



CITY OF TRINIDAD
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad,
Colorado, will be held on Tuesday, August 6, 2013 at 7:00 P.M.
in City Council Chambers at City Hall

The following items are on file for consideration of Council:

- 1) **ROLL CALL**
- 2) **APPROVAL OF MINUTES**, Regular Meeting of July 16, 2013 & Special Meeting of July 30, 2013
- 3) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 4) **COUNCIL REPORTS**
- 5) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 6) **UNFINISHED BUSINESS**
 - a) Public hearing for consideration of an ordinance amending sections contained in Chapter 4 ("Animals"), Article 2 ("Impounding") and Article 3 ("Dogs and Cats"), of the Code of the City for the purpose of decreasing the required impoundment duration of animals and to more closely align said Chapter to the Colorado Revised Statutes pertaining to dogs
 - 1) Second reading of an ordinance amending sections contained in Chapter 4 ("Animals"), Article 2 ("Impounding") and Article 3 ("Dogs and Cats"), of the Code of the City for the purpose of decreasing the required impoundment duration of animals and to more closely align said Chapter to the Colorado Revised Statutes pertaining to dogs
- 7) **MISCELLANEOUS BUSINESS**
 - a) Hotel and Restaurant liquor license renewal request by David H. Liu d/b/a Chef Liu's Chinese Restaurant at 1423 Santa Fe Trail
 - b) Special Events Permit application (malt, vinous and spirituous) by Arthur Roy Mitchell Memorial, Inc. at 150 E. Main Street for September 6 & 14, 2013 (Smithsonian Show on 9/6 & Cardango for the Artocade on 9/14)
 - c) Hotel and Restaurant liquor license renewal request by Wonderful House Trinidad, Inc. d/b/a Wonderful House Trinidad at 415 University
 - d) Hotel and restaurant liquor license renewal request by Rino's Restaurant, LLC d/b/a Rino's Restaurant at 400 E. Main Street
 - e) Special Events Permit application (malt, vinous and spirituous) by Trinidad Roundup Association at 206 N. Animas Street (Sebastiani Gym) for August 31, 2013 (Labor Day Queen Dance)
 - f) First reading of an ordinance submitting proposed Home Rule Charter amendments regarding composition of boards and commissions, contracts for improvements, and circumstances pertaining to contract effective dates to the registered electors of the City at the Regular Municipal Election to be held on November 5, 2013, and setting a hearing date for consideration of said ordinance
 - g) First reading of an ordinance to amend those sections of the Code of Ordinances of the City of Trinidad, Colorado, which set forth a residency requirement for membership on City boards and commissions, and setting a hearing date for consideration of said ordinance
 - h) Resolution updating the City of Trinidad Three-Mile Area Plan
 - i) Appointments to the City Tree Board



Trinidad City Council Agenda
August 6, 2013
Page 2

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

- j) Memorandum of Agreement for Participation in the Colorado Department of Local Affairs' Main Street Program
- k) Authorize purchase of four vehicles (from Pioneer Natural Resources – three for the Water Department and one for the Power & Light Department)

8) **BILLS**

9) **PAYROLL**, July 20, 2013 through August 2, 2013

10) **ADJOURNMENT**

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

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, July 16, 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, Velasquez
Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

The pledge of allegiance was recited.

APPROVAL OF THE MINUTES. Special Meeting of July 1, 2013 and Regular Meeting of July 2, 2013. A motion to approve the minutes as presented was made by Councilmember Velasquez and seconded by Councilmember Shew. The motion carried unanimously.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. Ken Fletcher addressed Council. He prefaced his remarks by saying that people may not agree with what he was about to say, but that would be their opinions and he has his own opinion. Mr. Fletcher said we've got some problems having to do with Jamie Sue Gagliardi's mortuary records. He said they were taken from him by the Mayor the last time he was before Council on June 4, 2013. He continued that one of the people who spoke after him (that evening) made a ghoulish statement that if Jamie Sue Gagliardi really wanted Ken Fletcher to have those records she would have given them to him before she got sick and died. No one knew Ms. Gagliardi was going to die. Some people do survive cancer. Mr. Fletcher recalled that the Mayor said that a person would have to go to Denver to order pictures of the Aultman collection. Mr. Fletcher said that is not true and never has been. Glenn Aultman sold his father's pictures to live and eventually the pictures went to Denver. At the history room in the library there are two large binders filled with information and numbers about how to order them from the Colorado Historical Society. They are listed by number and people, A through Z. You do not have to go to Denver to get them. Mr. Fletcher said he's been involved since he came to this town in 2000 with a lot of things because he likes the history, including creating a collection of obituaries for the library dating back to 1888 from microfilm. He opined that for years it has been very difficult to keep the history room intact. He thanked the people who sponsored the microfilming and maintaining the microfilm reader. He said he did a large microfilming of Trinidad newspapers that had never been done, constituting 44 rolls of film costing \$5,394.20. The people who came up with the money on their own for this project were Charlie Latuda, Buzz Sawaya, Dave Shier, Jamie Sue Gagliardi, the Trinidad Historical Society and the Library Foundation. He also thanked Mrs. Cappelucci who bought two rolls of Italian newspapers as well as the Mr. and Mrs. Bearden Foundation, Mary Ellen Hadad, Friends of Trinidad, Joe DeGarbo, Joe Tarabino, First National Bank, Century Savings & Loan, Community First National and the Mormon Foundation. They also microfilmed seven rolls of Holy Trinity Catholic Church records of baptism, death, confirmation and marriages, etc. No money was spent by the City to do this. He concluded that since 2009 he has had no more involvement because of what has happened at the library.

Gerri Snyder addressed Council. She said the spray fountain at Cimino Park is broken and it has been for some time. She said it is important for the City's children, adding that last year the recreation center was closed on the 4th of July and all of the kids were at Cimino Park having fun. Mayor Baca Gonzalez told Ms. Snyder that City Manager Acre had addressed the issue at a previous meeting and she was sure he would communicate with her. She added that she appreciated her being a responsible citizen and reporting it. Ms. Snyder said she has been interested in City government for a long time but had to leave Trinidad. Since she's returned she said she wants to be involved. Things need to be done. Finally, she said she didn't know Ken Fletcher would be here this evening and said from her brief work at the library she believes Mr. Fletcher should be recognized as a Trinidad historian and freedom of speech should never involve slander.

COUNCIL REPORTS. Councilmember Bonato said he is a native of Trinidad and each morning he looks at the beautiful mountains and surroundings we have. He thought we have probably all taken them for granted. Last Tuesday there was a major fire on Fisher's Peak. He thanked all of the first responders and people who put their heart and soul out there to get the fire out. It would have been a tragedy had the fire come down the ridge into the Allendale area. The firefighters were true professionals and they did a great job in controlling this fire. He pointed out that City Manager Acre was in contact with Council and in meetings and advising Council as to what was transpiring. He and the employees learned valuable lessons. He reiterated his appreciation to the firefighters and volunteers for their help. They are keeping a close eye on it because there might still be hot spots. He acknowledged the County's assistance as well. He said our community pulled together. Councilmember Bonato next reported that he was unable to attend the Mt. Carmel Festival; however he attended the spaghetti dinner on Sunday. He said there were no political-type discussions, just open, nice conversations. Karl Gabrielson from Mt. Carmel told him they served over 250 spaghetti dinners.

Councilmember Velasquez said she was happy to hear that the City and County worked closely together on the fire. It was great to hear that.

Councilmember Miles echoed the sentiment. She also thanked City Manager Acre for the frequent updates on the fire which enabled her to keep people well informed who posed questions to her. Secondly she reported that she attended the Economic Development Board Meeting recently. They are working really hard to clean up the lack of audits that has gone on. Things are in the works to catch up on the audits and are on pace with the strategic plan. Finally she said that she supports the idea of getting the Urban Renewal Authority up and running again. City Manager Acre said staff is working on it and will work to introduce it in August.

Councilmember Mattie said that Las Animas County Commissioner Anthony Abeyta wanted to attend this evening but had a schedule conflict. He wanted to point out that he was quite appreciative of the City's help with the fire. There

was City representation from the start to the finish by City Manager Acre. Commissioner Abeyta recognized the presence of City Manager Acre as well as Executive Secretary Anna Ridolfi and Fire Chief Leroy Perea. He appreciated the collaboration and solidarity between the City and the County. Councilmember Mattie added that the City was able to provide maps within a few hours that they would not have otherwise had that quickly. City Manager Acre thanked Jeni Jackson in the Engineering Department for helping with those maps. He pointed to a copy of the final map of the fire area at Council's seating places.

Councilmember Shew had nothing to report.

Councilmember Bolton told Council that she had occasion to ride the Amtrak train to Kansas City and happened to be seated in the dining car with several higher-ups with the Boy Scouts of America returning from Philmont Ranch. She said she talked to them about the possible termination of the Southwest Chief route. They were totally unaware of it and shocked. The representatives from the Boy Scouts said that Philmont is on the verge of a possible large expansion and they promised to mail the names and addresses of people in the organization to get involved in retaining the Southwest Chief. She said she hoped they come through with the promise.

Mayor Baca Gonzalez acknowledged the individuals in the community who stepped up to donate to assist the firefighters. She said Ms. Ridolfi was there some times from five in the morning and would then work a full day. She commended her for that. Also she said Dave Grove asked her to make a monetary contribution on his behalf to the firefighters because he was out of town. There is a tremendous support group in the City. She credited our wonderful community for pulling their resources.

REPORT BY CITY MANAGER. Nearby Fires. City Manager Acre said regarding the nearby fires last week, it was a good educational opportunity and a way for him to connect with the County's emergency manager as the City's emergency manager and get to know people in the state. He said the Incident Manager was from New Mexico who comes into Trinidad a lot. Some training the City can use is in our work to redo the Emergency Management Plan. The incident team was very open to having all of us learn and we can use the information for any kind of event. He said it was worthwhile for him to have spent that time. He expressed appreciation to Executive Secretary Anna Ridolfi, Fire Chief Leroy Perea, Captain Tim Howard and Engineering Tech. Jeni Jackson. He concluded that there are two more fires east of the peak currently that are smaller.

Broadband. City Manager Acre told Council that he will be attending a meeting in Walsenburg tomorrow with IT Director Dennis Fixmer on regional broadband.

Finance Director. City Manager Acre informed Council that the new Finance Director started today and he would bring him to the next Council work session for an introduction.

REPORT BY CITY ATTORNEY. Town Hall Meeting. City Attorney Downs told Council that while he understands Council's need and desire to hold a town hall meeting regarding ARPA (Arkansas River Power Authority) and ARPA issues, such a meeting from a legal perspective is not a good idea at this time. The City has very protracted, lengthy litigation right around the corner. Anything to do with public context will be under the microscope. He concluded that his recommendation is that a town hall-type meeting not be held regarding ARPA prior to litigation.

CIRSA (Colorado Intergovernmental Risk Sharing Agency). City Attorney Downs advised Council that Tami Tanoue of CIRSA will be here next week to address Council and has a lot to talk about. He asked Council to let him know if there was anything they wanted Ms. Tanoue to add to her agenda of discussion items so she has advance notice.

Marijuana. City Attorney Downs stated that he is working feverishly on a marijuana presentation to Council for July 30th. He asked Council to let him know if they had any specific questions they would like him to cover. He said he'd mainly be covering the laws as presently constituted and memorialized in the emergency regulations.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. Retail liquor store license renewal request by Opera House Wine & Spirits, LLC d/b/a Tire Shop Wine & Spirits at 601 W. Main Street. Carol Cometto addressed Council on behalf of the licensee as the manager of the store. Ms. Cometto provided a clarification regarding an incident that occurred whereby there was police involvement. City Attorney Downs opined that the incident was not a liquor license violation. A motion to approve the license renewal was made by Councilmember Bolton and seconded by Councilmember Mattie. The motion carried unanimously excepting Councilmember Miles who abstained. Prior to roll call, Ms. Cometto announced that a group of people have formed a bocce ball league consisting of 12 teams at Cimino Park. She said the group intends to clean and maintain the court. She extended appreciation to the City for having installed the court.

Appointment of Housing Authority Board Member. Mayor Baca Gonzalez announced the names of the applicants, Nick DeBono and Marie George, and said they are vying for the same seat. City Council needs to select one person to the Board for a five-year term. She thanked the applicants for their interest and Ms. George for her past service. A motion to reappoint Marie George to the Housing Authority Board was made by Councilmember Bonato. The motion was seconded by Councilmember Velasquez and carried with all Council Members voting aye except Councilmember Shew who abstained. Councilmember Bonato thanked Ms. George for being present this evening adding that he thought it illustrated her respect for City Council.

First reading of an ordinance amending sections contained in Chapter 4 ("Animals"), Article 2 ("Impounding") and Article 3 ("Dogs and Cats"), of the Code of Ordinances of the City of Trinidad for the purpose of decreasing the required impoundment duration of animals and to more closely align said Chapter to the Colorado Revised Statutes pertaining to dogs, and setting a hearing date for consideration of said ordinance. The ordinance was introduced by Councilmember Bolton and then read aloud in its entirety. A motion to approve the ordinance on first reading and consider it further at a public hearing at 7:00 p.m. on August 6, 2013, was made by Councilmember Shew and seconded by Councilmember

Bolton. Upon roll call vote, the motion carried unanimously.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS CONTAINED IN CHAPTER 4 ("ANIMALS"), ARTICLE 2 ("IMPOUNDING") AND ARTICLE 3 ("DOGS AND CATS"), OF THE CODE OF ORDINANCES OF THE CITY OF TRINIDAD FOR THE PURPOSE OF DECREASING THE REQUIRED IMPOUNDMENT DURATION OF ANIMALS AND TO MORE CLOSELY ALIGN SAID CHAPTER TO THE COLORADO REVISED STATUTES PERTAINING TO DOGS

Resolution adopting a policy for the naming of public property. Mayor Baca Gonzalez reminded Council that Asst. Planner Karen Wolf presented the policy at the previous work session. Councilmember Bolton commented that she liked the change made to Article 5, Section 4. A motion to adopt the resolution was made by Councilmember Miles and seconded by Councilmember Velasquez. The motion carried unanimously upon roll call vote.

RESOLUTION NO. 1416

RESOLUTION ADOPTING A POLICY FOR THE NAMING OF PUBLIC PROPERTY

Consideration of bid results for Project #03-2013 Asphaltic Paving. City Manager Acre reminded Council that this item was discussed at the previous work session. He said staff is ready to go forward with the project and requests Council accept the low bid and allow the Mayor to sign the standard construction contract pending the relative contract documents. Councilmember Mattie moved to accept the bid received from Walsenburg Sand & Gravel in the amount of \$602,420 for Project #03-2013, the 2013 Asphalt Paving Project, and authorize the Mayor to execute the City's standard contract document contingent for said contract upon receipt of the required payment and performance bonds. The motion was seconded by Councilmember Bonato and carried by a unanimous roll call vote.

BILLS. A motion to approve payment of the bills was made by Councilmember Bolton. The motion was seconded by Councilmember Velasquez. Roll call was taken on the motion and it carried unanimously.

PAYROLL, July 6, 2013 through July 19, 2013. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Bonato. 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; or personnel policies that do not require the discussion of matters personal to particular employees – Quarterly informal City Manager review of performance and relationship to Council. A motion to enter into executive session for the stated purpose was made by Councilmember Velasquez and seconded by Councilmember Bonato. Upon roll call vote the motion carried unanimously. The executive session ensued at 8:05 p.m. Upon conclusion of the executive session at 8:58 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 Mattie and seconded by Councilmember Bolton. The meeting was adjourned by unanimous voice vote of Council.

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk

The City Council of the City of Trinidad, Colorado, met in Special Session on Tuesday, July 30, 2013, at 1:30 p.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Tuesday, July 30, 2013, at 1:30 p.m. in the Council Chambers at City Hall

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

- 1) Authorize Mayor's execution of a letter of support for the DOLA grant application for the Commercial Street Project
- 2) Approval of Boulevard Addition Nature Park GOCO Grant Property Purchase Agreements

The meeting was called to order at 1:30 p.m.

Roll call was taken.

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.

Authorize Mayor's execution of a letter of support for the DOLA (Department of Local Affairs) grant application for the Commercial Street Project. City Planner Fineberg reminded Council of their previous work session discussion. A motion to authorize the Mayor's execution of a letter of support as requested was made by Councilmember Bolton. The motion was seconded by Councilmember Shew and carried unanimously upon roll call vote.

