

**LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5<sup>TH</sup> STREET**

**MINUTES**

**WEDNESDAY, AUGUST 3, 2011, 2:00 P.M.**

**I. CALL TO ORDER**

The meeting convened at 2:02 p.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

**II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**

1. Wal Mart Stores, Inc. dba Wal Mart Supercenter #1280, 2881 North Avenue, Grand Junction, CO 81501, 3.2% Beer Retail(Off Premises)

No one was present representing the applicant.

The application for renewal for Wal Mart Stores, Inc. dba Wal Mart Supercenter #1280 was found to be in order and approved.

2. Valero Diamond Metro, Inc., dba Valero Corner Store #1720, 2520 Broadway, Grand Junction, CO 81507, 3.2% Beer Retail(Off Premises)

No one was present representing the applicant.

The application for renewal for Valero Diamond Metro, Inc., dba Valero Corner Store #1720 was found to be in order and approved.

3. Malabo, LLC dba Grand Central Liquors, 200 W. Grand Avenue, Grand Junction, CO 81505, Retail Liquor Store

No one was present representing the applicant.

The application for renewal for Malabo, LLC dba Grand Central Liquors was found to be in order and approved.

4. Grand International Buffet, Inc., dba Grand International Buffet, 2504 Hwy 6 and 50, Suite 500, Grand Junction, CO 81505, Beer and Wine

Michael Yang, Manager for Grand International Buffet, was present.

Ms. Kemp reported that both the Fire Department and the Health Department reported that the establishment is not in compliance.

The application for renewal for Grand International Buffet, Inc., dba Grand International Buffet, 2504 Hwy 6 and 50, Suite 500 was found to be in order and approved conditioned upon approval by the Fire Department and the Health Department.

5. Erich and Connie, LLC dba Rocky Mountain Pub, 539 Colorado Avenue, Grand Junction, CO 81501, Tavern

Connie Frie, co-owner and general manager for Rocky Mountain Pub, was present.

The application for renewal for Erich and Connie, LLC dba Rocky Mountain Pub was found to be in order and approved.

6. Flavors West, LLC dba Qdoba Mexican Grill, 2536 Rimrock Drive, #100, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Flavors West, LLC dba Qdoba Mexican Grill was found to be in order and approved.

### **III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH LATE FILING –**

1. Albertson's, LLC dba Albertson's Food Center #897, 2512 Broadway, Grand Junction, CO 81507 and Albertson's, LLC dba Albertson's Food Center #886, 1830 N. 12<sup>th</sup> Street, Grand Junction, CO 81501, 3.2% Beer Retail (Off Premises) - **Filed 14 days late in the City Clerk's Office**

No one was present representing the applicants.

Ms. Kemp reported that this was the first time for late filing of the renewal for these establishments and read a letter into the record which the applicant provided regarding the late filing.

The applications for renewal for Albertson's, LLC dba Albertson's Food Center #897, 2512 Broadway, Grand Junction, CO 81507 and Albertson's, LLC dba Albertson's Food Center #886, 1830 N. 12<sup>th</sup> Street were found to be in order (despite the letter being absolutely baffling and nonresponsive) and the renewals granted.

2. New Dragon Wall, Inc., dba New Dragon Wall Chinese Buffet Restaurant, 2839 North Avenue, Grand Junction, CO 81501, Beer and Wine – **Filed 22 days late in the City Clerk's Office**

Coco Chen, manager for New Dragon Wall Chinese Buffet Restaurant, and Mei Linge, interpreter for Ms. Chen, were present.

Ms. Kemp reported that this was the second year in a row for late filing for the applicant and she had sent out a letter regarding the late filing and the applicant

responded immediately. She read a letter from the owner of New Dragon Wall Chinese Buffet Restaurant stating the reason for the late filing.

City Attorney Shaver asked Ms. Chen how long she has been the manager and who's responsibility is it to prepare the renewal? Ms. Chen advised that she has been the manager for almost two years and it is the owner's responsibility to prepare the renewal. City Attorney Shaver asked if the owner lives here. Ms. Chen advised that the owner is in New Mexico operating another restaurant.

The application for renewal for New Dragon Wall, Inc., dba New Dragon Wall Chinese Buffet Restaurant was found to be in order and approved and Hearing Officer Grattan advised Ms. Chen that a system needs to be put in place so that a late filing does not happen again in the years to come.

