

**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, JULY 21, 2010 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. Rafael Cisneros dba Las Palmas Mexican Restaurant, 752 ½ Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Rafael Cisneros, owner, was present.

Ms. Kemp reported that all of the paperwork was in order and all reports came back favorable except for the Health Department which had not provided a report.

The application for renewal was approved subject to receiving a satisfactory report from the Health Department.

2. Texas Roadhouse of Grand Junction, LLC dba Texas Roadhouse, 2870 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that all of the paperwork was in order.

The application for renewal was approved.

3. El Tapatio, LLC dba El Tapatio, 1145 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that all of the paperwork was in order and all reports came back favorable except for the Health Department which had not provided a report.

The application for renewal was approved subject to receiving a satisfactory report from the Health Department.

4. Black Dog Grills, LLC dba Genghis Grill, 2472-C Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

Colton Collard, General Manager for Genghis Grill, was present.

Ms. Kemp reported that all of the paperwork was in order and all reports came back favorable. She read a statement that was provided by the applicant regarding a liquor violation which had occurred on November 14, 2009.

Mr. Collard advised that they have each employee who serves alcoholic beverages sign a server agreement and they have stepped up their strictness and require identification for all persons ordering alcoholic beverages.

The application for renewal was found to be in order and approved.

5. VIN Hospitality, LLC dba 626 on Rood Modern American Cuisine & Wine Bar, 626 Rood Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Theo Otte and Brenda Wray, owners/managing members, were present.

Ms. Kemp reported that all of the paperwork was in order and all reports came back favorable except the Police Department had reported a liquor violation that occurred on May 17, 2010. City Attorney Shaver asked Ms. Kemp if the applicant had disclosed the violation. Ms. Kemp stated that they had not. City Attorney Shaver asked when the application for renewal had been received in the City Clerk's office. Ms. Kemp advised that it was received on June 17, 2010.

City Attorney Shaver asked Mr. Otte and Ms. Wray to explain the violation. Ms. Wray explained that they purchased wine from an unlicensed distributor. The distributor had told them he was licensed which they found out later was untrue.

Mr. Otte explained that they were advised by the Police Department and State Liquor Enforcement that they did not need to disclose the violation on the renewal unless they received paperwork from the State, which they had not.

The application for renewal was found to be in order and approved.

6. Grand International Buffet, Inc., dba Grand International Buffet, 2504 Hwy 6 & 50, Suite 500, Grand Junction, CO 81505-7170, Beer and Wine

No one was present representing the applicant.

Ms. Kemp reported that all of the paperwork was in order.

The application for renewal was approved.

7. Wigout Productions, Inc. dba Mesa Theatre & Club, 538 Main Street, Grand Junction, CO 81501, Tavern

David Prather, owner/shareholder, was present.

Hearing Officer Grattan advised that he has a memorandum from both the Police Department and the City Attorney's office requesting that the application for renewal be continued to the next liquor and beer meeting because of two separate liquor violations which administrative review has not been completed. Mr. Prather stated that he is in agreement with continuing the renewal and also advised that his attorney, Tom Volkman, has paperwork and is working with the Assistant City Attorney.

The application for renewal was continued to the August 4, 2010 liquor and beer meeting.

8. RC Investment Adventures, Inc. dba Eastgate Liquor, 2830 North Avenue #4B, Grand Junction, CO, Retail Liquor Store

Kathy Meade, owner, was present.

Ms. Kemp reported that all of the paperwork was in order and that the applicant had taken care of paying the sales tax to bring it into compliance on July 20, 2010. The applicant also paid the delinquent 2010 occupational tax on that same day.

City Attorney Shaver thanked Ms. Meade for taking care of the sales tax and the occupational tax.

The application for renewal was found to be in order and approved.

9. CHANNCL, LLC, dba Teller Arms Liquor, 2353 Belford Avenue, Grand Junction, CO, Retail Liquor Store

Chasaroeun Lao, owner, and son Anthony, were present.

Ms. Kemp reported that all of the paperwork was in order and all reports came back favorable. She read a statement that was provided by the applicant regarding a liquor violation which had occurred on November 13, 2009.

City Attorney Shaver asked Mr. Lao if he had written the letter that Ms. Kemp just read. Mr. Lao said yes, with the help of his son Anthony. City Attorney asked Mr. Lao if he would sign the letter which Mr. Lao did. Hearing Officer Grattan entered the signed letter into the record as Exhibit A.

The application for renewal was found to be in order and approved.

10. Safeway Stores 46 Inc. dba Safeway Store #2625, 681 Horizon Drive, Grand Junction, CO 81506, 3.2% Beer Retail (Off-Premises)

No one was present representing the applicant.  
Ms. Kemp reported that all of the paperwork was in order.

The application for renewal was approved.

