

QUANTITY	DESCRIPTION	PRICE	AMOUNT
44.75	TONS CLASS 6		425.12
	Surcharge		51.02
	TAX		12.33
	delivery		140.00
	total		628.47

**ATTENTION CHECK WRITER**

Please make checks payable to this business. In doing so, you expressly authorize us, if your check is returned for any reason to electronically debit your account for the amount of the check plus a state (CO) NSF fee of \$20.00. The use of a check for payment is your acknowledgement of the NSF check policy.

Finance Charges After 30 days 2% on unpaid balance per month annual percentage 24%



# GRAND RENTAL STATION

440 UNIVERSITY  
TRINIDAD, CO 81082

719-845-1000 phone  
719-845-0205 fax

Status: Completed

Invoice #: 946  
Invoice Date: 5/18/2012  
Date Out: Mon 4/23/2012 7:54AM

Operator: Cal

Customer# 3370

MONUMENT LAKE  
4789 HWY 12  
WESTON, CO 81091

719 868-2226

Qty	Key	Items Rented	Replacement Cost	Status	Returned Date	Price
1	013-1089#12	COMPACTOR, DIRT (JUMPING JAC 4Hrs \$38.50 1Day \$55.00 1Week \$220.00 4Wks \$660.00	\$0.00 each	Returned	5/18/2012 9:03AM	\$660.00



### Payments made on this contract:

Rental/Sale Paid \$790.20 on 18-May-2012 9:03 am Check # 1204  
Total Paid \$790.20

### RENTAL CONTRACT

This is a contract. The back of this contract contains important terms and conditions including lessor's disclaimer from all liability for injury or damage and details of customer's obligations. These terms and conditions are a part of this contract - READ THEM!

If equipment does not function properly notify lessor within 30 minutes of occurrence or no refund or allowance will be made. If this is a reservation, a reservation cancellation fee up to 1/2 of the total amount may be charged if reservation is cancelled within 72 hours of the scheduled "time and date out"

I certify that I have read and agree to all terms of this contract

SIGNATURE:

MONUMENT LAKE

Rental:	\$660.00
Damage Waiver:	\$79.20
Sales:	\$0.00
Delivery Charge:	\$0.00
Misc. Charges:	\$0.00
Subtotal:	\$739.20
Sales Tax:	\$51.00
TOTAL:	\$790.20
PAID:	\$790.20
AMOUNT DUE:	\$0.00



# REDWING ELECTRIC, INC.

225 East Goddard Avenue  
Trinidad, CO 81082  
(719) 846-1716 Office  
(719) 846-9655 Fax

## INVOICE

DATE	INVOICE NO.
7/25/2012	10180

<b>BILL TO</b>
Monument Lake Resort 4789 Hwy 12 Weston, CO 81091

<b>JOB ADDRESS</b>
Monument Lake Resort 4789 Hwy 12 Weston, CO 81091 Mike Rob 868-2226

P.O. NO.	TERMS	DUE DATE
	Net 10	8/4/2012

DESCRIPTION	QTY	RATE	AMOUNT
07/13/12 - At Site "F", the GFCI OK but replaced the duplex receptacle. In Site "E" the 2Pole Breaker, 1/2 not working. Replaced both duplex receptacles. Attached the good leg, not GFCI Protected. Tested all with a load to see if the breaker would trip and all working good. Pedestal - Breaker-Magnatrip, Type R36, Anchor products TASC0 Electrical Industries should be anchor 1B2020 GFCI.	3.5	65.00	227.50
07/13/12 Electrical material- 20amp duplex receptacle	1	2.79	2.79T
07/13/12 Electrical material- 15 amp duplex receptacle	2	1.73	3.46T
NOTE: There is no GFCI protection!!!!!!!!!!!!!!! Sales Tax		6.90%	0.43

*pd*

Thank you for your business. FED # 84-1364286	<b>Total</b>	\$234.18
---	--------------	----------

# 79's Refrigeration, Inc.

23003 County Road 43.7

Aguilar, CO 81020

719-941-4967

<b>Bill To</b>
Westland Resources 1626 Hayes Trinidad, CO 81082

## Invoice

<b>Date</b>	<b>Invoice #</b>
6/11/2012	7907

Description	Amount
Date: 06/08/12	
True 3 door freezer: found evaporator coil partially frozen due to defective defrost timer	
Defrosted coil; replaced timer; tested defrost and cooling cycles; operation normal at this time	
Defrost timer/clock 8145-20 commercial	311.25
Labor 2 hours (including travel) @ \$70/HR	140.00
<i>Pd 6-20-12</i>	