Approval of Boulevard Addition Nature Park GOCO (Great Outdoors Colorado) Grant Property Purchase Agreements. City Planner Fineberg addressed Council at City Manager Acre's suggestion to provide an update regarding this grant. He told Council that the property proposed to be purchased by the City as part of this grant has three owners and totals approximately 28 acres. Charles Milosevich is the majority owner with just under 26 of the 28 acres. The remainder is owned by two separate owners. He said that the original appraisal for that land came in at \$8,800 per acre. The City used that appraisal to determine the amount to seek funding for from GOCO. A second appraisal was done and it came back less than the original amount at approximately \$5,200 per acre. City Planner Fineberg said staff sent out purchase agreements to each of the three owners. Mr. Milosevich has signed and returned the purchase agreement he was sent. His is the bulk of the land. He identified the area as that area along the river, on both sides of the river, across from I-25 where Safeway is located. He noted that the grant was based on a recommendation contained in the currently adopted trail plan. The plan said there should be a trail network in the Boulevard Addition accessible from a pedestrian bridge spanning the Purgatoire River directly connecting to the river walk. The City went to GOCO with a proposal to develop this trail system. GOCO recommended the City acquire the property in total first and so the City sought an acquisition grant. City Planner Fineberg showed on a map the location of the property and the conceptual trail network and plans for a bridge. He also showed the plan the City has almost completed for the Old Sopris Trail connector trail to the State Park. He said the only feasible way to have the connector trail to the State Park is through the Boulevard area. The City received enough funding to buy all of the area proposed to be purchased. Since the second appraisal was less, GOCO said the City can use the additional funding to acquire more land, approximately 15 more acres. Staff thinks it is a good idea to manage it to get land necessary for the construction of the Old Sopris Trail. He explained that Council will be voting on approving the purchase agreements. He distributed a copy of the ownership map. He illustrated where the City may be able to purchase an additional 15 acres in the County as an option. Councilmember Mattie asked where the other two people's land is located. City Planner Acre pointed to it and said one is a trust owned by someone who passed away. William Bell, who lives in Texas, is administering the trust and he is amenable to the purchase. It is 0.16 acres and Mr. Bell is going to sign the agreement and return it. The second is approximately two acres owned by Rita and Bernard Guimont, who have also agreed to sell. Mr. Guimont is in Russia working and will be returning in August and will sign the agreement then. Councilmember Mattie asked if the City has the funds to purchase the property. City Planner Fineberg said there is a \$77,000 match for this grant. The grant received was in the amount of approximately \$180,000. The City will not use all of the match because of the reduced appraisal. The funds are dedicated in the Capital Improvement Fund. Councilmember Mattie asked if that money is separate from that which may be used for the potential 15 additional acres. City Planner Fineberg said it is. Upon inquiry City Planner Fineberg said that the only owner for the other potential 15 acres is Charles Milosevich and he has expressed a willingness to work with the City on the Old Sopris Trail because it crosses a lot of his property. Councilmember Mattie questioned how this land will connect to the existing river walk. City Planner Fineberg illustrated to Council on a map how it would connect and the location of the proposed pedestrian crossing. He said the other alternative for a connector trail would be to extend the Old Sopris Road but it would be very expensive. Councilmember Miles asked when the original

appraisal was done. City Planner Fineberg answered it was done in April, 2012 and submitted in the grant application August 1, 2012. The second is a current appraisal. Councilmember Miles said when she sees a 40% difference in value it makes her question the science behind the appraisal. City Planner Fineberg said he thought the first one was extremely high for river land. They were done by different appraisers. GOCO has a higher set of standards for the final appraisal. Upon inquiry he thought there were three comparisons used. Councilmember Miles asked his level of confidence in the second appraisal. City Planner Fineberg said the first was done by a local real estate agent. The second was an appraiser who did work with GOCO in the past and was recommended by GOCO; it came in less. Councilmember Miles questioned if a third appraisal could be even lower, opining that \$5,200 an acre seems high for this area. City Planner Fineberg said it is hard to relate the process in dealing with Mr. Milosevich and getting his signature on that document, however we could tell him we need a third appraisal. Mayor Baca Gonzalez said she thought time was of the essence as Mr. Milosevich is a senior citizen and his health is declining. She added that she thought the amount per acre was reasonable and she'd hate to see the whole deal fall through. Councilmember Bolton pointed out that a third appraisal could come back in higher. Councilmember Bonato stated that City Planner Fineberg took him to the area this morning. He said he feels the money would be well spent. The land is located near scenic Highway 12, Mount Carmel Church, and Trout Unlimited and Colorado Division of Wildlife may be able to help in stocking the river to attract people into the area. The most important thing was accessibility to it. They looked at areas for parking lots, which is important. He surmised that it would be a positive addition and money well spent. City Planner Fineberg added that the Trout Unlimited study for improving the river shows the corridor going by the Boulevard Addition. The City currently has a grant in but hasn't heard if we've gotten the funding yet to make improvements along this other stretch of the river. What is really coming together is a nice facility for a fishing and nature park close to downtown. Trout Unlimited is talking about doing some things to pull people in to fish here. City Planner Fineberg said the comparables used were of sales of small tracts in Trinidad and flood plain tracts. Mayor Baca Gonzalez asked if the trail would be conducive to mountain biking. City Planner Fineberg thought it would be too small for cyclists. However once the Old Sopris Trail is open it would because it is a four-mile ride up to the State Park and back. What are there now are very wide 4x4 paths. He suggested the trails should be narrowed and returned to natural vegetation, pedestrian tracts. Councilmember Bonato asked if there is funding available for the pedestrian bridge over the river. City Planner Fineberg said there is none currently, however GOCO likes when a City follows through with a project and thought they would be there to help build the bridge and other amenities. He pointed out that it is intended to be made as maintenance free as possible. Mayor Baca Gonzalez asked about a dog park as an attraction. City Planner Fineberg said he's sure people with dogs will be there. Howard Lackey from Trout Unlimited and Trinidad Community Foundation addressed Council. He said when they first started cleaning up the river about 8 years ago they got into the Boulevard Addition, six years ago. It was a mess. There was trash, four-wheeler trails, etc. They took out three 30-yard dumpsters. He said they have a selfish interest - they want to fish, and that has happened. The Colorado Division of Wildlife this year has designated the first section of the river as their property and they will stock it. If we put this together he said it will open up about one and one-half miles of river that they will have a vested interest in. He added that he thought the dog park idea was a good one. The upkeep will be minor because it is a nature area and he suggested volunteers to help take care of it, such as Trout Unlimited members or TCF members. Mark Hanson, Trout Unlimited, Isaac Walton League and Audubon Society, addressed Council. He pointed out that Trinidad is listed in the Southeastern Colorado trail guide. Another enhancement would be this Boulevard Addition. Mayor Baca Gonzalez said the proximity to downtown would make it a great amenity. Howard Lackey concluded that this is an historical Bosque and they are not seen much, yet we have one right here in town. He said he appreciates what the City has done and they will move forward. A motion to approve the three purchase agreements as presented was made by Councilmember Bolton and seconded by Councilmember Bonato. The motion carried unanimously upon roll call vote.

There being no further business, Councilmember Miles moved to adjourn the special meeting and Councilmember Bonato seconded the motion. The motion carried unanimously upon roll call vote and the meeting adjourned at 2:08 p.m.

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

6a

CITY COUNCIL MEETING: August 6, 2013
PREPARED BY: Les Downs, City Attorney
DEPT. HEAD SIGNATURE:
OF ATTACHMENTS: 1

SUBJECT: Ordinance amending sections contained in Chapter 4 (“Animals”), Article 2 (“Impounding”) and Article 3 (“Dogs and Cats”), of the Code of the City for the purpose of decreasing the required impoundment duration of animals and to more closely align said Chapter to the Colorado Revised Statutes pertaining to dogs

PRESENTER: Les Downs, City Attorney 

RECOMMENDED CITY COUNCIL ACTION: Conduct a public hearing to seek public input and consider approval on second reading.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: Alternative language could be suggested or Council may choose to not consider changes to the existing Code

BACKGROUND INFORMATION:

- Judge Garcia and I were approached by Noah’s Ark Director Kim Riddle and Brett Smith of the Colorado Humane Society seeking changes to the City’s Code for the betterment of the operations at Noah’s Ark.
- In continuing collaboration with Ms. Riddle and Mr. Smith, the Judge and I have distilled down these proposed changes for your consideration.
- This item was discussed at a work session on July 9, 2013. Thereafter it was considered and approved on first reading on July 16, 2013 and set for hearing this evening.

6a



CITY OF TRINIDAD, COLORADO

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS CONTAINED IN CHAPTER 4 ("ANIMALS"), ARTICLE 2 ("IMPOUNDING") AND ARTICLE 3 ("DOGS AND CATS"), OF THE CODE OF THE CITY OF TRINIDAD, COLORADO, FOR THE PURPOSE OF DECREASING THE REQUIRED IMPOUNDMENT DURATION OF ANIMALS AND TO MORE CLOSELY ALIGN SAID CHAPTER TO THE COLORADO REVISED STATUTES PERTAINING TO DOGS

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

WHEREAS, § 31-15-401(1)(m)(l), C.R.S., confers upon the City the power "[t]o regulate and to prohibit the running at large and keeping of animals . . . within the municipality and to otherwise provide for the regulation and control of such animals, including, but not limited to, licensing, impoundment, and disposition of impounded animals."; and

WHEREAS, § 18-9-204.5 et. seq., C.R.S., determines and declares that dangerous dogs are a serious and widespread threat to the safety and welfare of citizens throughout the state because of the number and serious nature of attacks by such dogs and the regulation and control of dangerous dogs is a matter of statewide concern; and

WHEREAS, in furtherance of deterring instances whereby animals are impounded for lengthy durations, and to more effectively deal with the disposition of dogs defined by state statute as dangerous dogs, the City Council desires to decrease the required impoundment duration for all animals and more closely align Chapter 4 to the Colorado Revised Statutes, Title 18, Article 9, pertaining to dangerous dogs.

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

Section 1. Repeal and Re-Enactment of § 4-11 and 4-12 of Chapter 4 ("Animals"), Article 2 ("Impounding"), of the Code of the City of Trinidad, Colorado. Section 4-11 of Chapter 4 ("Animals"), Article 2 ("Impounding"), of the Code of the City of Trinidad, Colorado, is hereby repealed and re-enacted in its entirety as follows:

Section 4-11. Disposition of impounded animals.

(1) Disposition of impounded livestock shall be in accordance with State statutes and regulations and at the direction of the State Brand Inspector.

(2) The following procedures shall be followed with respect to the disposal of all other animals impounded pursuant to this Article: No such animal shall be put up for adoption or humanely destroyed unless the ownership of such animal cannot be ascertained or at least ten (10) days have elapsed since written notice of impoundment has been issued to the owners. Said notice shall advise the owner as to where the animal was impounded, the date and time of the impoundment, the location where the animal is

being held, a description of the animal, that the animal must be claimed within ten (10) days of the issuance of the notice, and the impound fee and feeding costs to be paid prior to the release of the animal to the owner. Said notice shall be either mailed by certified mail to the owner's last known address or hand delivered to the owner.

Section 4-12. Impoundment fees; claiming impounded animal.

The owner of any animal impounded pursuant to this Article shall be charged Ten Dollars (\$10.00) per day for boarding and feeding of said animal. If the owner of the impounded animal shall claim such animal within the ten (10) day period specified in the notice and pay all costs then accrued for impounding and feeding, plus a Fifteen Dollar (\$15.00) redemption fee, the animal shall be released to the owner; except that in the case of livestock, the owner may be required by the State Brand Inspector to pay the cost of transporting the animal to the Animal Shelter before the animal is released.

Section 2. Amendment of § 4-13 ("Definitions") Subsection (5) ("Owner") of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado. Section 4-13(5) of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado, is hereby amended to read as follows:

Section 4-13. Definitions.

(5) *Owner* or *owns* means any person, firm, corporation, or organization owning, possessing, harboring, keeping, having financial or property interest in, or having control or custody of a domestic animal (meaning any dog, cat, any animal kept as a household pet, or livestock), including a dangerous dog as the term is defined in Section 4-24 of this Article 3.

Section 3. Enactment of § 4-13 ("Definitions") Subsection (7) ("Bodily Injury") and Subsection (8) ("Serious Bodily Injury") of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado. Section 4-13(7) and (8) of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado, are hereby enacted as follows:

(7) *Bodily injury* means any physical injury that results in bruising, muscle tears, or skin lacerations requiring, or that could require, professional medical treatment or any physical injury that requires or could require corrective or cosmetic surgery.

(8) *Serious bodily injury* means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function or any part or organ of the body, or breaks or fractures.

Section 4. Repeal and Re-enactment of § 4-22 ("Notice to Owner and Period of Impounding") Subsection (2) of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado. Section 4-22(2) of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado, is hereby repealed and re-enacted as follows:

Section 4-22. Notice to owner and period of impounding.

(2) Any dog or cat which has been impounded at the Animal Shelter pursuant to this Article, and whose owner is ascertained, shall not be disposed of by adoption or humane destruction until at least ten (10) days after notice of impoundment has been issued to the owner. Said notice shall advise the owner as to where the dog or cat was impounded, the date and time of the impoundment, the location where the dog or cat is being held, a description of the dog or cat, that the dog or cat must be claimed within ten (10)

days of the issuance of the notice, and the impoundment fee to be paid, and any vaccination and/or licensing requirements which must be met prior to the release of the dog or cat to the owner. Said notice shall be mailed by certified mail to the owner at the owner's last known address or hand delivered to the owner.

Section 5. Repeal and Re-enactment of § 4-24 ("Keeping of Vicious Dogs Prohibited") of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado. Section 4-24 of Chapter 4 ("Animals"), Article 3 ("Dogs and Cats"), of the Code of the City of Trinidad, Colorado, is hereby repealed and re-enacted in its entirety as follows:

Section 4-24. Keeping of dangerous dogs prohibited.

- (1) It shall be unlawful for any person to own, keep, harbor or possess a dangerous dog anywhere in the City.
- (2) As used in this section, unless the context otherwise requires:
 - (a) Dangerous dog means any dog that:
 - (I) Inflicts bodily or serious bodily injury upon, or causes the death of a person or domestic animal; or
 - (II) Engages in or is trained for animal fighting as described and prohibited in C.R.S. 18-9-204.
 - (III) Such dog shall not be deemed to be a dangerous dog under the following circumstances where such dog has bitten or attacked under the following circumstances:
 - (a) Any person engaged in the unlawful entry into or upon the dog owner's property where such dog is kept;
 - (b) Any person engaged in the unlawful entry upon the dog owner's automobile or any vehicle wherein such dog is confined, or which is parked on the street immediately adjacent to the owner's property;
 - (c) Any person engaged in attacking or molesting another person;
 - (d) Any person engaged in attempting to stop an altercation between such dog and another dog;
 - (e) Any person who deliberately and wantonly provokes such dog to bite or attack such person, another person or another animal.

Section 6. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

Section 7. Effective Date. This Ordinance shall be published and become effective ten (10) days after final passage, as provided in § 5.5 of the Home Rule Charter for the City of Trinidad, Colorado.

INTRODUCED BY COUNCILMEMBER BOLTON, READ AND ORDERED PUBLISHED this 16th day of July, 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

7a



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

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

SUBJECT: Hotel and Restaurant liquor license renewal request by David H. Liu d/b/a Chef Liu's Chinese Restaurant at 1423 Santa Fe Trail

PRESENTER: Representatives of Chef Liu's Chinese Restaurant

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 application is in order.
- The departmental reports from the Fire, Building Inspector, and Police Department indicated that he had no issues with the renewal.
- The Health Department reported compliance.
- Disclosure statements provided by Council members Miles and Velasquez are attached.
- Appropriate fees have been paid.

7a

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

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

CHEF LIU'S CHINESE RESTAURANT
 1423 SANTA FE TRAIL
 TRINIDAD CO 81082

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 CHEF LIU'S CHINESE RESTAURANT		DBA CHEF LIU'S CHINESE RESTAURANT		
Liquor License # 4700077	License Type Hotel & Restaurant (city)	Sales Tax License # 43036030000	Expiration Date 9/5/2013	Due Date 7/22/2013
Street Address 1423 SANTA FE TRAIL TRINIDAD CO 81082				Phone Number (719) 846 3333
Mailing Address 1423 SANTA FE TRAIL TRINIDAD CO 81082				
Operating Manager DAVID H LIU	Date of Birth [REDACTED]	Home Address [REDACTED]	Phone Number TRINIDAD CO 81082	

- 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 _____
- 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 CHEF LIU'S CHINESE RESTAURANT	Title OWNER
Signature <i>David H Liu</i>	Date 7/17/2013

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

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

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

7/18/13

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

Applicant: David H. Liu

dba: Chef Liu's Chinese Restaurant

Address: 1423 Santa Fe Trail

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: 

7-23-13
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/18/13

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

Applicant: David H. Liu

dba: Chef Liu's Chinese Restaurant

Address: 1423 Santa Fe Trail

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

7-24-2013
Date

Miri S. Kelley
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/18/2013

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

Applicant's Name: David H C Liu

DBA: Chef Liu's Restaurant & Lounge

Business Address: 1423 Santa Fe Trail

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE:

August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

No reports

7-24-13

Date



Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE:

July 31, 2013

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Friday, July 19, 2013 8:36 AM
To: Audra Garrett
Subject: RE: liquor license renewal

Audra;
David H. Liu d/b/a Chef Liu Chinese Restaurant located at 1423 Santa Fe Trail, is in compliance with this agency. If you have questions Please call.