11. Albertson's LLC dba Albertson's Food Center #897, 2512 Broadway, Grand Junction CO 81503 and Albertsons Food Center #886, 1830 N. 12<sup>th</sup> Street, Grand Junction, CO 81501, 3.2% Beer Retail (Off-Premises)

Robert Young, manager for Albertson's Food Center #897, was present.

Ms. Kemp reported that all of the paperwork was in order and all reports came back favorable for both locations. She advised that the corporate office for Albertson's provided documentation regarding a liquor violation which occurred on November 14, 2009 at Albertson's Food Center #897.

Hearing Officer Grattan approved the application for renewal for Albertson's Food Center #886.

City Attorney Shaver asked Ms. Kemp if there was an explanation regarding the violation included with the document that simply said there was a violation. Ms. Kemp said no, just the document that listed each of the establishments that had a violation within the State.

Mr. Young said he wasn't aware that he needed to provide documentation regarding the violation since they have not previously had a violation in the 25 years he has been with Albertson's. He went onto say that they have taken steps immediately following the violation; every three months, they reissue the retail sales compliance policy to each associate and have them sign it, they take one on one time to go over the ID checking guide with each associate, the registers prompt the associates to enter an ID when there is a purchase of alcoholic beverages, and all associates are instructed to card anyone who looks under 30.

Hearing Officer Grattan approved the application for renewal for Albertson's Food Center #897 and asked that, in the future if there are any violations, a letter be provided to the Authority explaining what happened and what has been done to prevent future violations. Hearing Officer Grattan asked that the restricted sales policy be entered as Exhibit A to the file.

### **III. APPLICATION FOR REGISTRATION OF A NEW MANAGER**

1. RLJII – C Grand Junction Lessee, LLC dba Courtyard by Marriott Grand Junction, 765 Horizon Drive, Grand Junction, CO 81506, Tavern

David A. Kellerstrass, 2226 Codels Canyon Drive, Grand Junction, CO 81507, replaces Tyler Watt as the registered manager

No one was present representing the applicant.

Ms. Kemp reported that all of the paperwork was in order, reports came back favorable and fingerprints have been forwarded onto CBI/FBI for further investigation.

The application for registration of a new manager was approved.

**IV. APPLICATIONS TO RENEW TASTING PERMIT (Continued from July 7, 2010)**

1. SINH LLC dba Redlands Liquor, 2500 A8 Broadway, Grand Junction, CO 81503, Retail Liquor Store

Ms. Kemp read a letter that was mailed to the applicant which advised that they needed to provide a corrected control plan, fix the dates which they are requesting tastings, and be present at this liquor and beer meeting.

Hearing Officer Grattan made note that there is no one present in the hearing room.

City Attorney Shaver recommended that the Authority take no action and deem the application for a tasting permit abandoned. Hearing Officer Grattan concurred.

**V. OTHER BUSINESS**

There was none.

**VI. ADJOURNMENT**

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

**NEXT REGULAR MEETING – August 4, 2010**

FROM CHASAROEUN LAO  
CHANNEL.LLC TELLEARMS LIQUOR

6-24-10

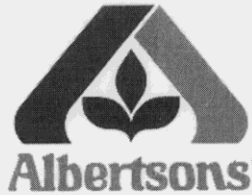
(A)

DURING THAT TIME THERE WERE SOME CUSTOMERS  
WHO CAME IN WE DIDN'T PAY FULL ATTENTION TO THEM OR  
WHO CAME TO THE CASHIER WE WERE BUSY WATCHING  
OTHER CUSTOMERS AT THE LIQUOR AISLE  
BECAUSE WE HAD PREVIOUS SHOP LIFTING  
INCIDENT

THANK YOU FOR YOUR TIME

FOR FINE \$1101.03

Chas Lao



A

#### RESTRICTED SALES Training & Compliance

**Albertsons is committed to keeping alcohol, tobacco products and lottery tickets out of the hands of minors.** Our Company strives to be a responsible neighbor in each of the communities we serve. This is why it's important for every associate who operates a register to understand and comply with all Federal, State and local laws regarding the sale of alcohol, tobacco, lottery tickets and other restricted items.

#### **Make sure you know and understand the following alcohol, tobacco and lottery policies:**

Federal and State laws state that no one under the age of 21 may purchase alcohol and no one under the age of 18 (19 in Utah) may purchase tobacco products or lottery tickets, although AZ State laws require a person to be 21 to buy or redeem lottery tickets.

Company Policy states— ask to see a valid photo ID of any customer who appears to be under 30 years of age when they purchase alcohol and/or tobacco products or lottery tickets.

In addition to asking for photo ID, we recommend that you always ask customers who appear to be under age 30, "Since you are buying cigarettes (or alcohol or lottery tickets), I must ask, are you old enough to purchase this/these products?" Many underage customers will answer honestly (by mistake, or embarrassment), and most police "decoys" are instructed to answer truthfully.