*Thank you for your business.*

**Terms**  
**Due on receipt**

	<b>Total</b>	\$451.25
	<b>Payments/Credits</b>	\$0.00
	<b>Balance Due</b>	\$451.25

Past Due Payments Shall  
Accrue Interest at 18%  
Annually

# 79's Refrigeration, Inc.

23003 County Road 43.7

Aguilar, CO 81020

719-941-4967

<b>Bill To</b>
Westland Resources 1626 Hayes Trinidad, CO 81082

## Invoice

Date	Invoice #
5/4/2012	7820

Description	Amount
Monument Lake Preventative maintenance for 4 cooler/freezer units Labor 3e hours including travel @ \$70/HR	210.00
	

*[Handwritten signature]*

*Thank you for your business.*

**Terms**  
**Due on receipt**

	<b>Total</b>	\$210.00
	<b>Payments/Credits</b>	\$0.00
	<b>Balance Due</b>	\$210.00

Past Due Payments Shall  
Accrue Interest at 18%  
Annually



Pueblo Hotel Supply is now  
**GRADY'S**  
 Restaurant  
 and Bar  
 Supply

*The company you've trusted & relied on since 1949  
 ...so everything's the same but our name!*

430 West 4th Street ■ Pueblo, CO 81003  
 (719) 542-8853 ■ fax (719) 542-8857

**1-800-566-7068**

www.gradysrestaurantsupply.com  
 order@gradysrestaurantsupply.com

**INVOICE**

TERMS: NET 10 DAYS.  
 INTEREST CHARGES ON UNPAID BALANCE  
 AT THE RATE OF 1 1/2% PER MONTH.

All accounts that are 30 days past due will be held by the credit department. The buyer will be subject to all charges including legal and collection fees incurred in the effort to collect full payment for the debt owed Pueblo Hotel Supply Company Inc. dba: Grady's Restaurant Supply Company.

Customer ID: 53182  
 GRUBSTEAK CAFE  
 4789 HWY 12  
 WESTON, CO 81091

CHECK#21159

Invoice Number: 206160 CASH SALE  
 Invoice Date: 05/08/2012  
 Invoice Time: 16:21:40  
 FIN: 133854

Item Number	Description	Price	Quantity	Extended
KRW 28-107	CASTER, PLATE 5" WHEEL BRK	70.39	1	70.39
BVT 800FG15	oven mitt tan 15"	8.50	2	17.00

Received By \_\_\_\_\_ Sub-Total 87.39 Tax 6.47 Total 93.86

Grady's Restaurant Supply Company reserves all rights of ownership of delivered or received goods until all goods are paid for in full. All claims must be made within 14 days of received goods.



Fastenal Company  
 P.O Box 1286  
 WINONA, MN 55987-1286

**Invoice**

Date 10/10/12 Reference No. COTRN36536 Page 1

The store serving you is  
 2012 Freedom Rd Unit 65

Cust. No. (CASH) COTRNCASH  
 Cust. P.O.  
 Job No.  
**Sold To**  
 Currency Cash Acct  
 2012 Freedom Rd Unit 65  
 TRINIDAD, CO 81082  
 719-846-9372

TRINIDAD, CO 81082  
 Phone #: (719)846-9372  
 Fax #: (719)846-9392

**Ship To**  
 Picked up at Fastenal Store.

This will be recorded as a CASH sale. Paid With Currency

**This Order and Document are subject to the "Terms of Purchase" posted on www.fastenal.com.**

Line No.	Quantity Ordered	Quantity Shipped	Quantity Backorder	Description	Control No.	Part No.	Price / Each	Amount
1	1	1	0	SB205-16 Ins Bearing SB205-16 1" Bore - Set Screw - Insert Bearing	120063479	0402137	8.8043	8.80 N

*Parts for exhaust Fan - restaurant*

*Phan*

Received By

Tax Exemption  
 No Exemption

Comments  
 Contact: CASH.

CO

Subtotal	8.80
Shipping & Handling	0.00
State Tax	0.26
County Tax	0.00
City Tax	0.35
<b>TOTAL USD</b>	<b>9.41</b>

If you re-package or re-sell this product, you are required to maintain integrity of Country of Origin to the consumer of this product.

Reasonable collection and attorneys fees will be assessed to all accounts placed for collection  
 No materials accepted for return without our permission.

X indicates part is a hazardous material

\* indicates part was sold at a promotional or special discount price

This is your invoice.  
 All discrepancies must be reported within 10 days.

\*297E

Thank You !





