

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

**MINUTES**

**WEDNESDAY, OCTOBER 19, 2011, 2:00 P.M.**

**I. CALL TO ORDER**

The meeting convened at 2:00 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. Byzantium Holdings, LLC dba Ristorante Pantuso's, 755 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant. The application for renewal for Byzantium Holdings, LLC dba Ristorante Pantuso's was found to be in order and approved.

2. Conchita's Mexican Restaurant, LLC dba Conchita's Mexican Restaurant, 625 24 ½ Road, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that the Fire Department had found several violations which are in the process of being corrected.

The application for renewal for Conchita's Mexican Restaurant, LLC dba Conchita's Mexican Restaurant was found to be in order and approved subject to a satisfactory report from the Fire Department.

3. Zen Garden, Inc. dba Zen Garden, 2886 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that the Health Department found many critical violations and will be conducting a follow up inspection.

The application for renewal for Zen Garden, Inc. dba Zen Garden was found to be in order and approved subject to a satisfactory report from the Health Department.

4. Thunder Mountain Tavern, LLC dba Thunder Mountain Tavern, 2701 Hwy. 50, Grand Junction, CO 81503, Tavern

No one was present representing the applicant. The application for renewal for Thunder Mountain Tavern, LLC dba Thunder Mountain Tavern was found to be in order and approved.

5. Myths and Legends Inc., dba Quincy Bar and Grill, 609 Main Street, Grand Junction, CO 81501, Tavern

Tia VanHouten, Registered Manager, was present.

The application for renewal for Myths and Legends Inc., dba Quincy Bar and Grill was found to be in order and approved.

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

1. LOCO, Inc. dba LOCO Food Store No. 12, 107 Grand Avenue, Grand Junction, CO 81501, 3.2% Beer Retail (Off Premises) – **Filed 19 days late in the City Clerk's Office**

Chantell Berdan, Manager for LOCO Food Store No. 12, and Stephanie McDonnell, Accounts Payable for LOCO, Inc., were present.

City Attorney Shaver asked Ms. McDonnell, referring to the letter that was provided explaining the reason for the late renewal, if there had been a change in address for LOCO, Inc. Ms. McDonnell replied no, but there had been a change in staff, the person who was previously submitting the renewals for the 3.2% beer licenses, and Ms. McDonnell was unsure of the renewal process and sent the check for the renewal to the City without the renewal form and it had been returned by the accounts payable department because they were not sure where it needed to be applied. City Attorney Shaver asked Ms. McDonnell if she was the person who was referred to in the letter as doing all the things outlined in the letter. Ms. McDonnell said that she was.

City Attorney Shaver advised that the applicant had made a reasonable effort to try and renew the license on time and he recommended approval.

The application for renewal with late filing for LOCO, Inc. dba LOCO Food Store No. 12 was found to be in order and approved.

2. Hereford Steak and Sushi House, Inc. dba Hereford Steak and Sushi House, 707 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant – **Filed 8 days late in the City Clerk's Office**

Ya Mei Zhang, owner of Hereford Steak and Sushi, was present.

Hearing Officer Grattan disclosed that he helped the applicant by directing some of the corporate documents when the corporation was formed and asked City Attorney Shaver if he thought that would be a conflict. City Attorney

Shaver replied that since the corporation is not material to the matter before the Authority, it would not be a conflict.

City Attorney Shaver asked Ms. Zhang if she wrote the letter that was provided explaining the reason for the late filing. Ms. Zhang said that it was Debbie from the City Clerk's office who translated it for her. City Attorney Shaver asked Ms. Zhang if she now had a permanent manager in place. Ms. Zhang said that she does. City Attorney Shaver asked Ms. Zhang if she has provided the new manager with the calendaring system that the letter referred to. Ms. Zhang said that she hopes to have the calendaring system in place in one week. Ms. Zhang said that she hopes the late filing never happens again.

City Attorney Shaver said that the State Statute allows a Local Authority broad discretion in finding a determination of good cause for late filing and given the explanation by Ms. Zhang for the cause of the late filing, he recommended finding good cause and allowing the renewal to apply.

The application for renewal with late filing for Hereford Steak and Sushi House, Inc. dba Hereford Steak and Sushi House was found to be order and approved.

#### **IV. APPLICATION FOR REGISTRATION OF NEW MANAGER**

1. Black Dog Grills, LLC dba Genghis Grill, 2474-C Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

Andrew A. Gahagan, 810 White Avenue, #5, Grand Junction, CO 81501, replaces Todd Colosimo

No was present representing the applicant.

Ms. Kemp advised that a report from CBI/FBI is still pending on Mr. Gahagan. Lisa Maestas, Liquor Enforcement/Investigations for Grand Junction Police Department, confirmed that the report is still pending.