#### **IV. APPLICATION FOR A TRANSFER OF OWNERSHIP**

1. Manuel Alvarez dba Taqueria Valparaiso, 511 30 Road, Grand Junction, CO 81504, transferring from Fernando Garcia dba El Primo Taqueria Mexican Food, Hotel and Restaurant

Owner: Manuel Alvarez, 2995 Texas Avenue, Grand Junction, CO 81504

Manuel Alvarez, owner of Taqueria Valparaiso, and Maria Alvarez, interpreter for and daughter to Mr. Alvarez, were present.

Ms. Kemp reported that a report is still pending from CBI/FBI, a report has not been received from the Health Department, and there were three major violations reported by the Fire Department.

City Attorney Shaver asked if this is a sole proprietorship; not an entity? Ms. Kemp said that is correct.

City Attorney Shaver asked if the violations that the Fire Department reported are so severe that they do not want any activity at the establishment. Ms. Kemp stated that the email from Mr. Mathis did not indicate that there should be no activity at the establishment, but he did request that the approval of the license be delayed until the violations have been corrected. Ms. Kemp advised that the applicant is currently operating on a temporary liquor license that expires November 10, 2011.

City Attorney Shaver asked if Mr. Alvarez if he is related to the previous owner or has any experience in running this business. Through Ms. Alvarez, he said that he is not related to Mr. Garcia and is new at running this business.

City Attorney Shaver advised that since Mr. Alvarez would not have been aware of the violations with the Fire Department when taking over the business he would recommend approval subject to obtaining satisfactory reports from the Fire Department, the Health Department, and CBI/FBI.

Hearing Officer Grattan concurred and found the application for transfer of ownership for Manuel Alvarez dba Taqueria Valparaiso to be in order and approved subject to four conditions: satisfactory reports from CBI/FBI, the Fire Department, and the Health Department, and a review at the September 7, 2011 Liquor and Beer Meeting. He advised Mr. Alvarez and his daughter that if all reports are received and are satisfactory, they would not have to be present. However, if the reports are not satisfactory, they will need to attend that meeting. Ms. Kemp will advise whether or not their presence is necessary.

#### **IV. APPLICATION FOR A SPECIAL EVENTS PERMIT**

1. Mesa State College Foundation, 1450 N. 12<sup>th</sup> Street, Grand Junction, CO 81501 – Grand Junction Rockestra on August 20, 2011 from 5:00 p.m. to 10:00 p.m., 1100 North Avenue – Lucy’s Garden and Foyer between Lucy’s Garden and Robinson Theater in Moss Performing Arts Building

Pres./Sec’y.: Keith Gilstrap, P. O. Box 781, New Castle, CO 81647  
Event Manager: Kristine Pollard, 2073 Pannier Ct., Grand Junction, CO 81507

Kristine Pollard, Director of Development, was present.

City Attorney Shaver asked Ms. Pollard to describe for the Authority the nature of the event. Ms. Pollard stated that the event is a fund raiser for the Music Department. It is a concert with a rock band with an orchestra behind them. This is the second kind of concert of this nature. The event is scheduled from 5 p.m. to 10 p.m. The concert starts at 7 p.m. Refreshments will be served before the concert, during intermission, and after the concert.

City Attorney Shaver asked Ms. Pollard about other licensed areas they may have contacted to host the event. Ms. Pollard stated that they contacted Two Rivers Convention Center and, although it was available, there would not be enough money to justify the cost and since it is a fund raiser for the Music Department, it makes sense to have the fundraiser at the beer garden of the Moss Performing Arts Center. Ms. Pollard said that, even though the college does have a liquor license now with optional premises, the Moss Performing Arts Building is not licensed at this time as an optional premise, and that is why they are requesting a Special Events Permit.

Hearing Officer Grattan asked Ms. Pollard to describe how they will protect the doors and hallways to keep alcohol from going outside the proposed licensed premises. Ms. Pollard said that they will have volunteers that are TIPS trained that they will have in the areas to prevent alcohol outside the designated area. They could, if required, put up barricades.

Hearing Officer Grattan asked about the statement Ms. Pollard made about the Moss Performing Arts Building not being licensed at this time as an optional premise. City Attorney Shaver stated that, at this time, there is a hotel and restaurant liquor license with three optional premises at the college. Statutorily, they could have up to five optional premises, so at any time in the future, the

Moss Performing Arts Building could be licensed and would require a modification of the license.

Ms. Pollard advised that the Rockestra may become a series of events, holding possibly two a year in the summertime.

City Attorney Shaver said that 12-48-103 of the Colorado Revised Statutes provides that if there is an event that cannot be accommodated at existing licensed facilities that the special events permit may be issued. Based upon the responses received, the questionnaire, the affidavit, and Ms. Pollard's testimony, it is his opinion that the statutory requirements have been met and he recommended approval.

