



City of Trinidad, Colorado
1876

CITY OF TRINIDAD
TRINIDAD, COLORADO

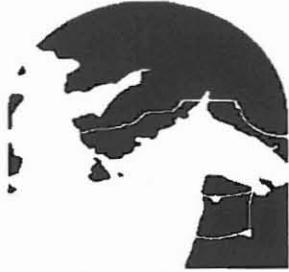
AMENDED
SPECIAL MEETING

There will be a Special Meeting of the City Council of
the City of Trinidad, Colorado, on Thursday, June 19, 2014,
at 5:30 p.m. in the
Council Chambers at City Hall

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

- 1) Special events permit request (malt, vinous and spirituous) by Trinidad-Las Animas County Hispanic Chamber of Commerce at 206 N. Animas Street for July 12, 2014
- 2) Public hearing for consideration of an ordinance establishing regulations and licensing requirements for retail marijuana businesses
 - a) Second reading of an ordinance establishing regulations and licensing requirements for retail marijuana businesses

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).



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: June 19, 2014
PREPARED BY: Audra Garrett, City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*
OF ATTACHMENTS: 9

SUBJECT: Special event permit request (malt, vinous and spirituous) by Trinidad-Las Animas County Hispanic Chamber of Commerce at 206 N. Animas Street for July 12, 2014

PRESENTER: Trinidad-Las Animas County Hispanic Chamber of Commerce 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 indicated his approval upon the Fire Chief's approval.
- The Fire Chief stated that the access to the third exit must be cleared. Otherwise an inspection is on file.
- The Police Chief approved the security plan.
- Disclosure statements are provided by Councilmembers Miles and Torres.
- Appropriate fees have been paid.
- Due to an oversight this item was inadvertently omitted from the June 17th Council agenda.

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

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE <i>Trinidad-Las Animas County Hispanic Chamber</i>		State Sales Tax Number (Required) <i>04302968</i>	
2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) <i>P.O. Box 17 1804 N. Linden Avenue Trinidad, CO. 81082</i>		3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) <i>206 N. Animas Street Trinidad, CO. 81082</i>	
NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SECY OF ORG. or POLITICAL CANDIDATE <i>Yolanda Romero</i>			
5. EVENT MANAGER <i>Yolanda Romero</i>			
6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS?		7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM?	

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

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

Date <i>7/12/2014</i>	Date	Date	Date	Date
Hours From <i>5:00 p.m.</i>	Hours From	Hours From	Hours From	Hours From
To <i>1:00 a.m.</i>	To	To	To	To

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>Yolanda Romero</i>	TITLE <i>President</i>	DATE <i>5/30/2014</i>
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

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

THEREFORE, THIS APPLICATION IS APPROVED.

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

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

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

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,

TRINIDAD-LAS ANIMAS COUNTY HISPANIC CHAMBER OF COMMERCE

is a **Nonprofit Corporation** formed or registered on 04/27/1988 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 19881037683.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/29/2014 that have been posted, and by documents delivered to this office electronically through 05/30/2014 @ 14:27:01.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 05/30/2014 @ 14:27:01 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8864005.



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.colorado.gov/electronicsecretaryofstate> 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.colorado.gov/electronicsecretaryofstate> 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: Hispanic Chamber of Commerce
DATE OF EVENT: Saturday, July 12, 2014
RENT AMOUNT: \$500.00
DAMAGE DEPOSIT: \$1,000.00.

1. Lease: This lease is between Trinidad Area Catholic Community (TACC) and *Trinidad and Las Animas County Hispanic Chamber of Commerce* (RENTER). The RENTER agrees to abide by the agreed upon terms of this Rental Agreement.
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 *Community Fundraising Dance*
3. Term: The term of agreement shall start **5 day** 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 Maintenance Supervisor 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 Maintenance Supervisor.
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 Maintenance Supervisor 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 is 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: May 29, 2014

TRINIDAD AREA CATHOLIC COMMUNITY

Name: [Signature]