The application for registration of a new manager for Black Dog Gills, LLC dba Genghis Grill was found to be in order and approved subject to a satisfactory report from CBI/FBI.

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

1. Boomers, LLC dba Boomers, 436 Main Street, Grand Junction, CO 81501, transferring from Six Nightclub and Lounge, Tavern

Member: Chester Allen, 458 Snow Mesa Court, Grand Junction, CO 81507

Member: Janet Gardner, 458 Snow Mesa Court, Grand Junction, CO 81507

Chester Allen, Member of Boomers, LLC, was present.

Ms. Kemp reported that a CBI/FBI report on the members is still pending, the Fire Department and Building Department will sign off for the Certificate of

Occupancy, and the Health Department will conduct a final inspection, once the construction is final.

City Attorney Shaver asked Mr. Allen if he was a proprietor of a previous establishment by the name of Boomers that was sold to Six Nightclub and Lounge. Mr. Allen said that the business was sold but the building was leased to Six Nightclub and Lounge.

Mr. Allen asked if there was anything that could be done in terms of irresponsibility, in reference to the behavior of the individual of Six Nightclub and Lounge, LLC who has applied for a different liquor license through another establishment, to prevent him from doing to another building owner as he had done to their building by demolishing it and walking away. City Attorney Shaver said that, even though he and Hearing Officer Grattan are both Colorado licensed attorneys, they have to be very careful in answering that question. He said that the matter would be best addressed through a contract with the building owner and the lessee or the seller and the buyer. If someone would come to this Authority with either an entity that has had problems historically or individuals that are members of that entity that had problems, the Authority could take action.

Mr. Allen said they would like to be open by December 1<sup>st</sup>.

The application for transfer of ownership for Boomers, LLC dba Boomers was found to be in order and approved pending satisfactory reports from CBI/FBI and the Fire, Health, and Building Departments.

## **VI. OTHER BUSINESS – Continued from October 5, 2011**

Review report from the Fire Department for the Transfer of Ownership for 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

Manuel Alvarez, owner of Taqueria Valparaiso, and his son Carlos Alvarez (translator), were present.

Hearing Officer Grattan asked Mr. Carlos Alvarez if Mr. Manuel Alvarez has completed the two final requirements that were made at the last Liquor and Beer Meeting. Mr. Carlos Alvarez said that the fire extinguisher was installed. He presented Hearing Officer Grattan a document that was prepared by Mr. Alvarez's daughter. After reviewing the document Hearing Officer Grattan asked that Mr. Manuel Alvarez sign it, to which Mr. Alvarez did. Hearing Officer Grattan asked Mr. Carlos Alvarez to ask Mr. Manuel Alvarez if he understood the content of the document. Mr. Carlos Alvarez said that Mr. Manuel Alvarez did understand the document's content. Hearing Officer Grattan marked the document as Exhibit A. Hearing Officer Grattan stated that the document was not as clear as what he was hoping for. He was hoping for something that had a time line or a plan in it stating what would be done on specific dates. City Attorney Shaver stated that, even though Mr. Manuel Alvarez acknowledged the order, it was not a true action plan. He recommended that the review be continued for

two more weeks to allow Mr. Manuel Alvarez to put together a true plan that gives specific dates on the order of getting the fire suppressant system replaced.

Hearing Officer Grattan asked Mr. Carlos Alvarez to communicate to his dad, Mr. Manuel Alvarez, that he does not want to pull the temporary permit and revoke the liquor license, however, this issue needs to be resolved and they need to be compliant with the Fire Department. Hearing Officer Grattan verbally gave an example of what an action plan is. He asked Mr. Manuel Alvarez to work with Mr. Chuck Mathis with the Grand Junction Fire Department or CO West Fire Protection, Inc. to come up with a plan and have the plan submitted in writing to Ms. Kemp by 1:00 p.m. November 2, 2011. He advised Mr. Manuel Alvarez that there will be no further extensions.

The review was continued to the November 2, 2011 Liquor and Beer Meeting.

## **VII. ADJOURNMENT**

The meeting was adjourned at 2:36 p.m.

**NEXT REGULAR MEETING – November 2, 2011**

(A)

October 19, 2011

To whom it may concern:

I Manuel Alvarez, owner of Taqueria Valparaiso located on S1130 Road, Grand Junction CO 81504; have the intent of replacing or installing the new fire extinguisher system that is required by the City of Grand Junction Fire Department.

So far I have gotten two bids for the replacement of the fire extinguisher system and have chosen Colorado West Fire same company that has installed the K class extinguisher. I understand that this is a requirement in order to obtain a liquor license and must be done by March 21, 2012.

Manuel Alvarez