Hearing Officer Gratten entered the diagram into the record as Exhibit A and found that it is an appropriate request to have a concert at the Moss Performing Arts Center as a fund raiser for the Music Department. He found that the application for a Special Events Permit for Mesa State College Foundation for Grand Junction Rockestra was in order and approved.

**VI. OTHER BUSINESS**

There was none.

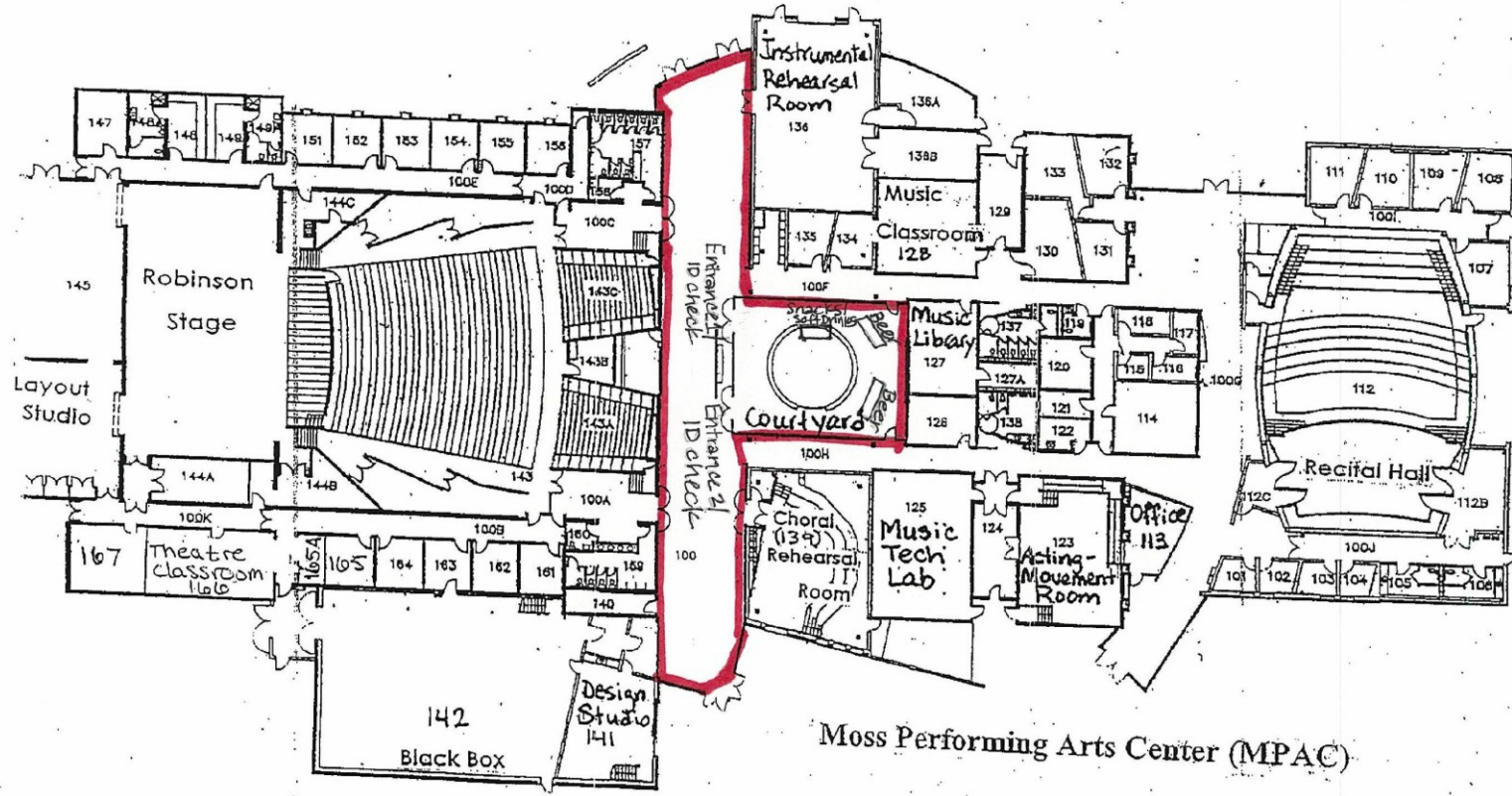
**VI. ADJOURNMENT**

The meeting was adjourned at 2:43 p.m.

**NEXT REGULAR MEETING – August 17, 2011**

A

QUAD



Moss Performing Arts Center (MPAC)

10/11/01