Title: Business Manager

RENTER

Organization: Trinidad-Cas Animas
County Hispanic CC

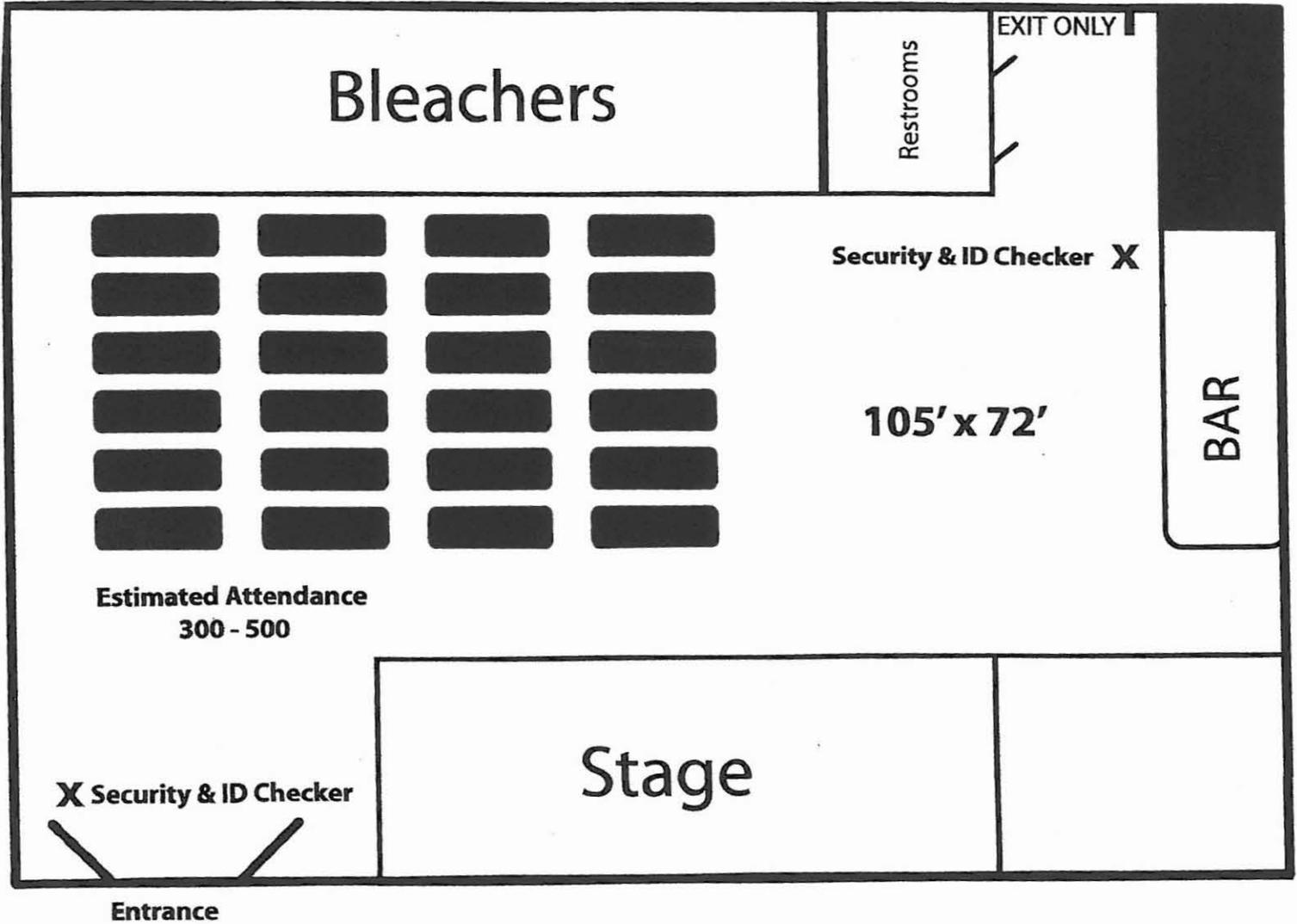
Name: Yolanda Romero

Title: President

Address: 1804 N. Linden Ave.

City, State, Zip: Trinidad, CO. 81082

Sebastiani Gym Dance



6/3/14

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

Applicant: Trinidad-Las Animas County Hispanic Chamber of Commerce

dba:

Address: 206 N. Animas Street *846-8234*

Type of License: Malt, Vinous and Spirituous

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: June 17, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: inspection on file - must clear area
to 3rd Exit Doors

6-6-14
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: June 10, 2014

Safety Plan
Trinidad – Las Animas County - Hispanic Chamber of Commerce
Fund-Raising Community Dance

Date of Event: Saturday, July 12, 2014
Date: Saturday, July 12, 2014
Time Period: 6:00 p.m. – Midnight
Pre-Operation Briefing: To be assigned
Operations Supervisor: To be Assigned

Location of Event: Sebastiani Gym. Access will be through the main front door with emergency exit being located adjacent to the bar.

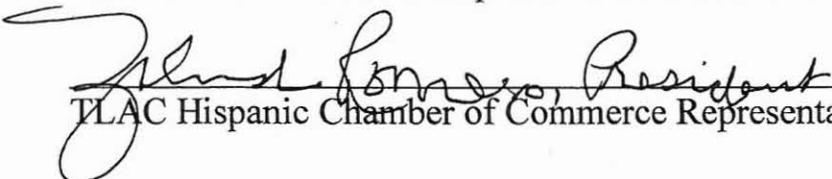
Ground Rules:

No smoking
Alcohol beverages in moderation
No underage drinking
Adhere to capacity requirement

Safety Objectives:

To provide safety for participants who attend the TLAC Hispanic Chamber of Commerce community dance event. Maintain public safety during this event. Provide safety in the operational area to include event Beer Garden. It should be noted that ingress/egress is located at the front entrance to the building (facing Animas Street), and the event entrance (facing Main Street). An emergency EGRESS is located adjacent to the Beer Garden and will NOT be used to allow access into the facility. An emergency EGRESS is located adjacent to the Beer Garden at the event and will NOT be used to allow access into the Beer Garden. A map is attached to this plan to show the operational area.