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

Las Animas-Huerfano Counties District Health Department

Trinidad Office

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

Walsenburg Office

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

From: Audra Garrett [<mailto:audra.garrett@trinidad.co.gov>]
Sent: Thursday, July 18, 2013 3:47 PM
To: John Martinez
Subject: liquor license renewal

Hi John,
Please confirm compliance with your office for David H. Liu d/b/a Chef Liu's Chinese Restaurant at 1423 Santa Fe Trail.
Thank you.

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



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.


Linda Velasquez
Date 12/4/12

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 The 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 12/4/12

76



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: August 6, 2013
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 4

SUBJECT: Special Events Permit application (malt, vinous and spirituous) by Arthur Roy Mitchell Memorial, Inc. at 150 E. Main Street for September 6 & 14, 2013 (Smithsonian Show on 9/6 & Cardango for the Artocade on 9/14)

PRESENTER: Representative of Arthur Roy Mitchell Memorial, Inc.

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

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application is in order.
- The departmental report from the Building Inspector and Fire Chief reflected no comments. The Fire Department and Police Department have approved the safety and security plans.
- Disclosure statements provided by Council members Miles and Velasquez are attached.
- Appropriate fees have been paid.

76

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

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
 2110 MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
 2170 FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

00607604-0000

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE

Arthur Roy Mitchell Memorial Inc.

State Sales Tax Number (Required)

00607604-0000

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

150 E. Main St.
 Trinidad, CO 81082

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

150 E. Main St.
 Trinidad, CO 81082

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
------	---------------	---	--------------

4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE

Paula Little

5. EVENT MANAGER

Paula Little

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?

NO YES HOW MANY DAYS? 3

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?

NO YES TO WHOM?

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

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

Date	Date	Date	Date	Date
Hours From .m.				
Sept 6				
5 To 9pm				

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

Paula Little

TITLE

Director

DATE

7/11/13

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

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

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

Trinidad

CITY
 COUNTY

TELEPHONE NUMBER OF CITY/COUNTY CLERK

(719) 846-9843

SIGNATURE

TITLE

Mayor

DATE

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

LIABILITY INFORMATION

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

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

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
 2110 MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
 2170 FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

00607604-0000

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE
Arthur Roy Mitchell Memorial Inc. State Sales Tax Number (Required)
 00607604-0000

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE
 (include street, city/town and ZIP)
*150 E. Main St.
 Trinidad, CO 81082*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT
 (include street, city/town and ZIP)
*150 E. Main St.
 Trinidad, CO 81082*

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
------	---------------	---	--------------

4. PRES./SECY OF ORG. or POLITICAL CANDIDATE <i>Paula Little</i>	<i>[REDACTED]</i>	<i>[REDACTED]</i>	PHONE NUMBER <i>719</i>
---	-------------------	-------------------	----------------------------

5. EVENT MANAGER <i>Paula Little</i>	" "	Trinidad, CO 81082	" "
---	-----	--------------------	-----

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
 NO YES HOW MANY DAYS? 3

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?
 NO YES TO WHOM? _____

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

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

Date	Date	Date	Date	Date
Hours From	Hours From	Hours From	Hours From	Hours From
To	To	To	To	To
<i>Sept. 14, 2013</i>				
<i>7:30 PM</i>	<i>mid-night</i>			

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>Paula Little</i>	TITLE <i>Director</i>	DATE <i>7/11/13</i>
----------------------------------	--------------------------	------------------------

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

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

THEREFORE, THIS APPLICATION IS APPROVED.

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

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

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL
		-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,

ARTHUR ROY MITCHELL MEMORIAL INC.

is a **Nonprofit Corporation** formed or registered on 02/20/1979 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 19871365333.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/01/2011 that have been posted, and by documents delivered to this office electronically through 06/03/2011 @ 13:32:48.

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 06/03/2011 @ 13:32:48 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 7961741.

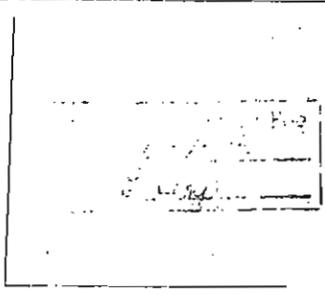


Secretary of State of the State of Colorado

*****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/confirm.asp?search=confirm.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."

This Deed, Made this 31st day of May, 1970 between City of Trinidad, whose street address is 135 N. Animas, City of Trinidad.



County of Las Animas and State of Colorado, of the first part, and A. R. Mitchell Memorial, Inc. whose legal address is 131 West Main Street, City of Trinidad, Colorado, of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Two Hundred Seventy-Eight Thousand Five Hundred (\$278,500.00) DOLLARS

(of which One Hundred Seventy-Eight Thousand Five Hundred Dollars (\$178,500.00) to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged), has granted, bargained, sold and conveyed, and by these does grant, bargain, sell, convey and confirm, unto the said party of the second part, its heirs and assigns forever, all the following described lots or parcels of land, situate, lying and being in the City of Trinidad, County of Las Animas and State of Colorado, to-wit:

All of Lot 2 in Block 100, in the City of Trinidad, Colorado, also the easterly 10 inches of Lot 3 in said Block 100, as more particularly described in Warranty Deed recorded July 21, 1905 in Book 128, at Page 200 of the records of the office of the County Clerk and Recorder of (continued on Page Two)

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD The said premises above bargained and described, with the appurtenances, unto the said party of the second part, and its assigns forever. And the said party of the first part, for it self does covenant, grant, bargain and agree to and with the said party of the second part, and its assigns, that at the time of the sealing and delivery of these presents, well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever.

Subject to the terms and conditions contained in the Contract for Sale of Real Property, entered into between the Party of the First Part and the Party of the Second Part on the above date which is attached hereto and incorporated herein by reference as Attachment "A".

and the above bargained premises in the quiet and peaceable possession of the said party of the second part, heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set its hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Handwritten signatures and three circular notary seals arranged vertically.

STATE OF COLORADO County of Las Animas

The foregoing instrument was acknowledged before me this 31st day of May

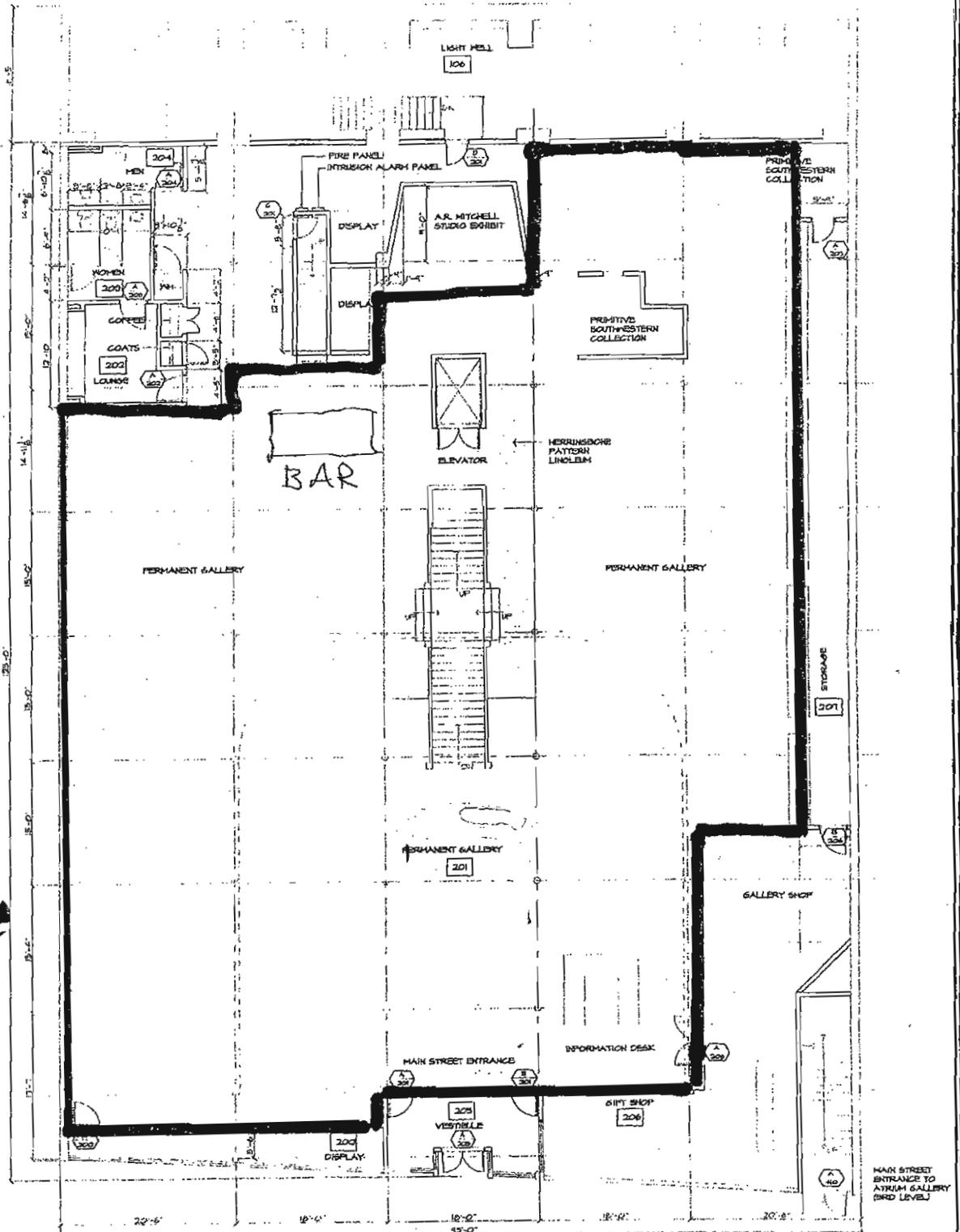
My commission expires 1971 Witness my hand and official seal. Notary Public.

Land Description Continued
Page Two

of the County of Las Animas and State of Colorado subject to the terms and provisions of that certain contract and Deed dated June 22, 1905, and recorded July 21, 1905, in Book 134 at Page 295, said last mentioned records, together with all improvements thereon.

GROUND FLOOR PLAN

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



AI
12.05.02

DRAWN BY
CHECKED BY
DATE
PROJECT NO.

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

THE FLORIN GROUP 24 South Tyler, Suite 103, Colorado Springs, Colorado 80901 (719) 471-4422
Architects of Engineering, Interior Pro-Vista



7/16/13

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

Applicant: Arthur Roy Mitchell Memorial, Inc.

dba: Smithsonian Show on 9/6/13 & Cardango for the Artocade on 9/14/13

Address: 150 E. Main Street

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

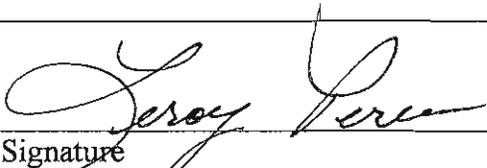
FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

7-17-13
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

July 11, 2013

FIRE SAFETY PLAN FOR

The Mitchell Museum

150 E. Main St.

Trinidad, CO 81082

719 846-4224

Mitchellmuseum@qwestoffice.net

SPECIAL EVENT: "SMITHSONIAN SHOW, Journey Stories"

1. Fri. Sept. 06, 2013, about 150-200 expected at the museum. Art Show, food, music, entertainment.

Drinks will be served at the BAR in the back of the museum on the 1st floor

- 1. Exit routes are clearly marked. There are 2 main exits near the front door.**
- 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 Trinidad Fire Department will be strictly adhered to by the A.R. Mitchell Museum and its staff and security.**
- 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 shall be operable.**
- 9. The A.R. Mitchell Museum will not be using excessive extension cords.**

Submitted by:

Paula Little



Director



July 11, 2013

FIRE SAFETY PLAN FOR

The Mitchell Museum

150 E. Main St.

Trinidad, CO 81082

719 846-4224

Mitchellmuseum@qwestoffice.net

SPECIAL EVENT: "CARDANGO" for the ARTOCADE

1. Sat. Sept. 14, 2013, about 300-400 expected at the museum, recycling in and out all night, 300-400 people. At the same time, there will be "Artocade" cars on Main St., and events taking place in the street. There will be no tables for sitting in order to encourage movement in and out of the museum.

Drinks will be served at the BAR in the back of the museum on the 1st floor

- 1. Exit routes are clearly marked. There are 2 main exits near the front door.**
- 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 Trinidad Fire Department will be strictly adhered to by the A.R. Mitchell Museum and its staff and security.**
- 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 shall be operable.**
- 9. The A.R. Mitchell Museum will not be using excessive extension cords.**

Submitted by:

Paula Little



Director



7/16/13

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

Applicant: Arthur Roy Mitchell Memorial, Inc.

dba: Smithsonian Show on 9/6/13 & Cardango for the Artocade on 9/14/13

Address: 156 E. Main Street

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

7-17-2013
Date

Chris S. Kelley
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/16/2013

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

Applicant's Name: Arthur Roy Mitchell Museum, Inc.

DBA: Smithsonian Show on 9/6/13 & Cardango for the Artocade on 9/14/13

Business Address: 150 E. First Street

Type of License: SEP - Malt, Vinous and Spirituous

 Renewal Transfer Change of Location New X Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

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

7-22-13
Date

Charles J. Leonard
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

July 11, 2013

**Security Plan for the A. R. Mitchell Museum
"SMITHSONIAN SHOW" on Friday, Sept. 06, 2013
Requesting a liquor license**

I. DESCRIPTION

This event is an Art Show by *Museums on Main St, The Smithsonian*, called "**Journey Stories.**" There will be food, music and entertainment. No charge to the public. This show will take place on the mezzanine of the museum.

II. Beer and wine will be served inside the museum from 5:00pm until 9: 00 pm.

III. We are expecting about 150- 250 people.

II. SECURITY The Mitchell will provide 4 volunteers for the event.

- 1. They will have security I.D.'s at the exit/entrance to the museum.**
- 2. They will carry cellphones to immediately notify law enforcement should the need arise.**
- 3. The Trinidad Police Department shall be notified of any and all criminal events like fights, theft, assault, etc. that occur during the event.**
- 4. Trinidad Police Dept. personnel shall conduct walk-throughs of the event as deemed necessary by the Chief of Police.**

III. LIQUOR SERVICE

- 1. All persons responsible for the service of alcoholic beverages shall be TIPS certified.**
- 2. The bar will require a minimum of 3 persons to operate the bar.**
- 3. No person selling alcohol will consume alcohol.**
- 4. Personnel operating the bar should pay special attention to ensure that underage person ARE NOT being served alcohol. Personnel will also ensure that overly intoxicated persons are not being served (As per CRS and Municipal Code.) Any violations of the Colorado Beer and Alcohol Code and Trinidad Municipal Alcohol Code shall be immediately brought to the attention of security, who shall immediately notify TPD.**
- 5. No person who is not designated as a bar employee will be allowed behind the bar. Any unauthorized person found behind the bar will be removed from the event. Security will notify TPD for appropriate enforcement action.**
- 6. The event will have in place an accounting system for tracking all bar receipts and tip receipts. A TIP jar will not be left where it can be accessed by unauthorized persons.**
- 7. No person will be allowed to bring alcoholic beverages into the street. No person is allowed to take alcoholic beverages out of the event area. Appropriate action will be taken for said violations.**

8. A minimum of 1 person shall be assigned to the bar to check ID to ensure that customers are of the legal drinking age. NO ID NO ALCOHOL. Wristbands will be distributed.

IV. MAP OF EVENT

1. A map is enclosed. This details the locations of restrooms, and emergency exit points, and location of bar.

V. OCCUPANCY CERTIFICATION

1. The events will not exceed the occupancy rating as provided by the Trinidad Fire Dept.
2. Exits shall be kept free-flowing and clear of obstruction at all times.

Paula Little
Director

July 11, 2013

**Security Plan for the A. R. Mitchell Museum
“CARDANGO” for the “ARTOCADE on Saturday, Sept. 14,
2013**

Requesting a liquor license

I. DESCRIPTION

This event is a dance, a concert, an art fashion show, and “Artocade” games. There is a \$10 admission charge. There will be food.

II. Beer, wine, and a vodka punch will be served inside the museum from 7:30 until midnight.

III. We are expecting about 300- 400 people cycling through all night. There will not be any sit-down tables. The Artocade cars will be in the middle of the street for people to view. No liquor will be allowed outside of the museum.