**THE GLASS & TINT SHOP**

730 Stonewall Avenue  
 (Corner of San Juan & Stonewall)  
 Trinidad, Colorado 81082  
 Dan Sanchez (719) 846-4069

**WORK ORDER  
 INVOICE**

No. 4629

NAME <i>Monument Lake Cabins</i>		DATE OF ORDER <i>12-5-12</i>	
ADDRESS		RES. PHONE	
INSURANCE CO. / AGENT		BUS. PHONE	
ADDRESS		POLICY NO.	
DELIVERY DIRECTIONS		YEAR, MAKE, MODEL	
SOLD BY		<input checked="" type="checkbox"/> FURNISH & INSTALL <input type="checkbox"/> FURNISH ONLY <input type="checkbox"/> WILL CALL <input type="checkbox"/> DELIVER	
CASH	CHECK	C.O.D.	CHARGE
			ON ACCT.
QTY.	SIZE	DESCRIPTION	AMOUNT
<i>#308</i>	<i>1</i>	<i>Plate Glass</i>	<i>\$ 112.108</i>
<i>#311</i>	<i>1</i>	<i>WINDSHIELD</i>	<i>\$ 188.38</i>
			<i>\$ 300.46</i>
		<i>travel</i>	<i>60.00</i>
			<i>\$ 360.46</i>
DESCRIPTION OF WORK			
<i>pd # 12-14</i>			
<i>12-5-12</i>			
STATEMENT OF AUTHORIZATION AND SATISFACTION			TOTAL MATERIALS
Replacement has been made to my satisfaction and I hereby authorize the above insurance company to pay direct in full to the above listed firm for said installation. If for any reason the insurance company does not pay for these repairs or replacements, the below signed agrees to pay for said repairs or replacement.			TOTAL LABOR
SIGNATURE			TAX
RECEIVED BY			SUB-TOTAL
DATE			<input type="checkbox"/> DEPOSIT <input type="checkbox"/> DEDUCTIBLE
			TOTAL

1 Pueblo Cash Customer

525 ABC PLUMBING & ELECTRICAL  
101 Spring St  
Pueblo, CO 81003  
719-542-5631

Ticket: 1-75040 Usr: CR  
Date: 7/23/2012 12:52p Sta: PUEREG1

Item	Description	Qty	Price	Line type	Total
CPI18051	O RING 226	1.0	0.300		0.30

CPI36031	MOEN POSI TEMP	1.0	52.800		52.80
----------	----------------	-----	--------	--	-------

Item Subtotal	53.10
Tax	0.00
Total	57.03

Tender:  
Cash  
Sale amt recvd 57.03

Number of items purchased: 2

1 Pueblo Cash Customer

ABC PLUMBING & ELECTRICAL  
101 Spring St  
Pueblo, CO 81003  
719-542-5631

Ticket: 1-65466 Usr: PR  
Date: 5/15/2 2 4:13p Sta: PUEREG2

Item	Description	Qty	Price	Line type	Total
CPI36031	MOEN POSI TEMP	1.0	52.800		52.80

Item Subtotal	52.80
Tax	0.00
Total	52.80

Tender:  
Sale amt recvd 56.71

Number of items purchased: 1

1 Pueblo Cash Customer



< you for shopping at  
3 R OF TRINIDAD, INC.  
(719) 845-1864

Thank you for shopping at  
BIG R OF TRINIDAD, INC.  
(719) 845-1864

Thank you for shopping at  
BIG R OF TRINIDAD, INC.  
(719) 845-1864

Thank you for shopping at  
BIG R OF TRINIDAD, INC.  
(719) 845-1864

4/7 @ WWW.BIGRONLINE.COM

SHOP 24/7 @ WWW.BIGRONLINE.COM

SHOP 24/7 @ WWW.BIGRONLINE.COM

SHOP 24/7 @ WWW.BIGRONLINE.COM

3:36PM JMW 353 SALE  
-----  
1 EA 17.99 EA 17.99  
SOLDER 2 EA 17.99 EA 17.99  
LATER 18in 35.98  
1 EA 35.99 EA \* 35.98  
R 1in TYPE M 35.99  
89.96 TAX: 6.21  
TOTAL: 96.17  
BC AMT: \$96.17

3/27/12 12:00PM MELINDA 353 SALE  
-----  
0403830 1 EA 4.29 EA 4.29  
PVC UNION SLIP 1in  
0434485 1 EA 2.29 EA 2.29  
1 90 EL ST SXSP 2.29  
SUB-TOTAL: 6.58 TAX: .45  
TOTAL: 7.03  
CASH TEND: 10.00 CHANGE: 2.97  
==>> JRNL#072405  
CUST # \*9 <<==

8/26/12 3:15PM DRC 353 SALE  
-----  
0412368 1 EA 2.49 EA 2.49  
BOLT TOILET 5/16  
0401102 1 EA 10.99 EA 10.99  
TOILET FLANG REPAIR RING  
SUB-TOTAL: 13.48 TAX: .93  
TOTAL: 14.41  
CASH TEND: 15.00 CHANGE: .59  
==>> JRNL#E30346  
CUST # \*9 <<==