Emergency Escape Routes: Roads and emergency exits will remain clear in case of an emergency. Fire Extinguishers: Will be available in the Beer Garden Area. Location map with entrances and exits attached.



TLAC Hispanic Chamber of Commerce Representative/Date 6-9-2014

6/3/14

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

Applicant: Trinidad-Las Animas County Hispanic Chamber of Commerce

dba:

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: June 17, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: When Fire plan is approved by the
Fire Chief I will approve as well.

6-6-2014
Date

Chi S. Kelly
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: June 10, 2014

6/3/14

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

Applicant: Trinidad-Las Animas County Hispanic Chamber of Commerce

dba:

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: June 17, 2014

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Follow ATTACHED SECURITY PLAN

6/18/14
Date

Charles J. Sanchez
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: June 10, 2014

Operations Plan

Trinidad - Las Animas County Hispanic Chamber of Commerce

Type of Event: Community Dance

Date of Operation: Saturday, July 12, 2014

Operation Period: 7:00p.m. – Midnight

Pre-Operation Briefing:

Operation Supervisor:

Location of operation: Sebastiani Gym. Access to the gym will be via the front door with emergency exit being located adjacent to the Beer Garden.

Operation Objectives: Provide security for the Trinidad-Las Animas County Hispanic Chamber of Commerce community dance. Maintain public peace and order during this event. Provide security in the operational area to include event Beer Garden. It should be noted that ingress/egress is located at the front entrance to the building (facing Animas Street). An emergency EGRESS is located adjacent to the Beer Garden, and will NOT be used to allow access into the facility. A map is attached to this plan to show the operational area.

Radio Frequency: Officers assigned to this detail will set all 800 MGZ radios to TPD TAC 3. This will allow communications between officers and Trinidad Communications Center. STAFF EVENT PERSONNEL will make contact with officers via the COMMUNICATIONS CENTER.

Event Staffing (Security): Three (3) officers will be assigned to this event. One (1) officer will be assigned to work the enclosed Beer Garden area/emergency egress. One (1) officer will be assigned to work the main entrance to the event. Another officer will patrol the event.

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

upon turning the suspect over for transport.

Officers should note that the staff operating the "enclosed Beer Garden," are to have received TIPS training. It should be noted that the "Trinidad-Las Animas County Hispanic Chamber of Commerce" will be operating the Beer Garden. ALL staff working the Beer Garden will have received TIPS training.

All persons who enter the Beer Garden shall be 21-years of age, or older. Prior to entering the Beer Garden, ID's will be checked. Only persons of legal age to consume alcohol will be permitted in the Beer Garden area. ALL persons of legal drinking age will have a identifying wristband. NO ID = NO BAND = NO ALCOHOL.

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

NO PERSON WHO IS NOT DESIGNATED BY the Trinidad-Las Animas County Hispanic Chamber of Commerce AND/OR the Trinidad Police Department as a Beer Garden server WILL BE ALLOWED BEHIND the Beer Garden area. Any unauthorized person found behind the Beer Garden area will be removed. Appropriate enforcement action will be taken.

The Beer Garden area 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 gym. No person is allowed to take alcoholic beverages out of the gym. Appropriate action will be taken for said violations.

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

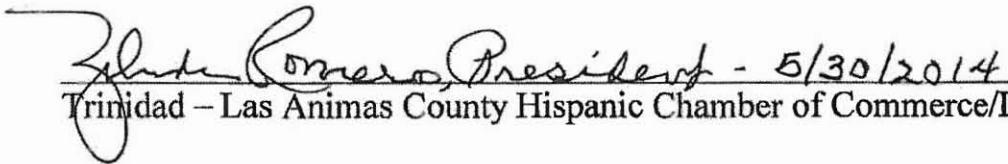
Officer Safety: All officers assigned to this operation will be in full uniform and will be required to wear their ballistic vests.

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

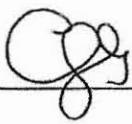
Officer Assignments: (officer assignments will be assigned upon final submission of operations plan)

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

Submitted by:

 Zaida Romero, President - 5/30/2014
Trinidad - Las Animas County Hispanic Chamber of Commerce/Date

Approved by:

 6-18-14
/Date

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

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, and the ordinances of the City of Trinidad, Trinidad-Las Animas County Hispanic Chamber of Commerce, P. O. Box 17 / 1804 N. Linden Avenue, 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 July 12, 2014, was duly posted for no less than ten continuous days, with the first day of posting occurring on the 5th day June, 2014.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 5th day of June, 2014.

(S E A L)



CITY OF TRINIDAD, COLORADO

Audra Garrett
Audra Garrett, City Clerk

PAID
6/12

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
12/4/12

Date

DISCLOSURE STATEMENT

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



Liz Torres
4.8.14

Date