II. SECURITY The Mitchell will provide 4 volunteers for the event.

- 1. They will have security I.D.’s at the exit/entrance to the museum.**
- 2. They will carry cellphones to immediately notify law enforcement should the need arise.**
- 3. The Trinidad Police Department shall be notified of any and all criminal events like fights, theft, assault, etc. that occur during the event.**
- 4. Trinidad Police Dept. personnel shall conduct walk-throughs of the event as deemed necessary by the Chief of Police.**

III. LIQUOR SERVICE

- 1. All persons responsible for the service of alcoholic beverages shall be TIPS certified.**
- 2. The bar will require a minimum of 3 persons to operate the bar.**
- 3. No person selling alcohol will consume alcohol.**
- 4. Personnel operating the bar should pay special attention to ensure that underage person ARE NOT being served alcohol. Personnel will also ensure that overly intoxicated persons are not being served (As per CRS and Municipal Code.) Any violations of the Colorado Beer and Alcohol Code and Trinidad Municipal Alcohol Code shall be immediately brought to the attention of security, who shall immediately notify TPD.**
- 5. No person who is not designated as a bar employee will be allowed behind the bar. Any unauthorized person found behind the bar will be removed from the event. Security will notify TPD for appropriate enforcement action.**
- 6. The event will have in place an accounting system for tracking all bar receipts and tip receipts. A TIP jar will not be left where it can be accessed by unauthorized persons.**

7. No person will be allowed to bring alcoholic beverages into the street. No person is allowed to take alcoholic beverages out of the event area. Appropriate action will be taken for said violations.
8. A minimum of 1 person shall be assigned to the bar to check ID to ensure that customers are of the legal drinking age. NO ID NO ALCOHOL. Wristbands will be distributed.

IV. MAP OF EVENT

1. A map is enclosed. This details the locations of restrooms, and emergency exit points, and location of bar.

V. OCCUPANCY CERTIFICATION

1. The events will not exceed the occupancy rating as provided by the Trinidad Fire Dept.
2. Exits shall be kept free-flowing and clear of obstruction at all times.

Paula Little
Director

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, Arthur Roy Mitchell Museum, Inc., 150 E. Main Street 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 September 6 & 14, 2013, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 17th day July, 2013.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 17th day of July, 2013.



CITY OF TRINIDAD, COLORADO
Audra Garrett
Audra Garrett, City Clerk

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.


Linda Velasquez
Date 12/4/12

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 12/4/12



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

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

7c

SUBJECT: Hotel and Restaurant liquor license renewal request by Wonderful House Trinidad, Inc. d/b/a Wonderful House Trinidad at 415 University

PRESENTER: Representatives of Wonderful House Trinidad, Inc.

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 application is in order.
- The departmental reports from the Fire, Building Inspector, and Police Department indicated that he had no issues with the renewal.
- The Health Department reported compliance.
- Disclosure statements provided by Council members Miles and Velasquez are attached.
- Appropriate fees have been paid.

7c

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

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

WONDERFUL HOUSE TRINIDAD
 6793 W CANYON AVENUE, 13B
 LITTLETON CO 80128-5781

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 WONDERFUL HOUSE TRINIDAD INC		DBA WONDERFUL HOUSE TRINIDAD		
Liquor License # 42265420000	License Type Hotel & Restaurant (city)	Sales Tax License # 42265420000	Expiration Date 9/18/2013	Due Date 8/4/2013
Street Address 415 UNIVERSITY TRINIDAD CO 81082-2542				Phone Number (719) 845 1888
Mailing Address 6793 W CANYON AVENUE, 13B LITTLETON CO 80128-5781				
Operating Manager <i>Kelly Voong</i>	Date of Birth [REDACTED]	Home Address <i>Trinidad Co 81082</i>	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 9/16/15
- 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 <i>Kelly Voong</i>	Title <i>President</i>
Signature <i>[Signature]</i>	Date <i>5/29/13</i>

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

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

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

7/22/13

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

Applicant: Wonderful House Trinidad, Inc.

dba: Wonderful House Trinidad

Address: 415 University

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: OK

7-23-13
Date

Greg Vera
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/22/13

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

Applicant: Wonderful House Trinidad, Inc.

dba: Wonderful House Trinidad

Address: 415 University

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

7-24-13
Date

Ann S. Kelly
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/22/2013

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

Applicant's Name: Wonderful House Trinidad, Inc.

DBA: Wonderful House Restaurant

Business Address: 415 University

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

No records found

Date

Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Monday, July 22, 2013 3:16 PM
To: Audra Garrett
Subject: RE: liquor renewal

Hi Audra;
The Wonderful House Located at 415 University Trinidad, CO. Is in compliance with this Office.

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

Las Animas-Huerfano Counties District Health Department

Trinidad Office

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

Walsenburg Office

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

From: Audra Garrett [<mailto:audra.garrett@trinidad.co.gov>]
Sent: Monday, July 22, 2013 3:11 PM
To: John Martinez
Subject: liquor renewal

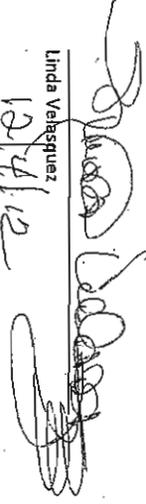
Hi John,
Please confirm compliance with your office for Wonderful House Trinidad at 415 University. Thank you.

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



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.


Linda Velasquez
Date 12/4/12

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 12/4/12

7d



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

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

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

PRESENTER: Representatives of Rino's Restaurant, LLC

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 application is in order.
- The departmental reports from the Fire and Building Inspector indicate that the fire extinguishers need to be recertified.
- The Police Department had no call for service.
- The Health Department reported compliance.
- Disclosure statements provided by Council members Miles and Velasquez are attached.
- Appropriate fees have been paid.

7d

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

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

RINOS RESTAURANT
 400 E MAIN ST
 TRINIDAD CO 81082-2715

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 RINOS RESTAURANT LLC		DBA RINOS RESTAURANT		
Liquor License # 28493900000	License Type Hotel & Restaurant (city)	Sales Tax License # 28493900000	Expiration Date 10/11/2013	Due Date 8/27/2013
Street Address 400 E MAIN ST TRINIDAD CO 81082-2715				Phone Number (719) 845 0949
Mailing Address 400 E MAIN ST TRINIDAD CO 81082-2715				
Operating Manager <i>Frank Cordova</i>	Date of Birth [REDACTED]	Home Address [REDACTED]	Home [REDACTED]	Phone Number -845-0949

- 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 _____
- 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 FRANK CORDOVA	Title OWNER
Signature <i>Frank Cordova</i>	Date 7-17-13

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 Trinidad	Date
Signature	Title Mayor
	Attest

7/23/13

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

Applicant: Rino's Restaurant, LLC

dba: Rino's Restaurant

Address: 400 E. Main Street

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

Fire Extinguishers need inspections

7-24-13
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/23/13

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

Applicant: Rino's Restaurant, LLC

dba: Rino's Restaurant

Address: 400 E. Main Street

Type of License: Hotel and Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: continuation of Final Rpt.

7-24-2013
Date

Chris S. Kelly
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/23/2013

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

Applicant's Name: Rino's Restaurant, LLC

DBA: Rino's Restaurant

Business Address: 400 E. Main

Type of License: Hotel & Restaurant

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: August 6, 2013

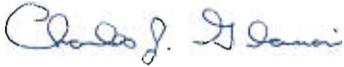
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

<u>Date</u>	<u>Sequence Number</u>	<u>Call Type</u>	<u>Case Number</u>
No record found			

7/31/2013
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

Audra Garrett

From: John Martinez [jmartinez@la-h-health.org]
Sent: Tuesday, July 23, 2013 3:15 PM
To: Audra Garrett
Subject: RE: liquor renewal

Hi Audra;
Rino's Restaurant, LLC located at 400 E. Main Street, is in Compliance with this agency.

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

Las Animas-Huerfano Counties District Health Department

Trinidad Office

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

Walsenburg Office

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

From: Audra Garrett [mailto:audra.garrett@trinidad.co.gov]
Sent: Tuesday, July 23, 2013 1:02 PM
To: John Martinez
Subject: liquor renewal

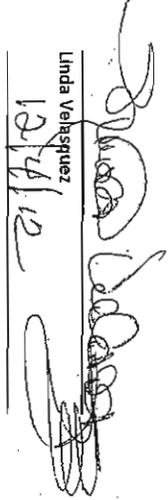
Hi John,
Please confirm compliance with your office for Rino's Restaurant, LLC at 400 E. Main Street.

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



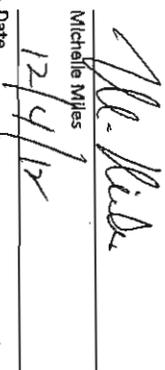
DISCLOSURE STATEMENT

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.


Linda Velasquez
Date 12/4/12

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 The 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 12/4/12



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: August 6, 2013
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 14

7e

SUBJECT: Special events permit request (malt, vinous and spirituous) by Trinidad Roundup Association for August 31, 2013 (Queen's Dance) at 206 N. Animas Street (Sebastiani Gym)

PRESENTER: Trinidad Roundup Association representative

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

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: N/A

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- The application is in order.
- The departmental report from the Building Inspector and Fire Chief reflected no comments. The Fire Department Safety Plan was approved by the Fire Chief.
- Police Department recommends following the security plan.
- Disclosure statements provided by Council members Miles and Velasquez are attached.
- Appropriate fees have been paid.

7e

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

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

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE <i>Trinidad Roundup Association</i>	State Sales Tax Number (Required) <i>40-12862-0000</i>
---	---

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE
 (include street, city/town and ZIP)
*PO Box 469
 Trinidad, Co 81082*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT
 (include street, city/town and ZIP)
*Sebastiani Ryan
 206 North Animas
 Trinidad, Co 81082*

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
------	---------------	---	--------------

4. PRES./SECY OF ORG. or POLITICAL CANDIDATE <i>Mario Price</i>	[REDACTED]	HOME ADDRESS (Street, City, State, ZIP) <i>[REDACTED] Trinidad, Co</i>	PHONE NUMBER [REDACTED]
--	------------	---	----------------------------

5. EVENT MANAGER <i>Same</i>	[REDACTED]	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
---------------------------------	------------	---	--------------

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
 NO YES HOW MANY DAYS? *0*

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?
 NO YES TO WHOM?

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

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

Date	Date	Date	Date
Hours From To	Hours From To	Hours From To	Hours From To
<i>08/31/2013</i> From <i>8:00 p.m.</i> To <i>2:00 a.m.</i>			

OATH OF APPLICANT

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

SIGNATURE <i>[Signature]</i>	TITLE <i>Secretary</i>	DATE <i>07/25/2013</i>
---------------------------------	---------------------------	---------------------------

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

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

THEREFORE, THIS APPLICATION IS APPROVED.

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

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

LIABILITY INFORMATION

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

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,

THE TRINIDAD ROUNDUP ASSOCIATION

is a **Nonprofit Corporation** formed or registered on 11/16/2000 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 20001223521.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 07/24/2013 that have been posted, and by documents delivered to this office electronically through 07/25/2013 @ 14:39:32.

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 07/25/2013 @ 14:39:32 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8599430.



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."

TRINIDAD AREA CATHOLIC COMMUNITY (TACC)
235 N CONVENT ST.
TRINIDAD, CO 81082

SEBASTIANI GYM RENTAL AGREEMENT

RENTER: Trinidad Round-Up Association
DATE OF EVENT: Saturday, August 31, 2013
RENT AMOUNT: \$1,000.00
DAMAGE DEPOSIT: \$1,000.00.

-
1. Lease: This lease is between Trinidad Area Catholic Community (TACC) and *Trinidad Round-Up Association* (RENTER). The RENTER agrees to abide by the agreed upon guidelines.
 2. Use: The Sebastiani Gym located at 206 N Animas St., Trinidad, Co 81082 will be used solely by the RENTER for the purpose of a *dance*.
 3. Term: The term of agreement shall start 3 *days* prior to the date of event as indicated above and shall include the date of event and *1 day* after the event for cleanup.
 4. Rent: RENTER agrees to pay the rent for agreement specified above upon signing of this agreement.
 5. Damage Deposit: RENTER shall pay a damage deposit in the above amount to be held by TACC. Upon termination of the agreement and following the date of the event, TACC shall return to the RENTER the damage deposit provided the RENTER has fulfilled all the terms and conditions of this agreement. The RENTER and the Business Manager will do a walkthrough after said event. If damage exceeds the amount of the deposit, the RENTER is liable for the difference. The gym is to be cleaned to the specifications of the this contract.
 6. Use & Repair: RENTER shall use the property in a careful and safe manner; shall allow only qualified persons to enter and use the property; shall comply with all applicable laws and regulations, and shall maintain the property in good condition. All tables will be covered with a plastic covering. No staples are to be used on the tables. All tables and chairs will have rubber tips. Any and all fixtures brought in by RENTER for use on the gym floor shall have a protective covering between the fixture and the floor. The Business Manager shall hold RENTER responsible for gym property and premises until inspection and release.
 7. Surrender: Upon termination of this agreement, RENTER, at RENTER's expense, shall return the property in same condition, ordinary wear and tear expected.
 8. Loss or Damage: RENTER shall bear the entire risk of loss, theft, damage or other destruction to the property and any of its equipment. If any item of property in the gym is lost, stolen or destroyed, RENTER shall pay to TACC or replace such equipment with like equipment in good repair or new equipment.
 9. Indemnity: Neither TACC nor any of TACC's employees, agents, or guests shall be liable to the RENTER for an injury or damage to any person or property in or about the gym by or from any cause. RENTER waives any such claims against TACC. RENTER shall

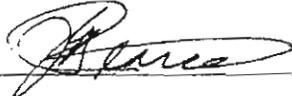
indemnify TACC against and hold TACC harmless from all claims, actions, proceedings, expenses, and liabilities arising from RENTER's use or lease of the gym. TACC is not liable for lost or stolen articles or damage or theft of vehicles.

In the event that the terms of this agreement are unable to be fulfilled through no fault of either party, this agreement shall be declared null and void and both parties shall indemnify each other against any loss. Any and all deposits will be returned to its rightful owner.

10. Assignment: The RENTER shall neither assign or otherwise transfer this agreement or any of the RENTER's interests in the agreement, nor sublease the property or any part of the property without the prior written consent of TACC. Any assignment, transfer or sublease made without the prior written approval TACC, shall be void and shall terminate this agreement.
11. Insurance: Proof of insurance must be on filed with the TACC at least thirty (30) prior to the date of event. If alcohol is served, it must be noted on the Certificate of Insurance. TACC and The Diocese of Pueblo are to be added as additional insured on the certificate for this event.
12. Rules & Conditions: RENTER agrees to observe and comply with all of TACC rules and conditions.
13. Attorney's Fees: The prevailing party shall pay all costs, including reasonable attorney fees and interest rate of 10% from any actions brought concerning the provisions of this agreement.
14. Miscellaneous: This agreement shall be binding and inure to the benefit of the successors and approved assignees of TACC and the RENTER.
This lease shall be governed by and interpreted in accordance with the laws of the State of Colorado.
This lease shall not be amended except by a written instrument signed by both parties.