8/26/12 3:18PM DRC 353 SALE  
-----  
0411897 2 EA 2.79 EA 5.58  
GASKET BOWL MAX  
SUB-TOTAL: 5.58 TAX: .38  
TOTAL: 5.96  
CASH TEND: 6.00 CHANGE: .04  
==>> JRNL#E30347  
CUST # \*9 <<==

XXXXXXXXXXXXXXXX1928  
5817991533079  
314Z AMT: 96.17  
ence #:386852 Bat#000184

MASTERCARD EXPR: XXXX

D86852 <<==  
T # \*9

THANK YOU MICHAEL V ROBB  
FOR YOUR PATRONAGE

*Michael V Robb*

TRINIDAD DEFAULT CASH CUSTOMER

3 pay above total amount

Thank you for shopping at  
BIG R OF TRINIDAD, INC.  
(719) 845-1864

SHOP 24/7 @ WWW.BIGRONLINE.COM

5/05/12 1:36PM JMW 353 SALE

0312673 1 EA 17.99 EA  
KIT LDFREE SOLDER 17.99  
0407223 2 EA 17.99 EA  
CONNECTOR WATER 18in 35.98  
0416767 1 EA 35.99 EA \*  
RIGID COPPER 1in TYPE M 35.99

SUB-TOTAL: 89.96 TAX: 8.21

TOTAL: 96.17  
BC AMT: \$96.17

BK CARD#: XXXXXXXXXXXXXXX1928  
ID: 454205817991533079  
AUTH: R9314Z AMT: 96.17  
Host reference #: 386852 Bat#000184  
SWIPED  
CARD TYPE: MASTERCARD EXPR: XXXX

==>> JRNL#D86852 <<==  
CLST # \*9

THANK YOU MICHAEL V ROBB  
FOR YOUR PATRONAGE

*Michael V Robb*

Name: X  
Acct: TRINIDAD DEFAULT CASH CUSTOMER

I agree to pay above total amount  
according to card issuer agreement





Sales Person:

Wvs Rain Jacket	49.99
0799967269383	Rewards Points: 75
Wanted Good Woman	9.99
0830331900829	Rewards Points: 15
Prowler 45lb	169.99
0033548905926	Rewards Points: 255
Recreational Vest	19.99
0043311951104	Rewards Points: 30
Youth Recreational	15.99
0043311295116	Rewards Points: 24
Childs Recreation	15.99
0043311195119	Rewards Points: 24
Recreational Vest	19.99
0043311951227	Rewards Points: 30
Recreational Vest	19.99
0043311951227	Rewards Points: 30
Recreational Vest	19.99
0043311018227	Rewards Points: 30
Recreational Vest	19.99
0043311018227	Rewards Points: 30
Recreational Vest	19.99
0043311018234	Rewards Points: 30
Telescopic Paddle	24.99
0029027017365	Rewards Points: 38
Boat Hook & Paddl	17.99
0029027017037	Rewards Points: 42
Fender Whip-2 Pac	14.99
0033548308420	Rewards Points: 8
Vinyl Fender Hu G	11.99
0040011314208	Rewards Points: 18
Vinyl Fender Hu G	11.99
0040011314208	Rewards Points: 18

Outdoor Rewards Number: \*\*\*\*\*3502  
 Total Points Earned: 612  
 Balance: \$12.24

Items: 16	Sub Total	\$463.84
Sales Tax	7.62%	\$35.34
Total		\$499.18
REWARDS		
*****3502		\$84.30

374.89

Outdoors Rewards Customer #\*\*\*\*\*3502  
 Balance: \$12.24



More saving.  
 More doing.<sup>SM</sup>

4450 N FREEWAY  
 PUEBLO, CO 81008 719-545-5400  
 1511 00002 72294 09/28/12 05:07 PM  
 CASHIER APRIL - AFG4536  
 678885073114 DECK OVER <A> 158.00  
 PREM EXT DECKOVER 5000 5G  
 077089144123 ROLLER COVER <A>  
 BETTER 9 X 1/2 IN KNIT POLY ROLLER 11.61  
 303.87  
 090489145149 10' PT RB WS <A>  
 2X6-10FT #1 PT RED/BRN WEATHERSHIELD 39.85  
 507.97  
 090489145156 12' PT RB WS <A>  
 2X6-12FT #1 PT RED/BRN WEATHERSHIELD 39.88  
 409.97  
 814631010471 2X6-12 KD DF <A>  
 2X6-12FT #2/BTR KD DOUG FIR 72.20  
 1007.22