This agreement is signed on the date of: 7-23-13

TRINIDAD AREA CATHOLIC COMMUNITY

Name: 

Title: Business Manager

RENTER

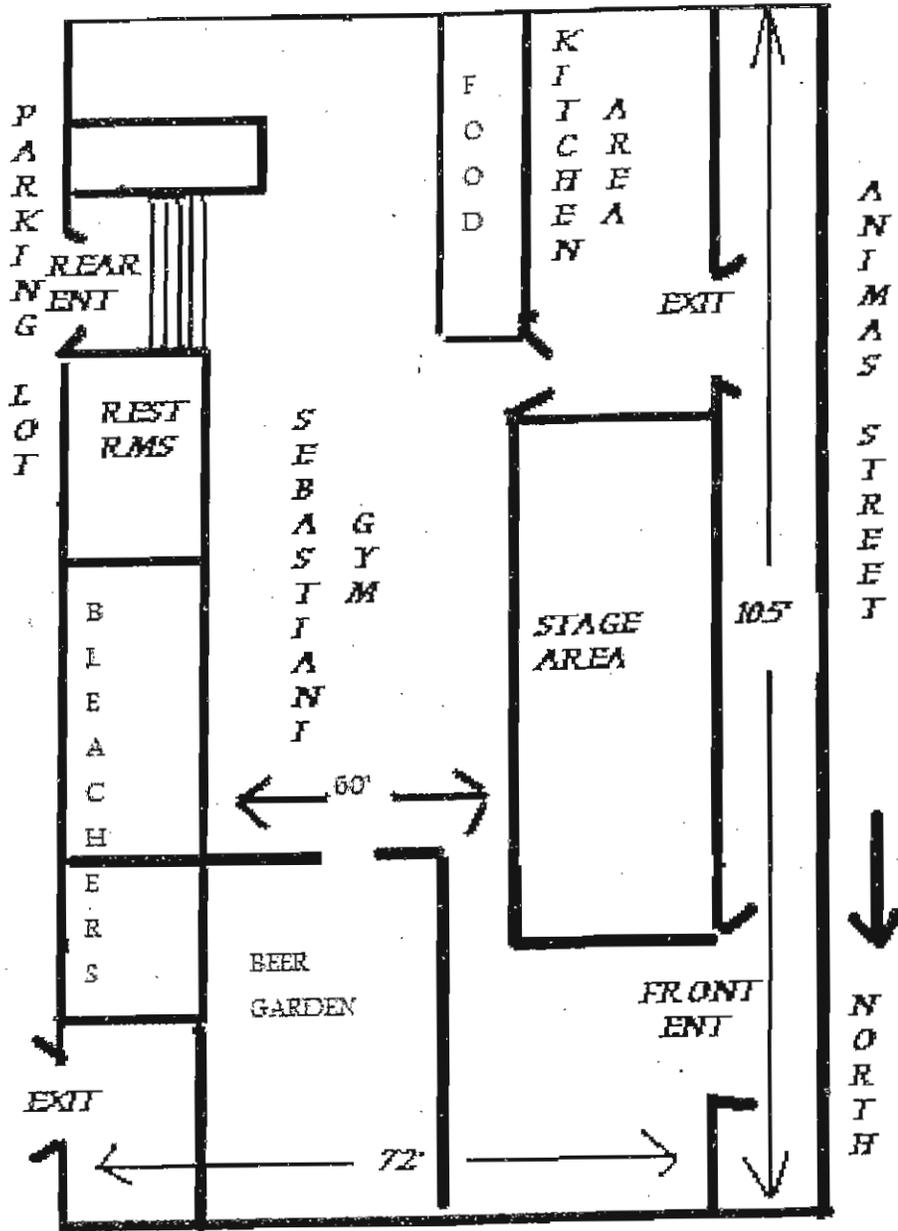
Organization: TRINIDAD ROUNDUP ASSOCIATION

Name: MANN & PRICE MURVEN & PRICE

Title: PRESIDENT ROUNDUP

Address: 2246 CR 870

City, State, Zip: TRINIDAD CO 81082



OVER ALL VIEW OF GYM

HALLWAY
LEADING
TO
EXTERIOR
NORTHEAST
EXIT DOORS

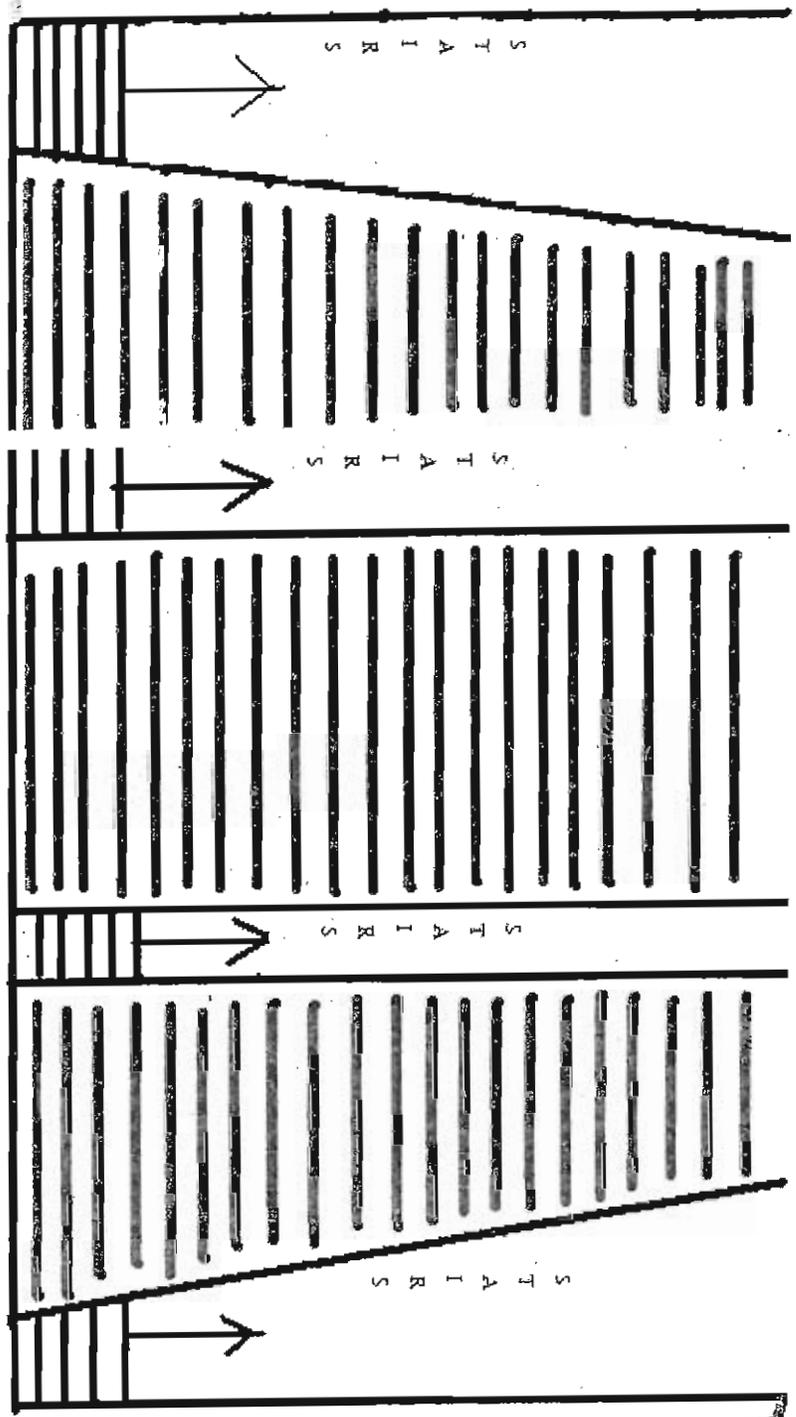
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HALLWAY
LEADING
TO
BATHROOM
AREA
&
TO
SOUTHEAST
EXTERIOR
EXIT DOORS



BEER GARDEN AREA

42
FEET

NOTE: BLEACHERS ARE 70 FT. FROM
FLOOR TO TOP

SNOW FENCE
STAGE WALL: KITCHEN

BLEACHER STAIRS
BLEACHERS
CORRAL PANELS

EXTERIOR DOORS



7/26/13

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

Applicant: Trinidad Roundup Association

dba: Queen's Dance

Address: 206 N. Animas Street

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

_____ *OK* _____

7-31-13
Date

Leroy Peren
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

ok
Here
7-31-13

**TRINIDAD ROUNDUP ASSOCIATION
SECURITY PLAN
QUEEN'S DANCE 2013**

Date of Event: August 31st, 2013

Place of Event: Sebastiani Gym
206 North Animas Street
Trinidad, Co 81082

Times of Event: 9:00 pm- 1:30 am

Security Provided by: Rocky Mtn. Security (Marty Coca)

Estimated Crowd Size: 500

Beer Garden Size: (Please See Diagram)

Description:

Entry into the event will be from two entrances/exits. One being located in the rear of the building from the parking lot, near the southeast corner and the other from the front entrance to the building off Animas Street near the northwest corner of the building. To prevent problems from arising such as a possible attempted robbery, 2-3 Trinidad Roundup Association members will be at each door collecting money, giving change, and stamping hands along with one security officer. Money is picked up by members of the association at random and transferred to another location within the building to prevent buildup of money at each door. Around 11:00 pm, or so, then the money from each door is pulled and transferred to a location away from the dance. Money from the beer garden is pulled at random to prevent a large buildup and also transported away from the dance by Trinidad Roundup Association Members.

Two more security officers are placed on the beer garden within the building and the two remaining officers are utilized in walking around the

Interior of the building and immediate outside of the building to prevent problems from arising. Any sign of trouble such as a fight, disturbance, or any other illegal act, the security officers are to contact Trinidad Police Department for their assistance on the matter. Security will be provided with radio communications to ensure complete contact with each other at all times. Contact to Trinidad Police Department will be done by use of cellular phones being carried by security officers.

In the event of a situation where the gym has to be evacuated, a total of 4 doors are available for use. Two of them being the two already mentioned located at the front and rear of the building (northwest and southeast corners). The other two doors being one located in the southwest corner of the building through the kitchen leading to Animas Street and the other being located on the northeast corner of the building leading into the rear parking lot area of the building. Both the southwest and northeast exit doors will be closed at the time of the dance and only used in the case of an evacuation. People within the beer garden of the dance will be evacuated through the rear northeast doors. All others through the three remaining doors/exits. To prevent entry/exit from the dance through the two door that are to be closed during the event, personnel from Holy Trinity Academy will be monitoring the door leading to the kitchen due to them handling our concessions for the dance. The hallway leading to the northeast corner will be clocked by a corral panel and monitored by our security manning the beer garden and members of the Las Animas County Chamber of Commerce that will be handling our liquor sales. The corral panel will not be anchored and can be easily moved if the need of an evacuation arises.

Beer Garden

The beer garden will be located on the north end of the building. Corral Panels will be placed extending from the north wall of the building 33' south, then running 42' east to the stairs leading up into the bleachers. A 18' walkway between the corral panels and the stage wall will allow people attending the dance easy access and egress into the dance or out of without going into the beer garden. From the bottom of the first section of bleachers to the top will be snow fence against the end of the bleachers to enclose that section of bleachers within the beer garden but still allow people wanting to sit in the middle section of bleachers (outside the beer garden). Patrons of the beer garden will be able to walk up the stairway located on the north end of the bleachers to be able to sit and drink without exiting the confines of the beer garden. Of the two security officers assigned to the beer garden, one of them will be at the entrance leading into the beer garden and the other at the bottom of the enclosed bleachers to be able to monitor no one exiting or entering the beer garden through the snow fence. The bleachers in the beer garden section consist of the following:

First 12 bleachers being 16' in length
The next 5 bleachers being 15' in length
The next 4 bleachers being 14' in length

Total length from bottom of the floor to the top being 70' added with the 42' of panels on the gym floor giving a diameter of 112' X 33' for the entire beer garden. People with the beer garden being able to stand on the floor or sit in the first section of bleachers. (Please see diagram for details).

All persons who enter the beer garden shall be 21 years of age or older. Only persons of legal age to consume alcohol will be permitted in the beer garden. All persons of legal drinking age will have a color band on them "NO ID, NO BAND, NO ALCOHOL".

All servers of the beer garden will have had TIPS training and be associated with the Las Animas County Chamber of Commerce or will not be allowed to serve. Person(s) assigned to the BAR shall wear a distinctive color shirt that is NOT the same color as the other event staff. This is so that they can be easily identified as being authorized to work in the BAR area.

NO PERSON WHO IS DESIGNATED BY THE TRINIDAD ROUNDUP ASSOCIATION, AS A BAR EMPLOYEE WILL BE ALLOWED BEHIND THE BAR. Any unauthorized person found behind the bar will be removed from the EVENT area.

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

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

Security officers and Beer Garden Staff will pay special attention to ensure that underage persons ARE NOT served alcohol in the BEER GARDEN area. Staff will ensure that overly intoxicated persons are not being served (as per CRS and Municipal Alcohol Code). Any violations of the Colorado Beer and Alcohol Code and Trinidad Municipal Alcohol Code shall be reported to Trinidad Police Department.

Restrooms

Patrons of the dance will be allowed to use the two bathrooms one being for men and the other being for women located in the south end of the building in

the hallway leading to the southeast back door of the gym. No other restroom facilities will be provided.

Food Concessions

No actual food will be prepared on site other than hotdogs and nachos. The food served at the dance will consist of previously prepared burritos, nachos, chips, pops candy, etc. An extension cord or two may be utilized to keep the nacho cheese warm and the burritos. The hotdogs will be kept warm in the kitchen area by use of a crock pot. At no time should there be a large number of extension cords used for food service. No extension cords will be needed for the beer garden other than for the cash register and the beer being served in cans. Any hard liquor served will be served in plastic cups with bottled pop being utilized for the mixture. The food concession area will be located on the southwest corner area of the building, just outside the kitchen. (Please see diagram).

Fire/Medical

In the event of a fire/medical situation arising, security officers will contact the emergency 911 dispatch for Fire/Ambulance and/or Police response.

7/26/13

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

Applicant: Trinidad Roundup Association

dba: Queen's Dance

Address: 206 N. Animas Street

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: August 6, 2013

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: _____

7-31-13
Date

Amin S. Kelley
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

7/26/2013

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

Applicant's Name: Trinidad Roundup Association

DBA: Labor Day Queen's Dance

Business Address: 206 N. Animas Street

Type of License: SEP - Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: August 6, 2013

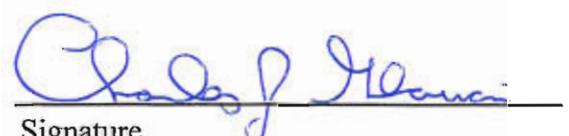
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

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

7-31-13
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: July 31, 2013

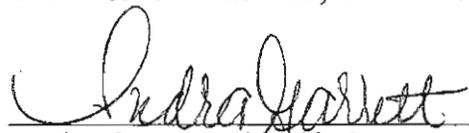
STATE OF COLORADO)
COUNTY OF LAS ANIMAS) SS
CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, and the ordinances of the City of Trinidad, Trinidad Roundup Association, P. O. Box 469, Trinidad, Colorado, which business has applied for a Special Events Permit, to sell and dispense Malt, Vinous and Spirituous Liquors at 206 N. Animas Street, Trinidad, Colorado, on August 31, 2013, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 26th day July, 2013.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this
26th day of July, 2013.

CITY OF TRINIDAD, COLORADO



Audra Garrett, City Clerk

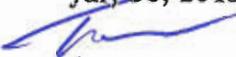
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CITY OF TRINIDAD, COLORADO
1876

Council Communication

City Council Meeting: August 6, 2013
Prepared: July 30, 2013
Dept. Head Signature: 
of Attachments: 1

SUBJECT: Proposed Changes to Home Rule Charter Ballot Language

Presenter: Tom Acre, City Manager and Audra Garret, City Clerk

Recommended City Council Action: Staff recommends City Council approve the ordinance on first reading submitting proposed home rule charter amendments to the registered electors of the City at the regular municipal election to be held on November 5, 2013.

Summary Statement: At the July 30, 2013 City Council Work Session staff provided revised proposed ballot language to City Council for consideration regarding potential changes to the Home Rule Charter Section 8.3-Composition of Boards and Commissions. At previous City Council Work Sessions, staff provided revision to Section 9.23 - Purchase and Contracts for Improvements and Section - 9.24 Contracts Effective Only When Bond Funds are Available of the Home Rule Charter. The following proposed Home Rule Charter amendments are being recommended for consideration and action by City Council.

Proposed Charter Amendment No. 1: **SHALL SECTION 8.3, PARAGRAPH 3, OF CHAPTER VIII ("COMPOSITION OF BOARDS OR COMMISSIONS") OF THE HOME RULE CHARTER FOR THE CITY OF TRINIDAD, COLORADO, BE AMENDED TO ALLOW FOR MEMBERSHIP TO EXTEND TO RESIDENTS AND REGISTERED VOTERS OF THE CITY OF TRINIDAD WHO HAVE RESIDED WITHIN THE CITY FOR A PERIOD OF NOT LESS THAN ONE YEAR IMMEDIATELY PRECEDING APPOINTMENT, OR RESIDENTS AND REGISTERED VOTERS OF LAS ANIMAS COUNTY, COLORADO WHO OWN A BUSINESS WITHIN THE CITY OF TRINIDAD AND HAVE DONE SO FOR A PERIOD OF NOT LESS THAN ONE YEAR IMMEDIATELY PRECEDING APPOINTMENT AND STIPULATE THAT THE MAJORITY OF ANY BOARD OR COMMISSION SHALL BE COMPRISED OF CITIZENS OF THE CITY OF TRINIDAD; AND SET FORTH THAT A MEMBER SHALL REMAIN ELIGILBLE TO SERVE ON A BOARD OR COMMISSION SO LONG AS THEY CONTINUE TO MEET THE AFORELISTED CRITERIA; ALL AS SET FORTH IN TRINIDAD CITY ORDINANCE NO. _____, SECTION 1?**

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Proposed Charter Amendment No. 2: **SHALL SECTION 9.23, PARAGRAPH 1, OF CHAPTER IX (“BUDGET CONTROL AND FINANCING”), OF THE HOME RULE CHARTER FOR THE CITY OF TRINIDAD, COLORADO, BE AMENDED TO CLARIFY THAT AWARD OF A COMPETITIVE BIDDING PROCESS SHALL BE GRANTED TO THE LOWEST QUALIFIED RESPONSIBLE BIDDER, IF ANY, AS DETERMINED BY CITY COUNCIL UPON THE RECOMMENDATION OF STAFF; ALL AS SET FORTH IN TRINIDAD CITY ORDINANCE NO. _____, SECTION 3?**

Proposed Charter Amendment No. 3: **SHALL SECTION 9.24, PARAGRAPH 1, OF CHAPTER IX (“BUDGET CONTROL AND FINANCING”), OF THE HOME RULE CHARTER FOR THE CITY OF TRINIDAD, COLORADO, BE DELETED FROM THE HOME RULE CHARTER; ALL AS SET FORTH IN TRINIDAD CITY ORDINANCE NO. _____, SECTION 5?**

Expenditure Required: No expenditure is required at this time.

Source of Funds: Not applicable.

Policy Issue: Revisions of the Home Rule Charter and potential ballot question for voter consideration at the November 5, 2013 election.