SUBTOTAL 321.54  
 SALES TAX 23.79  
 TOTAL \$345.33  
 XXXXXXXXXXXX8948 HOME DEPOT 345.33  
 AUTH CODE 028631/8020497 TA



WESTLAND RESOURCES, LLC

**INVOICE**

**Customer**

Name City Of Trinidad  
 Address \_\_\_\_\_  
 City Trinidad State CO ZIP 81082  
 Phone \_\_\_\_\_

**Misc**

Date 1/30/2013  
 Order No. \_\_\_\_\_  
 Rep \_\_\_\_\_  
 FOB \_\_\_\_\_

Qty	Description	Unit Price	TOTAL
1	Planning and installation of landscaping at all cabins includes grading, placing fill dirt, compacting, installation of timbers and staining, topdress with heavy gravel material  includes use of tractor and compactor	\$5,025.00	\$ 5,025.00

SubTotal	\$ 5,025.00
Shipping	
<b>TOTAL</b>	<b>\$ 5,025.00</b>

**Payment**

Select One...

Comments \_\_\_\_\_  
 Name \_\_\_\_\_  
 CC # \_\_\_\_\_  
 Expires \_\_\_\_\_

Tax Rate(s)

Office Use Only

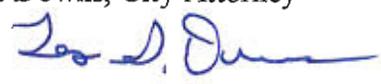
*Insert Fine Print Here*

*Insert Farewell Statement Here*



CITY OF TRINIDAD, COLORADO  
1876

### COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Les Downs, City Attorney  
**DEPT. HEAD SIGNATURE:**   
**# OF ATTACHMENTS:** 1

**SUBJECT:** Ordinance providing for a moratorium until October 1, 2013, on the submission, acceptance or processing of applications and the licensing, permitting, establishment or operation of any recreational marijuana business that sells, cultivates, manufactures, prepares, packages, purchases, tests, or otherwise provides form or allows the use of marijuana or marijuana products to Amendment 64 approved by the votes of the state of Colorado at the November 6, 2012, General Election, and codified as Article XVIII, Section 16 of the Colorado Constitution, including the use of land for such purpose or purposes

**PRESENTER:** Les Downs, City Attorney

**RECOMMENDED CITY COUNCIL ACTION:** Consider approving the ordinance on first reading and conduct a public hearing and second reading on April 2, 2013.

**SUMMARY STATEMENT:** The proposed ordinance would provide a moratorium that would allow time for some legislation to be created on the state level, perhaps the City level and time to see how this matter is addressed on the federal level.

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** N/A

**ALTERNATIVE:** N/A

#### BACKGROUND INFORMATION:

- This item was discussed at a work session on February 26, 2013 and March 12, 2013 and information has been provided.
- City Ordinance No. 1892, amending §9-4 of the Trinidad Municipal Code of Ordinances, effective 11/27/2009, made it unlawful for any person to carry on or engage in any business within the City limits that is in violation of any federal law or any law of the State of Colorado. This ordinance would specifically address Amendment 64 and use of marijuana.
- The ordinance is patterned after one adopted by Lafayette, Colorado, that seems to adequately address the preliminary issues of this matter.



CITY OF TRINIDAD, COLORADO

**ORDINANCE NO.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, PROVIDING FOR A MORATORIUM UNTIL OCTOBER 1, 2013, ON THE SUBMISSION, ACCEPTANCE OR PROCESSING OF APPLICATIONS AND THE LICENSING, PERMITTING, ESTABLISHMENT OR OPERATION OF ANY RECREATIONAL MARIJUANA BUSINESS THAT SELLS, CULTIVATES, MANUFACTURES, PREPARES, PACKAGES, PURCHASES, TESTS, OR OTHERWISE PROVIDES FOR OR ALLOWS THE USE OF MARIJUANA OR MARIJUANA PRODUCTS PURSUANT TO AMENDMENT 64 APPROVED BY THE VOTERS OF THE STATE OF COLORADO AT THE NOVEMBER 6, 2012, GENERAL ELECTION, AND CODIFIED AS ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, INCLUDING THE USE OF LAND FOR SUCH PURPOSE OR PURPOSES

WHEREAS, at the November 6, 2012, general election, the voters of the State of Colorado adopted Amendment 64 to the Colorado Constitution ("Amendment 64") which is codified as Article XVIII, § 16 of the Colorado Constitution; and

WHEREAS, Amendment 64 permits persons twenty-one years of age and older to possess, use, display, purchase or transport one ounce or less of marijuana, or marijuana accessories, to grow limited amounts of marijuana and manufacture and sell marijuana accessories; and