Alternative: City Council could direct staff to not proceed with this item.

Background Information: Information regarding suggested potential changes to the Home Rule Charter proposed by Staff, CIRSA, and City Council Members was previously provided and discussed with City Council at the May 28, 2013, June 11, 2013, July 9, 2013, July 23, 2013 and July 30, 2013 City Council Work Sessions.

At the June 11, 2013 Work Session City Council provided general direction to staff to look at three areas for potential changes to the Home Rule Charter

At the July 9, 2013 City Council Work Session staff provided information for City Council consideration regarding potential changes to Sections 8.3-Composition of Boards and Commissions, 9.23 – Purchase and Contracts for Improvements, and 9.24 Contracts Effective Only When Bond Funds are Available as detailed below:

- **8.3. Composition of Boards and Commissions**
City Council suggested that the requirement that membership on City Boards and Commissions be changed to allow owners of business in the City to be considered eligible for membership.

If this Charter Amendment is approved by the voters, several sections of the Code of Ordinances will subsequently need to be changed. Staff has attached the proposed Ordinance to affect this change as well.

- **9.23 Purchases and Contracts for Improvements.**

City Council suggested changes this section of the Home Rule Charter to allow staff to accept bids from the lowest qualified responsible bidder instead of requiring the lowest bid to be accepted in all cases. This change is being suggested to allow the City flexibility in awarding contracts and to contain costs that may arise from the potential for a bidder to “buy a project” and increase cost to the project by adding changes orders.

- **9.24 Contracts Effective Only When Bond Funds are Available.**

City Council suggested this section be removed from the Home Rule Charter. This section in the Charter has been interpreted previously as to not allow the City to enter into leases for equipment and vehicles, prevented the City from using a low cost/low interest loan to complete a capital improvement project, and could prevent the City from being able to take advantage of the ability to do energy efficiency projects where improvements are made using the proceeds of loans being repaid by cost savings associated with reduced energy costs. This provision in the Charter prevents the City from leveraging available funds to provide the most benefit to the tax payers and is not necessary since the City operates from an approved budget and cannot commit to contracts if the funding has not been identified.

At the July 23, 2013 City Council Work Session staff provided revised proposed ballot language to City Council for consideration regarding potential changes to Sections 8.3-Composition of Boards and Commissions and 9.23 - Purchase and Contracts for Improvements. The following changes were made for City Council’s review.

Section 8.3 Composition of Boards and Commissions. The language “*if any member of any board or commission ceases to reside in the city or ceases to own a business within the city if a county resident having qualified under the terms of this section, his/her membership on the board or commission shall immediately terminate*” has been added.

Section 9.23 Purchases and Contracts for Improvements. The proposed change has been changed to read “*to the lowest qualified responsible bidder, if any as determined by City Council upon the recommendation of staff.*”

At the July 23, 2013 City Council Work Session, City Council requested staff make an additional revision to Section 8.3 and accepted the changes presented for Section 9.23.

At the July 30, 2013 City Council Work Session, City Council agreed with staff’s revisions to Section 8.3 and asked staff to bring this matter for formal consideration at an upcoming City Council Meeting. Staff is also seeking input on these items from CIRSA.

Attached to this communication is the revised proposed Home Rule Charter Ballot language. The proposed Ordinance changes that would be required by the change in the Home Rule Charter if approved by voters, and copies of the pertinent sections of the Code of Ordinances that would be

impacted by the Home Rule Charter amendments are being considered under a related but separate action by City Council.



City of Trinidad, Colorado
1891

CITY OF TRINIDAD, COLORADO

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF TRINIDAD, COLORADO, SUBMITTING PROPOSED HOME RULE CHARTER AMENDMENTS REGARDING COMPOSITION OF BOARDS AND COMMISSIONS, CONTRACTS FOR IMPROVEMENTS, AND CIRCUMSTANCES PERTAINING TO CONTRACT EFFECTIVE DATES TO THE REGISTERED ELECTORS OF THE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2013

WHEREAS, in accordance with Article XX of the Constitution of the State of Colorado, the registered electors of the City of Trinidad adopted a Home Rule Charter on November 2, 1993, to reserve unto the citizens of Trinidad the right and power of self-government; and

WHEREAS, the City Council of the City of Trinidad has conducted a review of the City's Home Rule Charter; and

WHEREAS, the City Council has determined that revisions to the Home Rule Charter regarding composition of boards and commissions, contracts for improvements and circumstances pertaining to contract effective dates should be submitted for consideration by the registered electors of the City.

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

Section 1. That the following proposed amendments to Section 8.3, Paragraph 3, of Chapter VIII ("Boards and Commissions") of the Home Rule Charter for the City of Trinidad, Colorado, be submitted to the registered electors of the City at the regular municipal election to be held on Tuesday, November 5, 2013: *

8.3. Composition of Boards or Commissions.

* * *

~~Eligibility for membership on a board or commission shall extend to those residents of the City who have resided within the City for a period of not less than one year immediately preceding appointment, and who are registered to vote. Any person who has been a resident of any area annexed to or consolidated with the City for the required period of time prior to annexation or consolidation and who is otherwise qualified shall be eligible for membership on boards and~~

** Capital letters indicate new material added to existing Charter language; dashes through words indicate deletions from existing Charter language.*

~~commissions. In the event that specific skill or knowledge is required for the proper function of a board or commission and is not possessed by a qualified resident of the City, the Council may by majority vote appoint a non-resident, who is technically qualified, to any board or commission as an ex-officio, non-voting member. In the event that a board or commission may have responsibilities or duties which affect certain areas outside the City limits, the Council may appoint qualified residents of the affected area to that board or commission; provided, that the majority of the voting members of such board or commission shall always be residents of the City.~~ ELIGIBILITY FOR MEMBERSHIP ON A BOARD OR COMMISSION SHALL EXTEND TO EITHER (i) RESIDENTS AND REGISTERED VOTERS OF THE CITY OF TRINIDAD WHO HAVE RESIDED WITHIN THE CITY FOR A PERIOD OF NOT LESS THAN ONE YEAR IMMEDIATELY PRECEDING APPOINTMENT, OR (ii) RESIDENTS AND REGISTERED VOTERS OF LAS ANIMAS COUNTY, COLORADO, WHO OWN A BUSINESS WITHIN THE CITY OF TRINIDAD AND HAVE DONE SO FOR A PERIOD OF NOT LESS THAN ONE YEAR IMMEDIATELY PRECEDING APPOINTMENT. THE MAJORITY OF ANY BOARD OR COMMISSION SHALL BE COMPRISED OF CITIZENS OF THE CITY OF TRINIDAD. A MEMBER SHALL REMAIN ELIGIBLE TO SERVE ON A BOARD OR COMMISSION SO LONG AS THEY CONTINUE TO MEET THE AFORELISTED CRITERIA.

Section 2. That the following question is hereby adopted for submitting the changes set forth in Section 1 above to the registered electors at said election:

Proposed Charter Amendment No. 1: SHALL SECTION 8.3, PARAGRAPH 3, OF CHAPTER VIII (“COMPOSITION OF BOARDS OR COMMISSIONS”) OF THE HOME RULE CHARTER FOR THE CITY OF TRINIDAD, COLORADO, BE AMENDED TO ALLOW FOR MEMBERSHIP TO EXTEND TO RESIDENTS AND REGISTERED VOTERS OF THE CITY OF TRINIDAD WHO HAVE RESIDED WITHIN THE CITY FOR A PERIOD OF NOT LESS THAN ONE YEAR IMMEDIATELY PRECEDING APPOINTMENT, OR RESIDENTS AND REGISTERED VOTERS OF LAS ANIMAS COUNTY, COLORADO WHO OWN A BUSINESS WITHIN THE CITY OF TRINIDAD AND HAVE DONE SO FOR A PERIOD OF NOT LESS THAN ONE YEAR IMMEDIATELY PRECEDING APPOINTMENT AND STIPULATE THAT THE MAJORITY OF ANY BOARD OR COMMISSION SHALL BE COMPRISED OF CITIZENS OF THE CITY OF TRINIDAD; AND SET FORTH THAT A MEMBER SHALL REMAIN ELIGIBLE TO SERVE ON A BOARD OR COMMISSION SO LONG AS THEY CONTINUE TO MEET THE AFORELISTED CRITERIA; ALL AS SET FORTH IN TRINIDAD CITY ORDINANCE NO. _____, SECTION 1?

** Capital letters indicate new material added to existing Charter language; dashes through words indicate deletions from existing Charter language.*

Section 3. That the following proposed amendments to Section 9.23, Paragraph 1, of Chapter IX (“Budget Control and Financing”) of the Home Rule Charter for the City of Trinidad, Colorado, be submitted to the registered electors of the City at said election: *

9.23. Purchases and Contracts for Improvements.

* * *

City Council shall set, by ordinance, the monetary amount for which any City purchases or contract for improvements shall be submitted for competitive bidding and awarded on the basis of what is the lowest bid that meets specifications TO THE LOWEST QUALIFIED RESPONSIBLE BIDDER, IF ANY, AS DETERMINED BY CITY COUNCIL UPON THE RECOMMENDATION OF STAFF.

Section 4. That the following question is hereby adopted for submitting the changes set forth in Section 3 above to the registered electors at said election:

Proposed Charter Amendment No. 2: **SHALL SECTION 9.23, PARAGRAPH 1, OF CHAPTER IX (“BUDGET CONTROL AND FINANCING”), OF THE HOME RULE CHARTER FOR THE CITY OF TRINIDAD, COLORADO, BE AMENDED TO CLARIFY THAT AWARD OF A COMPETITIVE BIDDING PROCESS SHALL BE GRANTED TO THE LOWEST QUALIFIED RESPONSIBLE BIDDER, IF ANY, AS DETERMINED BY CITY COUNCIL UPON THE RECOMMENDATION OF STAFF; ALL AS SET FORTH IN TRINIDAD CITY ORDINANCE NO. _____, SECTION 3?**

Section 5. That the following proposed deletion of Section 9.24, Paragraph 1, of Chapter IX (“Budget Control and Financing”) of the Home Rule Charter for the City of Trinidad, Colorado, be submitted to the registered electors of the City at said election: *

9.24. ~~Contracts Effective Only When Bond Funds Available.~~

* * *

~~No contract for the acquisition of property or the construction of improvements or other expenditures which is to be financed by bonds or other obligations shall be effective until the proceeds of the bonds or obligations are actually in the hands of the Director of Finance. Improvements to be paid for by special assessments shall be excepted from the provisions of this section.~~

Section 6. That the following question is hereby adopted for submitting the deletion set forth in Section 5 above to the registered electors at said election:

Proposed Charter Amendment No. 3: **SHALL SECTION 9.24, PARAGRAPH 1, OF CHAPTER IX (“BUDGET CONTROL AND FINANCING”), OF THE HOME**

** Capital letters indicate new material added to existing Charter language; dashes through words indicate deletions from existing Charter language.*

RULE CHARTER FOR THE CITY OF TRINIDAD, COLORADO, BE DELETED FROM THE HOME RULE CHARTER; ALL AS SET FORTH IN TRINIDAD CITY ORDINANCE NO. _____, SECTION 5?

Section 7. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 8. Effective Date. This ordinance shall be published and become effective ten (10) days after final passage, as provided in § 5.5 of the Home Rule Charter for the City of Trinidad, Colorado.

INTRODUCED BY COUNCILMEMBER _____; READ AND ORDERED PUBLISHED this _____ day of _____, 20__.

PASSED AND APPROVED this _____ day of _____, 20__.

THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the _____ day of _____, 20__.

CITY OF TRINIDAD, COLORADO

BERNADETTE BACA GONZALEZ, Mayor

ATTEST:

By: _____
AUDRA GARRETT, City Clerk



CITY OF TRINIDAD, COLORADO
1876

Council Communication

City Council Meeting: August 6, 2013
Prepared: July 30, 2013
Dept. Head Signature: 
of Attachments: 1

79

SUBJECT: Ordinance to Amend Those Sections of the Code of Ordinances of the City of Trinidad, Colorado, Which Set Forth a Residency Requirement for Membership on City Boards and Commissions

Presenter: Tom Acre, City Manager and Audra Garret, City Clerk

Recommended City Council Action: Staff recommends City Council approve the above ordinance on first reading.

Summary Statement: At the July 30, 2013 City Council Work Session staff provided revised proposed ballot language to City Council for consideration regarding potential changes to the Home Rule Charter Section 8.3-Composition of Boards and Commissions. If voters approve this change in the Home Rule Charter, several sections of the Trinidad Code of Ordinances that reflect a residency requirement will require modification. This proposed ordinance makes the required changes in the Code of Ordinances and would not become affective unless the Home Rule Charter change is approved at the November 5, 2013 election.

The changes in the Section 5-10 from Board of Appeals to Board of Building Code Appeals is being made to clarify that is section of the Code of Ordinances is specific to Building Code appeals.

Expenditure Required: No expenditure is required at this time.

Source of Funds: Not applicable.

Policy Issue: Revisions to the Code of Ordinances for the City of Trinidad required by as a result of the change to the Home Rule Charter.

Alternative: City Council could direct staff to not proceed with this item.

Background Information: Information regarding suggested potential changes to the Home Rule Charter and resulting Code of Ordinance changes proposed by Staff, CIRSA, and City Council

79

Members was previously provided and discussed with City Council at the May 28, 2013, June 11, 2013, July 9, 2013, July 23, 2013 and the July 30, 2013 City Council Work Sessions.

At the June 11, 2013 Work Session City Council provided general direction to staff to look at three areas for potential changes to the Home Rule Charter.

At the July 9, 2013 City Council Work Session staff provided information for City Council consideration regarding potential changes to Sections 8.3-Composition of Boards and Commissions, as detailed below:

- **8.3. Composition of Boards and Commissions**
City Council suggested that the requirement that membership on City Boards and Commissions be changed to allow owners of business in the City to be considered eligible for membership.

If this Charter Amendment is approved by the voters, several sections of the Code of Ordinances will subsequently need to be changed.

At the July 23, 2013 City Council Work Session staff provided revised proposed ballot language to City Council for consideration regarding a potential change to Section 8.3-Composition of Boards and Commissions. The following change was made for City Council's review.

Section 8.3 Composition of Boards and Commissions. The language "*if any member of any board or commission ceases to reside in the city or ceases to own a business within the city if a county resident having qualified under the terms of this section, his/her membership on the board or commission shall immediately terminate*".

During the July 23, 2013 City Council Work Session, City Council requested staff make an additional revision to Section 8.3.

At the July 30, 2013 City Council Work Session, City Council agreed with staff's revisions to Section 8.3 and asked staff to bring this matter for formal consideration at an upcoming City Council Meeting



ORDINANCE NO.

AN ORDINANCE TO AMEND THOSE SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF TRINIDAD, COLORADO, WHICH SET FORTH A RESIDENCY REQUIREMENT FOR MEMBERSHIP ON CITY BOARDS AND COMMISSIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, as follows:

SECTION 1. The purpose of this Ordinance is to amend those sections of the Code of Ordinances of the City of Trinidad, Colorado, which set forth a residency requirement for membership on City boards and commissions.

SECTION 2. Chapter 14 (“Planning and Zoning”), Article 2 (“City Planning, Zoning and Variance Commission”), Section 14-14(3)(d) of the Code of Ordinances of the City of Trinidad, Colorado, is hereby repealed and re-enacted as follows:

Section 14-14. City Planning, Zoning and Variance Commission; establishment.

(3) Membership; appointment; term; removal; vacancy.

(d) All members of the Commission shall serve without compensation ~~and shall be bona fide residents of the City. If any member ceases to reside in the City, his/her membership on the Commission shall immediately terminate.~~

SECTION 3. Chapter 19 (“Trees and Vegetation”), Article 3 (“City Tree Board”), Section 19-23 of the Code of Ordinances of the City of Trinidad, Colorado, is hereby repealed and re-enacted as follows:

Section 19-23. Creation and Establishment.

There is hereby created and established a City Tree Board for the City of Trinidad, Colorado, which shall consist of five (5) members, ~~citizens and residents of this city~~ who shall be selected and appointed by the City Council. At least one licensed tree professional shall serve as an ex-officio member of the Tree Board.

SECTION 4. Chapter 5 (“Buildings”), Article 2 (“Board of Appeals”), Section 5-10(1) of the Code of Ordinances of the City of Trinidad, Colorado, is hereby repealed and re-enacted as follows:

Section 5-10. ~~Board of Appeals.~~ Board of Building Code Appeals.

(1) Creation, existence, and continuation. In accordance with ~~§ 8.5 of the Home Rule Charter for the City of Trinidad, Colorado;~~ Ordinance No. 1711 of the City of Trinidad, Colorado; § 113 of the *International Building Code*; § R112 of the *International Residential Code*; § 108 of the *International Fire Code*; § 109 of the *International Plumbing Code*; § 109 of the *International Mechanical Code*; § 109 of the *International Fuel Gas Code*; § 109 of the *International Energy Conservation Code*; § 112 of the *International Existing Building Code*; § 111 of the *International Property Maintenance Code*; and § 109 of the *International Private Sewage Disposal Code*, the creation, existence, and

continuation of a Board of Building Code Appeals is hereby recognized. The Board of Building Code Appeals shall hear and decide appeals of orders, decisions, or determinations made by the building official and/or code official relative to the application and interpretation of the International Codes adopted by reference in Article 1 of this Chapter.