WHEREAS, Amendment 64 also provides for the establishment of marijuana establishments, which include cultivating, testing and product manufacturing facilities, and retail marijuana stores; and

WHEREAS, Amendment 64 requires that by no later than July 1, 2013, the Colorado Department of Revenue shall adopt regulations to implement Amendment 64; and

WHEREAS, Amendment 64 provides that by October 1, 2013, the Colorado Department of Revenue is to begin accepting and processing license applications for marijuana establishments; and

WHEREAS, Amendment 64 further provides that local governmental entities may enact ordinances and regulations governing the time, place, manner and number of marijuana establishments and that by October 1, 2013, each locality adopt marijuana establishment licensing regulations in the event the Colorado Department of Revenue fails to adopt regulations or accept applications; and

WHEREAS, on December 10, 2012, Governor John Hickenlooper established a Task Force regarding the implementation of Amendment 64 whose goal is to assist the legislature and the Department of Revenue to enact efficient and effective laws and regulations that provide for the implementation of Amendment 64; and

WHEREAS, the Task Force has identified areas subject to the state's regulation which include, but are not limited to, blending medical marijuana regulation with recreational marijuana, consideration of state operated recreational dispensaries, impact of state licensing upon local authority, regulation of personal grows, definition of "openly and publicly", regulatory framework for all types of consumption, pre-emption of local regulations and grower regulations; and

WHEREAS, in addition to awaiting direction from the state, because marijuana is a controlled

substance under federal law, both state and local authorities are uncertain as to what action, if any, the federal government may pursue regarding "recreational marijuana businesses", which includes but is not limited to cultivation, product manufacturing and testing facilities along with retail marijuana stores and other uses of property for the commercial consumption of marijuana and marijuana products; and

WHEREAS, absent any definitive direction or guidelines from either the state or federal government regarding the regulation of recreational marijuana businesses, the City cannot at this time determine its position regarding what if any regulations or prohibitions, including land use regulations, it may or must impose on recreational marijuana businesses; and

WHEREAS, the imposition of a moratorium until October 1, 2013, on the submission, acceptance or processing of applications and the licensing, permitting, establishment or operation of any recreational marijuana business that sells, cultivates, manufactures, prepares, packages, purchases, tests, or otherwise provides for or allows the use of marijuana or marijuana products pursuant to Amendment 64, including the use of land for such purpose or purposes, is reasonable and necessary for the City to develop, if necessary, its own licensing scheme for marijuana establishments and to have had an opportunity to investigate, develop, adopt and implement, and if necessary amend regulations it deems appropriate to regulate recreational marijuana businesses as necessary to protect the public's health safety, and welfare.

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

Section 1. The foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the City Council of the City of Trinidad, Colorado.

Section 2. Upon the adoption of this Ordinance a moratorium is imposed until October 1, 2013, on the submission, acceptance, or processing of applications and the licensing, permitting, establishment or operation of any recreational marijuana business that sells, cultivates, manufactures, prepares, packages, purchases, tests, or otherwise provides for or allows the use of marijuana or marijuana products pursuant to Amendment 64 approved by the votes of the State of Colorado at the November 6, 2012, general election and codified as Article XVIII, § 16 of the Colorado Constitution, and upon the use of land for such purpose or purposes.

Section 3. During the pendency of this moratorium, City staff shall review all laws and regulations enacted by the state or actions of the federal government regarding recreational marijuana businesses and advise Council of the same and, if so directed by Council, prepare ordinances and or regulations with respect to the time, place, manner, licensing and other regulations regarding recreational marijuana businesses.

Section 4. If any article, 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 one part or parts be declared unconstitutional or invalid.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 6. The repeal or modification of any provision of the Code of Ordinances of the City of Trinidad, Colorado, by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose or sustaining any and all proper actions, suits, proceeding and prosecutions for enforcement of the penalty,

forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 7. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_, READ AND ORDERED PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 2013;

FINALLY PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2013.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF TRINIDAD, COLORADO

\_\_\_\_\_  
BERNADETTE BACA GONZALEZ, Mayor

ATTEST:

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



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Tom Acre, City Manager  
**DEPT. HEAD SIGNATURE:**  
**# OF ATTACHMENTS:** 0

**SUBJECT:** Appointment to the Southern Colorado Economic Development District Board of Directors

**PRESENTER:** Tom Acre, City Manager

**RECOMMENDED CITY COUNCIL ACTION:** Consider reappointment of Planning Director Louis Fineberg

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** Las Animas County and the City have an agreement in place that each entity nominate an individual to be appointed to the SCEDD Board of Directors to represent Las Animas County.