SECTION 5. Chapter 5 (“Buildings”), Article 2 (“Board of Appeals”), Section 5-10(4) of the Code of Ordinances of the City of Trinidad, Colorado, is hereby repealed in its entirety.

Section 5-10. ~~Board of Appeals.~~ Board of Building Code Appeals.

~~(4) — Residency requirement. If any member ceases to reside in the City, his or her membership on the Board shall immediately terminate.~~

SECTION 6. Effective date. This ordinance shall not become effective unless and until it shall have been approved through a Charter amendment at the City’s regular election to be held on November 5, 2013 by a majority vote of the registered electors voting thereon.

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.

BERNADETTE BACA GONZALEZ,
Mayor

ATTEST:

AUDRA GARRETT, City Clerk

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CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: August 6, 2013
PREPARED BY: Karen Wolf, Assistant Planner
DEPT. HEAD SIGNATURE:
OF ATTACHMENTS: 1

SUBJECT: Annual update of the Three-Mile Plan

PRESENTER: Louis Fineberg

RECOMMENDED CITY COUNCIL ACTION: Staff is requesting City Council approval of the Three-Mile Plan resolution.

SUMMARY STATEMENT: A Three-Mile Plan is required annually as part of the City's Comprehensive Plan and Colorado statutes.

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Resolution

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Colorado state statutes require that municipalities annually adopt a Three-Mile Plan for their communities.
- A Three-Mile Plan indicates how a City envisions developing property—in a general manner—up to three miles beyond its current boundaries. A Three-Mile Plan is also required for a City to annex any land.
- State statutes indicate that the plan shall generally describe the location, character, extent of streets, parks, open space, public utilities and proposed land uses. The Plan is generally adopted as an addendum to the City's Comprehensive Plan.
- This item was discussed at a work session on July 30, 2013.

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RESOLUTION NO.

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, UPDATING THE CITY OF TRINIDAD THREE-MILE AREA PLAN

WHEREAS, in June, 2008, the Trinidad City Council adopted the City of Trinidad Three-Mile Area Plan, pursuant to C.R.S. 31-12-105(e) and Resolution No. 1332; and

WHEREAS, a review of the Three-Mile Area Plan is required to be conducted annually and updates made accordingly; and

WHEREAS, Resolution No. 1344, adopted June, 2009, updated the original Three-Mile Area Plan; and

WHEREAS, Resolution No. 1356, adopted June, 2010, updated the Three-Mile Area Plan as revised in 2009; and

WHEREAS, Resolution No. 1370, adopted July, 2011, updated the Three-Mile Area Plan as revised in 2010; and

WHEREAS, Resolution No. 1391, adopted July, 2012, updated the Three-Mile Area Plan as revised in 2011; and

WHEREAS, the 2013 annual review of the Three-Mile Area Plan concludes that no updates are required to the plan as revised in 2012;

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

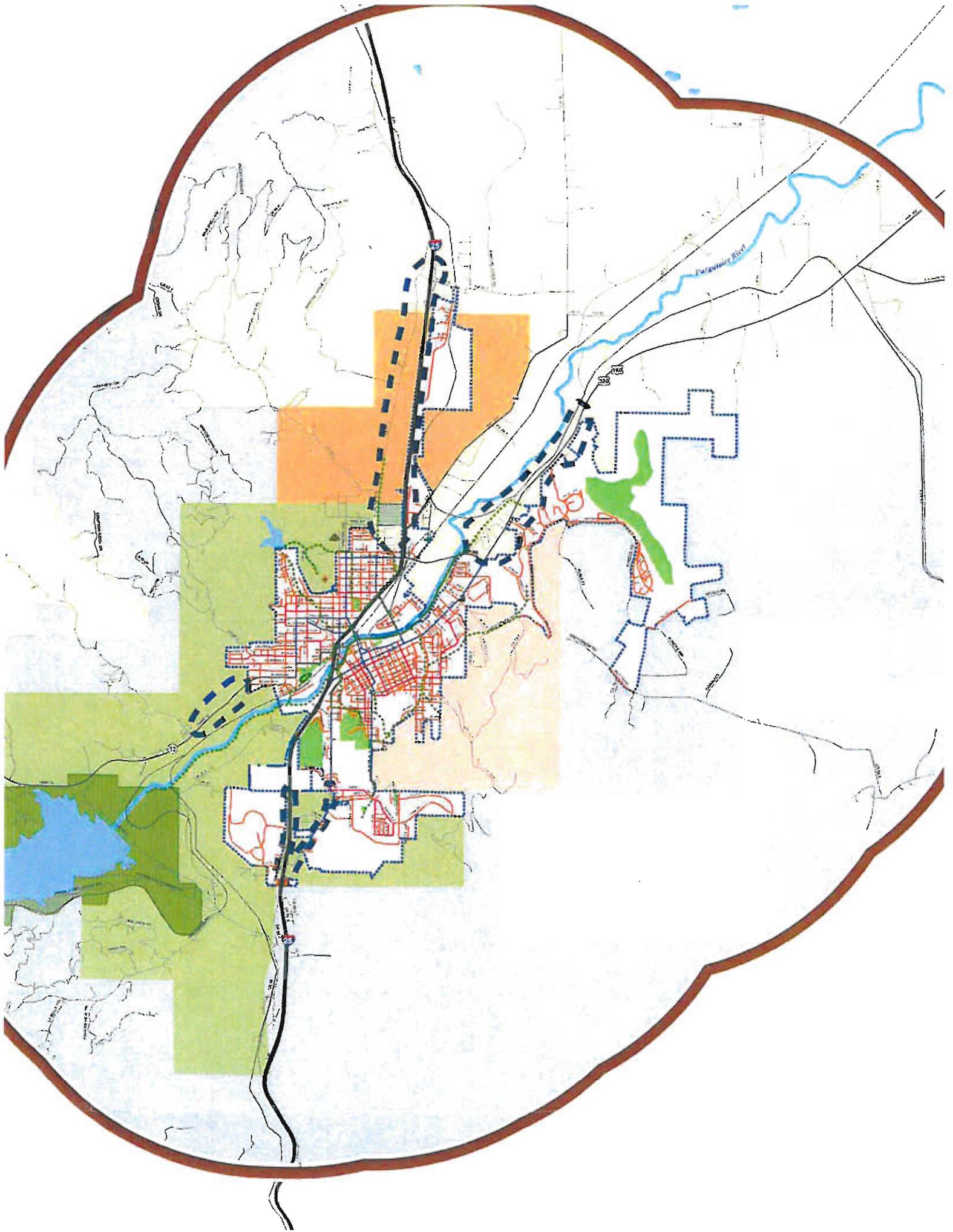
1. The City of Trinidad hereby designates the City of Trinidad Three-Mile Area Plan, dated June, 2008, and all subsequent revisions to said plan, as the Major Street Plan for the City of Trinidad, in conformance with the provisions of Section 31-23-212 of the Colorado Revised Statutes.
2. The City Clerk is directed to file a certified copy of the Updated Three-Mile Area Plan as the City's Major Street Plan, with the Las Animas County Clerk & Recorder.

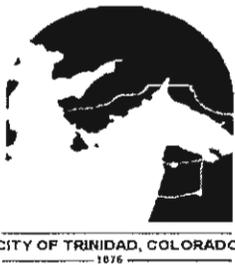
INTRODUCED, READ, AND ADOPTED THIS _____ DAY OF August, 2013.

BERNADETTE BACA GONZALEZ
Mayor

ATTEST:

AUDRA GARRETT, City Clerk





COUNCIL COMMUNICATION

71

CITY COUNCIL MEETING: August 6, 2013
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 4

SUBJECT: Appointments to the City Tree Board

PRESENTER: Tom Acre, City Manager

RECOMMENDED CITY COUNCIL ACTION: Consider re-appointment of both applicants to full three-year terms

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

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

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Two letters of interest were received prior to the advertised deadline –
Peter Gintautas
Robert Compton
- The applicants introduced themselves approximately one year ago shortly after the formation of this board. They were both selected to fill the initial staggered one-year terms.
- A third vacancy still exists due to the resignation of Francesca Villani.
- A copy of the advertisement is attached.
- A current listing of boards and commissions is included.

71

Audra Garrett

From: Gintautas - DNR, Peter [peter.gintautas@state.co.us]
Sent: Friday, July 26, 2013 7:10 PM
To: Karen Wolf
Cc: Audra Garrett
Subject: Re: Tree Board new term

Karen and Audra, I am interested in the three year term. I will not be back in the Trinidad until August 2nd or 3rd.

Peter Gintautas, Ph.D.
Colorado Oil and Gas Conservation Commission
Environmental Protection Specialist - Southeastern Colorado
719-846-3091
719-679-1326 (mobile)
peter.gintautas@state.co.us

On Thu, Jul 25, 2013 at 11:23 AM, Karen Wolf <karen.wolf@trinidad.co.gov> wrote:

Peter,

I know you are out of town, but letters of interest for serving on the Tree Board are due next Wed July 31st.

If you are interested terms are now all 3 years. Audra said you can always resign at some point if you choose not to serve for 3 years.

The vacancy seat has two years left on it...another option...but we would prefer a new appointment of three years.

I hope you want to continue to help!! You may email Audra and me a letter if that is easiest.

Thanks,

Karen

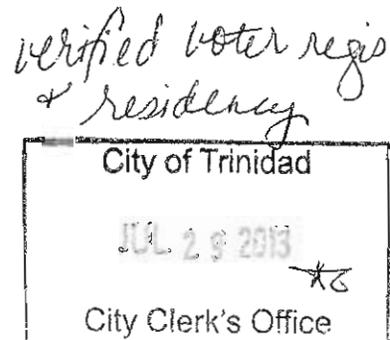
Karen L Wolf

Assistant Planner

City of Trinidad

135 N Animas Street

Trinidad, CO 81082



July 22, 2013

DEAR Alesia:

PLEASE be advised that my term on the City Tree Board is expiring on August 7, 2013.

I would like to be considered for another term. Hopefully I have contributed to the board and the citizens of Trinidad.

Thank you.

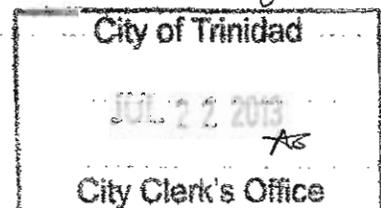
Respectfully

Bob Compton

701 W. Kan St S

Trinidad, CO 81082

verified voter regis
& residency



PUBLIC NOTICE

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

two (2) on the Arts and Culture Advisory Commission; and - *Scott Candland, Steven Kelley*
one (1) on the Tourism Board; and - *Scott Candland*
four (4) on the Library Board; and
three (3) on the City Tree Board. - *Fran Vilkani, Peter Gintautas, Robert Compton*

In order to be considered eligible to serve individuals must be a resident of the City and have resided within the City for not less than one year immediately preceding appointment and must be registered to vote. However, in order to serve on the Tourism Board an applicant shall be either residents and registered voters of the City of Trinidad, or residents and registered voters of Las Animas County, Colorado, who own a tourism-related business within the City of Trinidad. Applicants must be employed in a restaurant operation to fill this particular vacancy.

Letters of interest in serving on any of these boards will be accepted at the City Clerk's Office at City Hall, 135 N. Animas Street or P. O. Box 880, Trinidad, CO 81082, until 12:00 p.m., Wednesday, July 31, 2013. Please include your qualifications for the position.

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

City of Trinidad
Audra Garrett, City Clerk

Publish: July 19, 2013 – Chronicle News / July 26, 2013 – Times Independent

Legal ad

Furnish Proof of Publication

ARTS AND CULTURE ADVISORY COMMISSION (7 members – matching Council terms)

Ord No. 1750 - 7 members appointed by entire City Council - effective 4/16/04

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>APPOINTED</u> <u>BY</u>	<u>TERM</u> <u>EXPIRES</u>
03/20/12	Carol Potter	403 N. Commercial, Unit 301	846-7386	Council	01/05/2016
03/20/12	Tony A. Diego	730 W. Kansas Ave.	680-2059	Council	01/05/2016
03/20/12	Deborah Bernhardt	1125 Obregon	680-9048	Council	01/05/2016
02/21/12	Marilyn Leuszler	2405 Desperado Dr.	845-1433	Council	01/07/2014
12/04/12	Scott Candland	713 Corundum Rd.	970-418-2146	Council	01/07/2014
03/05/13	Bonnie Canizaro	721 Pine Street	422-8035	Council	01/07/2014
02/02/10	Steven J. Kelly	1507 Trinity Street	846-0359	Council	01/07/2014

CHAIRPERSON: Steven J. Kelly
City Council Liaison – Carol Bolton

PARKS & RECREATION ADVISORY COMMITTEE (7 members- coincident with Council terms)

Home Rule Charter 8.6 - Ordinance #1749 - 7 members appointed by entire City Council - effective 4/16/04

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>APPOINTED</u> <u>BY</u>	<u>TERM</u> <u>EXPIRES</u>
01/18/11	Cherie Kollander	930 Park St.	890-0290	Council	01/07/2014
08/07/12	Glenn T. Davis	316 E. Third Street	846-9142	Council	01/05/2016
08/07/12	Wayne Pritchard	728 Tillotson	242-7951	Council	01/05/2016
09/19/12	Peggy Westmoreland	111 E. Topeka Ave.	220-0628	Council	01/05/2016
11/07/12	Diane Beach	410 W. Baca St.	679-2102	Council	01/07/2014
02/05/13	Greg Calvert	718 W. Washington	845-8413	Council	01/07/2014
02/05/13	Pat Patrick	723 Willow St.	846-4113	Council	01/07/2014

PLANNING, ZONING AND VARIANCE COMMISSION (4 yr terms - 7 members - Council appointed)

Home Rule Charter 8.4 - not less than 5 nor more than 9 members - appointed by Council

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>TERM</u> <u>EXPIRES</u>
11/07/12	Bill Winter	221 Adam Road	846-1088	09/01/2016
09/04/12	Richard George	824 Tillotson	846-7052	09/01/2016
10/06/09	Kent Eberhart	1125 Obregon St.	846-4997	09/01/2013
09/01/09	Frank Leone Jr.	502 S. Walnut	846-4170	09/01/2013
09/07/10	Pat Patrick	723 Willow St.	846-4113	09/01/2014
10/04/11	Cherie Kollander	930 Park St.	890-0290	09/01/2015
10/04/11	Glenn T. Davis	316 E. Third St.	846-9142	09/01/2015

CHAIRPERSON: Glenn T. Davis

LIBRARY ADVISORY BOARD (5 members, 3 year terms – Ord. 1912)

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>TERM</u> <u>EXPIRES</u>
03/20/12	Frank E. Hardy	409 Riata Dr.	680-2929	01/05/2015
02/07/12	Vacant			01/05/2015
07/19/11	Vacant			01/07/2013
07/19/11	Vacant			01/07/2013
07/19/11	Vacant			01/06/2014

City Council Liaison – Bernadette Baca Gonzalez 1/3/2012

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

Ordinance #1677 - 5 members appointed by Council

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>TERM</u> <u>EXPIRES</u>
02/07/12	Pat Patrick	723 Willow St.	846-4113	02/10/2014
02/07/12	Lou Girodo	101 Aguilar Ct.	846-7157	02/10/2014
04/16/13	Liz Torres	1105 Alta	846-4807	02/10/2014
02/05/13	Scott Candland	713 Corundum Rd.	970-418-2146 (restaurant)	02/10/2015
04/16/13	Cy Michaels	2833 Toupal Dr.	845-0102 (lodging)	02/10/2015

CHAIRPERSON: Pat Patrick

BOARD OF APPEALS (3 members w/initial staggered terms then all are 2 yr terms - Council Appointed)

Home Rule Charter 8.5 - not less than 3 nor more than 5 members - appointed by Council

Ordinance #1711 calls for appointment of 3 members

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>TERM</u> <u>EXPIRES</u>
02/05/13	Sam Coker	216 E. White	719-250-8245	02/04/2015
02/05/13	Wayne L. Pritchard	728 Tillotson	242-7951	02/04/2015
05/15/12	Bruce Veltri	1014 Lincoln Street	680-1338	02/04/2014

Initial Appointments made 2/4/03 - 3 members w/staggered terms 2 with 2-yr terms and 1 with 1-yr term. Thereafter all terms shall be for 2 years.

CITY TREE BOARD – (3 yr terms – Council Appointed - Ordinance #1928)

<u>DATE</u>				<u>TERM</u>
<u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>EXPIRES</u>
08/07/12	Vacant			08/07/2015
08/07/12	Martha Fitzgerald	728 Tillotson	859-1599	08/07/2014
08/07/12	Jennifer Laidig	818 W. Baca St.	503-729-1756	08/07/2014
08/07/12	Peter Gintautas	213 Corundum Rd.	845-0602, 846-3091	08/07/2013
12/18/12	Robert Compton	701 W. Kansas	846-3878	08/07/2013
08/07/12	Will Duniho	Ex-Officio	680-9240 or 846-6317	Indefinite
08/07/12	Robert Ingoldby	Ex-Officio	859-3799	Indefinite

ARPA BOARD OF DIRECTORS - (4 yr terms - Council Appointed)

Organic Contract Section 2.5.2 - 2.5.3 - Council appoints 2 members (citizen, resident, or customer)

<u>DATE</u>				<u>TERM</u>
<u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>EXPIRES</u>
11/07/12	Michelle Miles	219 S. Ash Street	719-404-3812	12/31/13
11/15/11	Franklin Shew	2616 Espinoza	846-8402	12/31/15

COUNCIL OF GOVERNMENTS - (Council Appointed) By agreement - member of Council, coincident with term

<u>DATE</u>				<u>TERM</u>
<u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>EXPIRES</u>
10/16/12	Anthony Mattie	2607 Desperado Dr.	680-1324	01/07/2014

E-911 AUTHORITY BOARD - (4 City terms - 2-2 yr, 1-3 yr and 1-1 yr - Council Appointed - 3 year terms after initial term appointments)

by IGA - 4 members appointed by Council

<u>DATE</u>				<u>TERM</u>
<u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>EXPIRES</u>
01/18/11	Nick DeBono	212 W. Colorado Ave	846-1111	12/31/13 (3 yr term)
02/07/12	Arsenio Vigil	1208 Arizona Ave.	859-1489	12/31/14 (3 yr term)
02/07/12	David Barrack	814 Tascosa	680-4367	12/31/14 (3 yr term)
04/17/12	Charles Glorioso	2309 E. Main	846-4441	03/31/15 (3 yr term)

CHAIRPERSON:

Metzger filled unexpired term of Dan Konkel; Chere Metzger and Carmen Sandoval re-appointed; Metzger resigned 2/06; Charles Glorioso re-appointed & Stephen Brown appointed 3/06; Mattie filled Brown; Pat Fletcher filled Carmen Sandoval's term; DeBono reappointed; 1/6/09 Mattie & Fletcher reappointed; Glorioso re-appointed 3/09; DeBono reappointed 1/11; Arsenio Vigil & David Barrack replaced Pat Fletcher and Anthony Mattie

HOUSING AUTHORITY OF THE CITY OF TRINIDAD - (5 yr terms)

Colorado State Statute - 5 members

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>TERM</u> <u>EXPIRES</u>
06/08/11	Arsenio Vigil	1208 Arizona Ave.	859-1489	07/01/14
02/05/13	Helen Veltri	611 E. 6 th Street	846-3266	07/01/15
07/11/11	Duane Roy	2001 ½ Santa Fe Tr Dr	846-9653	07/01/16
07/09/12	Jennie Garduno	627 Linden Avenue	846-6678	07/01/17
07/16/13	Marie George	829 Tillotson	846-7052	07/01/18

CHAIRPERSON: _____

SOUTHERN COLORADO ECONOMIC DEVELOPMENT DISTRICT BOARD

3/19/13 Louis Fineberg 135 N. Animas Street 846-9843 12/31/13

CITY MILITARY LIAISON OFFICE

Resolution #1293 - effective 3/7/06

<u>DATE</u> <u>APPOINTED</u>	<u>APPOINTEE</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>APPOINTED</u> <u>BY</u> _____	<u>TERM</u> <u>EXPIRES</u>
3/7/06	Col. Louis Simpleman	608 S. Maple St.	846-2336	Council	N/A

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CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: August 6, 2013
PREPARED BY: Tara Marshall
DEPT. HEAD SIGNATURE: 
OF ATTACHMENTS: 1

SUBJECT: Consideration of Memorandum of Understanding between City of Trinidad and Department of Local Affairs regarding the Colorado Main Street Candidate Program for the remainder of 2013.

PRESENTER: Tara Marshall, City Management Intern

RECOMMENDED CITY COUNCIL ACTION: Motion to authorize the Mayor to sign the Memorandum of Understanding (MOU) between the City of Trinidad and Department of Local Affairs (DOLA) for the Colorado Main Street Candidate Program for the remainder of 2013.

SUMMARY STATEMENT:

The MOU between the City of Trinidad and the Department of Local Affairs for the Main Street Program is effective for the remainder of 2013 only. This MOU requires the City of Trinidad to dedicate staff time to attend 3 identified trainings, respond to emails and phone calls from the Colorado State Main Street Coordinator and complete and file quarterly reports to DOLA. This MOU will expire on December 31, 2013. In early December, the City of Trinidad will receive an additional MOU regarding participation in the Colorado Main Street Candidate Program for 2014.

As staff suggested in previous City Council Work Session, the MOU under consideration is for the remainder of 2013 and does not bind the City to any additional commitment to the program. Moving forward, each December the City of Trinidad will receive an MOU from DOLA for participation in next year's program. Participation from year to year is dependent on available funds, staff resources and the necessary community involvement to make the program a success.

The Colorado Main Street Candidate Program is designed to fit very well with the current Creative District efforts and with the combined reporting and training schedules, the City is able to participate in the Colorado Main Street Program without significant additional cost. Another benefit of the Colorado Main Street Candidate Program is the training staff and community volunteers will receive in the areas of design, promotion, organization and economic restructuring.

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Downtown Colorado Inc. recommended the Colorado Main Street Candidate Program as part of the results of the Community Assessment completed last October. Following this recommendation staff prepared the Letter of Intent to enter the program and City Council authorized this action on Monday, July 1, 2013. Upon receiving notification from DOLA that Trinidad was selected to enter the program, staff prepared a more detailed presentation on the program for City Council at the July 30, 2013 City Council work session.

EXPENDITURE REQUIRED: Travel/Meal/Hotel Expenses for 3 trainings will be approximately \$900, which includes approximately \$400 of already allocated travel expenses for Creative District Meetings. No registration fees are required. Several hotel rooms & meals are complementary since staff is participating in panels. Mileage costs are defrayed by traveling in a City vehicle.

SOURCE OF FUNDS: Travel expenses from already established Planning and Welcome Center Budgets

POLICY ISSUE: City of Trinidad's participation in the Colorado Main Street Program

ALTERNATIVE: Not to participate in the Colorado Main Street Program.

BACKGROUND INFORMATION: See above. Additional background information was previously provided at the July 1, 2013 and July 30, 2013 City Council meetings. Attached is the MOU from the Department of Local Affairs regarding the Main Street Program.

Memorandum of Agreement for Participation in the Colorado Department of
Local Affairs' Main Street Program

This Agreement is entered into and executed by the Colorado Department of Local Affairs (DOLA), and Trinidad (Community).

I. Agreement

Whereas, this Agreement is for the purpose of said Community to participate in the Colorado Main Street Program, and

Whereas, DOLA administers the Colorado Main Street Program and provides technical assistance and training to selected communities, and

In consideration of the foregoing and of the mutual promises set forth herein, and intending to be legally bound, the parties hereto agree to the following specifics regarding the Colorado Main Street Program, agree as follows:

A. DOLA agrees to:

1. Act as liaison and facilitate communications between the Local Program, the Colorado Main Street Program, other Colorado communities, and the National Trust for Historic Preservation Main Street Center, as they relate to the local Main Street Program.
2. Conduct orientation for new board members and new program managers. This orientation could take place on-site, via webinar, or in Denver.
3. Conduct two on-site training sessions in the community. This could include training for one of the four committees, a facilitated board retreat, or a visioning session to identify goals, objectives and work plans for the organization.
4. Provide Main Street Architectural Assistance, resources permitting;
5. Facilitate and promote ongoing press coverage of the Colorado Main Street Program and its individual local programs.
6. Provide access to resource materials, including audio-visual and published materials relating to downtown revitalization and specifically organization, design, promotion and economic restructuring.
7. Post success stories and testimonials from the Main Street Program on the DOLA website and share links to the National Trust Main Street Center and other state coordinating programs.
8. Maintain the Colorado Main Street Facebook page as a way to promote the activities of the local programs.

Memorandum of Agreement for Participation in the Colorado Department of
Local Affairs' Main Street Program

9. Publish a quarterly Main Street Newsletter, highlighting local programs, partners and resources.
10. Assist the Main Street Program in local capacity building efforts. Assistance may come from additional meetings with DOLA Regional Managers, Main Street Staff, local or state-wide foundations, other state agencies or from established Main Street Communities or through the sharing of written materials.
11. Connect Main Street Programs with partner services and resources to assist in reducing barriers and solving local problems. These partners include non-profits, other state agencies, federal agencies, private foundations and for-profit businesses.
12. Review quarterly reports and provide guidance and advice for the Main Street Program to obtain National Accreditation.
13. Conduct the annual accreditation and year end assessment on-site.
14. Make available a historic preservation architect to provide, on a first-come, first-served basis, façade schematics, assessments, training and related design work.
15. Participate as a non-voting, advisory member of hiring committees for Main Street staff, if requested by the local community.

B. Local Candidate Program agrees to:

1. Provide staff to work with DOLA and to help coordinate with the local program. Paid staff is not required as a Candidate, but should be considered and planned for in order to move forward in the program.
2. Send new managers to orientation and training within the first year of the position.
3. Raise and expend funds and in-kind services for continuation of the local Main Street Program, including, but not limited to maintaining an office with the necessary travel and operating budget for the local program.
4. Continue the comprehensive approach to downtown revitalization following the Four-Point Approach methodology and Eight Guiding Principles recommended by the National Main Street Center and the Colorado Main Street Program, including development of annual written work plans for the local Main Street Program and the

Memorandum of Agreement for Participation in the Colorado Department of
Local Affairs' Main Street Program

establishment of a strong, broad-based organizational system to include but not be limited to the following committees: organization (or equivalent), promotion, design, and economic restructuring.

5. Concentrate the Main Street Program activities within the boundaries of the target area that is designated by the local program.
6. Maintain data for monitoring the progress of the Main Street Program submit required quarterly progress reports using formats provided by DOLA and provide other information requested by DOLA on or before the identified deadlines. Failure to submit quarterly progress reports may jeopardize eligibility for services provided by the Colorado Main Street Program.
7. Require the local program manager's participation in Main Street Managers' Meetings scheduled around the state. The local program shall be responsible for the manager's travel costs and expenses associated with these meetings. Allowance may be made for remote attendance if possible. If the manager cannot attend, in person or remotely, the local program should make every effort to send an alternate attendee.
8. Provide the Main Street office with a computer and email connection which is signed up to receive National Main Street Listserve emails.
9. Attend at least three of the following training opportunities in the year:
 - a. DCI Downtown Institutes held in conjunction with Main Street Quarterly Trainings
 - b. National Main Streets Conference
 - c. International Downtown Association Spring Conference
 - d. International Downtown Association Annual Conference
 - e. Colorado Preservation Inc. Annual Conference
 - f. DCI Annual Conference
 - g. One Main Street Webinar conducted by DOLA or other approved organization
 - h. Colorado Brownfields Foundation Annual Conference
 - i. Economic Development Council of Colorado Spring or Fall Conference
 - j. Historic Preservation Commission Training
 - k. International Economic Development Council training

Program managers (or their proxy, with prior approval from DOLA) are required to attend at least three of the continuing education opportunities above. Other industry options for continuing education will be considered but must receive approval by DOLA to meet the requirement prior to attendance. Committee and Board members

Memorandum of Agreement for Participation in the Colorado Department of
Local Affairs' Main Street Program

and volunteers are encouraged to attend these training opportunities as well. In the event that on-site services are requested, the community must have at least sixty percent (60%) of persons designated to participate in the event committed to attend at least 48 hours before the scheduled event. DOLA reserves the right to cancel said on-site service if this requirement is not met.

10. Assist in local arrangements during on-site and public relations visits to the community, as requested by DOLA.
11. Provide DOLA with one (1) copy of any materials and/or publications relating to the community's Main Street Program, sent via U.S. Mail, facsimile transmission, or internet correspondence. Materials may include board meeting minutes, approved budgets, local training flyers, newsletters, and promotional materials, etc.
12. Present an annual "State of Main Street" report to the local elected body. Submit report to DOLA
13. Agree to acknowledge being an official Colorado Main Street Community and properly use the name and trademark.

C. Community/Local Government Agrees to:

1. Maintain an ongoing and supportive relationship with the local program.
2. Work with DOLA and the Local Program to resolve any issues.

D. Other conditions:

1. The term of this Agreement shall be for one year, beginning _____ and ending December 31, 2013. It may be extended or revised only with the approval of the DOLA Main Street Coordinator, the President of the Board of the Local Program and the Mayor of the Community.
2. If the Local Program or Community fail to fulfill its obligations under this Agreement in a timely and proper manner, or if the community violates any terms of this Agreement, DOLA shall have the right to terminate this Agreement and withhold further Colorado Main Street services by giving the community not less than sixty (60) days written notice.

Memorandum of Agreement for Participation in the Colorado Department of
Local Affairs' Main Street Program

II. Compensation

A. The Community is not required to pay DOLA for services related to this agreement.

III. Representations and Warranties

All parties to this agreement represent and warrant (i) that they have no obligations, legal or otherwise, inconsistent with the terms of this Agreement, (ii) that the performance of the services called for by this Agreement does not and will not violate any applicable law, rule or regulation or any proprietary or other right of any third party, (iii) that the parties will not use in the performance of responsibilities under this Agreement any confidential information or trade secrets of any other person or entity and (iv) that neither party has entered into nor will enter into any agreement (whether oral or written) in conflict with this Agreement.

IV. Entire Agreement and Notice

This Agreement contains the entire understanding of the parties and may not be amended without the specific written consent of all parties. Any notice given under this Agreement will be sufficient if it is in writing and if sent by certified or registered mail.

V. Compliance with Law

In connection with his/her services rendered hereunder, all parties agree to abide by all federal, state, and local laws, ordinances and regulations.

VI. Governing Law

This Agreement will be construed in accordance with, and all actions arising hereunder will be governed by, the laws of the State of Colorado.

BY: _____
Mayor's Signature Date

Print Name Community

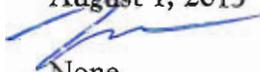
BY: _____
Representative Date

Print Name DOLA



CITY OF TRINIDAD, COLORADO
1876

Council Communication

City Council Meeting: August 6, 2013
Prepared: August 1, 2013
Dept. Head Signature: 
of Attachments: None

SUBJECT: Authorization to Expend Budgeted Funds for Vehicle Purchases

Presenter: Tom Acre, City Manager

Recommended City Council Action: Staff recommends City Council approve the purchase of vehicles and the resulting ability to re-assign and dispose of vehicles.

Summary Statement: In the adopted 2013 Budget, the City budgeted for the purchase of three vehicles; two vehicles in the Water Department and one vehicle in the Power and Light Department. The total amount budgeted for replacement vehicle purchases is \$100,000. Pioneer Natural Resources has been in the process of converting their vehicles to operate using Compressed Natural Gas (CNG). In doing this, they are in the position to offer the City several vehicles at an attractive price.

The vehicles they are offering at this time are 2011 and 2012 F250 Super Cab 4x4 XLT Ford extended cabs and one regular cab pickup with 36,000 to 43,000 miles for approximately \$17,200 to \$18,500 each. Staff was initially going to put these vehicles purchases off for another year, however we have been offered this opportunity that we believe is more cost effective solution for vehicle replacement. In doing some research on-line comparable vehicles range are in excess of \$25,000.

This vehicle purchase will allow us to replace the following vehicles.

Water Department: W3, W12 and W14 with 133,155; 155,838 and 65,532 miles respectively
Power and Light Department - E3 with 163,120 miles.

W3 will go to the Maintenance Division which will allow M2 to go to the landfill replacing an inadequate vehicle (L9).

W14 will go to the Parks Department to replace a yet to be determined older vehicle.

E3 will either go to the Street and Bridge Division or be sold. In addition we are looking at selling a couple of other older vehicles which were replaced by donated vehicles earlier this year.

It has been past practice that vehicles are purchased from the enterprise funds and then their older vehicles have been handed down to divisions within the General Fund budget. We try to replace vehicles and hand them down with sufficient miles to allow additional years of service. Staff has agreed that we do not need to add utility boxes to the new vehicles for now.

Expenditure Required: Approximately \$75,000

Source of Funds: Water and Power and Light Funds.

Policy Issue: Should we expend budgeted funds to replace vehicles at this time.

Alternative: City Council could direct staff to not proceed with this item.

Background Information: In the 2013 approved budget, \$100,000 was budgeted in capital outlay for vehicle replacement. In the Water Fund \$60,000 was budgeted for vehicle replacement which included (1) ¾ ton 4x4 pick-up truck with extended cab and a 4x4 pickup truck for the North/Monument Lake WTP. In the Power and Light fund \$40,000 was budgeted for a ½ ton pickup for the meter serviceman.