**ALTERNATIVE:** Another appointee could be named if Council so desires

### BACKGROUND INFORMATION:

- Las Animas County is a member county of the Southern Colorado Economic Development District (SCEDD), created in 1972 for the purpose of furthering economic development within the counties comprising SCEDD.
- SCEDD assists its member counties in Southeastern Colorado in pursuing economic development opportunities including support for projects and programs to stimulate economic growth, support existing businesses and industries and attract new economic development opportunities for the economic well being of Southeastern Colorado.
- Each member county of SCEDD is authorized to appoint two voting members to the SCEDD Board of Directors.
- Las Animas County and the City have agreed that each entity would nominate an individual to be appointed to the SCEDD Board of Directors to represent Las Animas County.
- Louis Fineberg was the most recent appointment. His term expired 12/31/2012. He has been active on the Board.



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Tom Acre, City manager  
**DEPT. HEAD SIGNATURE:**   
**# OF ATTACHMENTS:** 1

**SUBJECT:** Resolution designating a representative of the City to the NPGA Board of Directors and to the GSA Management Committee, and alternate representatives to the same

**PRESENTER:** Tom Acre, City Manager

**RECOMMENDED CITY COUNCIL ACTION:** Consider appointments as identified within the resolution

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** Appointments are required pursuant to the Interlocal Agreement and Gas Supply Agreement with NPGA and their bylaws

**ALTERNATIVE:** N/A

### BACKGROUND INFORMATION:

- This item was discussed at the work session on March 12, 2013.



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, DESIGNATING A REPRESENTATIVE OF THE CITY TO THE NPGA BOARD OF DIRECTORS AND TO THE GSA MANAGEMENT COMMITTEE, AND ALTERNATIVE REPRESENTATIVES TO THE SAME

WHEREAS, the City of Trinidad, Colorado, is a party to the Interlocal Agreement creating the National Public Gas Agency (NPGA) and the Gas Supply Agreement (GSA); and pursuant to the terms of said Agreements, it is the responsibility of the City of Trinidad to designate a representative and alternate representative to the National Public Gas Agency Board of Directors and a representative and alternate representative to the GSA Management Committee provided for under the terms of said Agreements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Trinidad, Colorado, that:

1. The City Clerk is hereby directed to give written notice to the National Public Gas Agency of the appointment of City Manager Tom Acre to serve as director to represent the City to said Board of Directors, and Utilities Supt. Jim Fernandez to serve as the alternate director.
2. The City Clerk is hereby directed to give written notice to the National Public Gas Agency of the appointment of City Manager Tom Acre as the City's representative to said GSA Management Committee, and Utilities Supt. Jim Fernandez to serve as the alternate.

INTRODUCED, READ AND ADOPTED this 19th day of March, 2013.

(SEAL)

\_\_\_\_\_  
BERNADETTE BACA GONZALEZ, MAYOR

ATTEST:

\_\_\_\_\_  
AUDRA GARRETT, CITY CLERK



CITY OF TRINIDAD, COLORADO  
1876

## COUNCIL COMMUNICATION

**CITY COUNCIL MEETING:** March 19, 2013  
**PREPARED BY:** Tom Acre, City Manager  
**DEPT. HEAD SIGNATURE:**   
**# OF ATTACHMENTS:** 0

**SUBJECT:** Consideration of amending Council rules and order of business as it pertains to the Regular Meeting Agendas of the Trinidad City Council to identify Committee Reports only when there are reports to be provided and to add Council Reports

**PRESENTER:** Tom Acre, City Manager

**RECOMMENDED CITY COUNCIL ACTION:** Approve the amendment that will provide for greater Council communication and efficiency during the Council meetings.

**SUMMARY STATEMENT:** N/A

**EXPENDITURE REQUIRED:** No

**SOURCE OF FUNDS:** N/A

**POLICY ISSUE:** Chapter 2, Article 3, Division 1, Council Meetings, sets for the conduct of City Council Meetings. Section 2-15 Council meetings - Rules and order of business, subsection (28) provides: Amendment of rules. These rules may be amended at any meeting of the City Council, by consent of two-thirds (2/3) of the members present; provided, however, any rule or rules amended shall not take effect as amended until the next regular meeting.

**ALTERNATIVE:** N/A

### BACKGROUND INFORMATION:

- Pursuant to Chapter 2, Article 3, Division 1, Council Meetings, which sets for the conduct of City Council Meetings any rule or rules amended shall not take effect as amended until the next regular meeting.

7k



CITY OF TRINIDAD, COLORADO  
— 1876 —

## Council Communication

City Council Meeting: March 19, 2013

Prepared: March 15, 2013

Dept. Head Signature: Tom Acre

# of Attachments: 1

A handwritten signature in blue ink, appearing to be 'Tom Acre', is written over the printed name. The signature is stylized and somewhat abstract.

**SUBJECT:** Letter of Support for Las Animas and Huerfano Counties SHIP Program Funding.

**Presenter:** Tom Acre, City Manager

**Recommended City Council Action:** City Council approval of motion authorizing the Mayor to sign the letter of support for DORA to continue funding the SHIP Program in Las Animas and Huerfano Counties

**Summary Statement:** The City received a request from Georgette Santistevan, the EBD Administrator for Alta Vista Alternatives requesting the City provide letter of support to DORA on the importance for continued funding from for the SHIP program. In discussions with staff she indicated the \$5,000 funding was at risk of being pulled for use in the Denver Metro Area by DORA. She requested the City provide a letter of support to not pull the funding before the end of March 2013.

**Expenditure Required:** No expenditure is required.

**Source of Funds:** Not Applicable

**Policy Issue:** Provide letter of support for a program affecting senior citizens in Trinidad, Las Animas County and Huerfano County.

**Alternative:** Not Applicable

**Background Information:** See attached letter from Alta Vista Alternatives

7k



City of Trinidad  
Office of the City Manager  
P.O. Box 880  
Trinidad, Colorado 81082  
Telephone (719) 846-9843  
Fax (719) 846-4140  
[www.historictrinidad.com](http://www.historictrinidad.com)

March 19, 2013

Ms. Alice lerley  
SHIP/SMP Director  
DORA  
1560 Broadway  
Suite 850  
Denver, CO 80202

RE: Las Animas and Huerfano Counties SHIP Program Funding

Dear Ms. lerley,

It has come to our attention that the \$5,000 currently allocated to Alta Vista Alternatives to administer the SHIP Program for Las Animas and Huerfano Counties is in danger of being canceled at the end of March 2013. . The City of Trinidad is writing this letter to request funding for this program be continued.

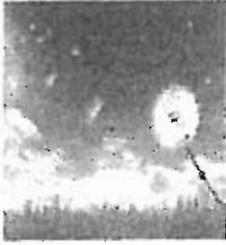
Las Animas and Huerfano Counties have a large population of seniors who are eligible for and can take advantage of the SHIP Program. Without this program we feel these residents would not have access to information and counseling regarding prescription drug plans and Medicare Supplemental Insurance plans and assistance in enrollment process and resolving issues. Many of these seniors may not be able to afford medical assistance and medications if they do not have access to this important program.

The City of Trinidad City Council requests that DORA continue the SHIP Program for Las Animas and Huerfano counties.

Sincerely,

Bernadette Baca Gonzalez  
Mayor, City of Trinidad

cc: Members of City of Council  
Georgette Santistevan, Alta Vista Alternatives



Like the Winds of the seasons  
VISTA  
Is where new adventures begin

Alta Vista Alternatives  
Homemaker & Personal Care Services  
415 South Indiana  
Trinidad, CO 81082  
Telephone: (719) 680-3390  
Fax: (719) 846-4608

February 11, 2013

Bernadette Baca Gonzales, Mayor  
City Council Members  
City Hall  
135 North Animas  
Trinidad, CO 81082

**SUBJECT: DISCONTINUATION OF STATE HEALTH INSURANCE PROGRAM**

Dear Honorable Mayor and City Council Members:

The State Health Insurance Program (SHIP Program) is a State funded program that offers free, confidential and unbiased information and counseling regarding prescription drug plans and Medicare Supplemental Insurance plans. This includes enrollment assistance and help solving issues with said plans. The State Health Insurance Program (SHIP Program) for Las Animas & Huerfano counties is located at Alta Vista Alternatives. The local SHIP Program had been a part of Seniors Inc. and when it closed in July 2012, the community lost the SHIP Program. Alta Vista Alternatives applied to become the SHIP Program representative for the community and began business on October 1, 2012. The agency serves both the Trinidad and Walsenburg areas. During the short time we've provided SHIP services we were able to assist 69 citizens and distributed pamphlets to over 20 area locations that are visited by seniors.

On Friday, February 1, 2013 Alta Vista Alternatives was notified that the SHIP program in our area is going to be cancelled effective March 2013. Alice Jerley, Director, explained that the \$5,000 allotted to Alta Vista Alternatives would be better used in the metro areas.

This would be devastating to Las Animas and Huerfano counties because the SHIP program helps people to understand their Medicare options, make informed choices, know their rights and save money. If people do not enroll in a Medicare Prescription D plan by age 65, they will pay a life-time penalty and in this weak economic environment in an already economically deprived community it creates yet another burden for our citizens.

Alta Vista Alternatives is asking that you support this much needed program. Thank you.

Yours truly,

Georgette Santistevan  
EBD Administrator  
Alta Vista Alternatives