#### **State, County, and City Laws**

Your Manager/Supervisor will inform you of the laws for your State, County, and City. Make sure you understand these laws! If you have transferred from a different State, City, or County, don't assume the laws are the same – there's a good chance they are not. Ask your Manager/Supervisor to explain the laws that apply to your store.

Use the following RISK method to deal with questionable sales, and always call your Manager/Supervisor if you need help with a sale or customer.

#### **Recognize**

Some problem sales are easy to recognize; some are less obvious. If you have any questions about a sale, or just feel uneasy about a situation, take the time to investigate, and if necessary, call your Manager/Supervisor over to help.

Some indications of a problem sale:

- Does the customer look too young?
- Is the customer acting nervous or jumpy?
- Is the customer's behavior suspicious?
- Does the customer appear visibly intoxicated?
- Does the situation just not feel "right?"

#### **Investigate & ID**

Once you have determined that this may be a problem sale, do some further investigation:

- If the customer looks younger than 30, ask for ID.
- Age can be hard to determine – don't guess, ask!
- Don't let things like gray hair or balding be the final determinant. People can become bald or gray prematurely. Look at all physical characteristics.
- Some underage customers use clothes and make-up to look older.
- Sometimes an underage person will act nervous and not make eye-contact.
- Or, they may behave the opposite, and act "too cool."
- Sometimes they become aggressive or angry. Don't be intimidated!
- Does the person buying the alcohol or tobacco look old enough but have young friends lurking nearby? This could be a second-party sale, or the person buying may just look a lot older than they really are. Making a second-party sale is just as serious as selling directly to an underage customer.
- If they appear visibly intoxicated, don't sell them alcohol.
- Be polite and professional.

Check the customer's ID.

It only takes a few moments to make sure the ID is valid.

1. Hold it in your hand. Is it the right size?
2. Check the lamination. Are the edges tight? Does it appear to be glued over?
3. Match the person to the photo. Hair color changes, but height and facial features and ethnicity stay the same.
4. Check height and weight. Weight can fluctuate somewhat, but not height!
5. Check the address. While holding the license, ask the customer their address.
6. Check the date of birth, and enter it into the system.
7. DO NOT override the Age Verification system unless a customer is clearly over 30.

#### Solve The Problem

Once you have determined that you should not make the sale, do the following:

- Move the item away. Move the item to the end of the counter, or next to your register.
- Tell the customer you cannot sell them the item. Explain why.
  - "I'm sorry sir/ma'am, but I can't establish that you are old enough to buy this item. It is illegal for me to sell it to you"
- Explain the consequences.
  - "I could be fined and lose my job if I sell you this item."
  - "You could be arrested for buying this item."
  - "My store could lose its license if I sell you this item."
- Get help.
  - Call your Manager/Supervisor if the situation becomes more than you can handle.

#### Keep Your Cool

- Don't let an angry or impatient customer rattle you. Be polite, but firm.
- If you feel you can't handle the situation, or just want support, call a Manager or Supervisor!

#### Methamphetamine Awareness

##### *Cold and Allergy Medications/Diet Aids*

Albertsons has joined with law enforcement in helping control customer purchases of certain products that can be used to make methamphetamine. Restricted items include certain cough, cold, allergy, sinus, and diet pills that contain pseudo-ephedrine, ephedrine, and phenylpropanolamine. **THESE ITEMS MUST BE LOCATED BEHIND THE PHARMACY COUNTER AND MAY ONLY BE PURCHASED AT THE PHARMACY. CERTAIN AGE AND QUANTITY RESTRICTIONS MAY APPLY.** Our registers are programmed to limit the number of packages of restricted items per customer, based on the Federal, City, State, and County laws.

It is very important when customers ask about these restrictions that you respond in a positive manner. Let customers know that we are complying with Federal, State, City and County laws and we are showing our community concern by limiting the sales of these products. These controls are aimed at drug traffickers, not cold and allergy sufferers, or dieters. Be sure to apologize for any inconvenience, and get your Manager/Supervisor involved if a customer becomes upset.

Your Manager/Supervisor will tell you how to identify a possible problem sale.

Refer any suspicious activity to your Manager/Supervisor.

#### Compliance Statement

Remember, it is your responsibility to know and follow the Company, State, County, and City laws regarding the sale of alcohol, tobacco and lottery tickets.

By my signature below, I state that I have been trained on the Policies and Procedures regarding the sale of alcohol, tobacco, lottery tickets and products that contain ingredients that may be used to manufacture methamphetamines. I understand all Company, State, County, and City policies and am aware of the consequences of violating those policies.

- I have read and understand the Restricted Sales Policy as stated above.

**I understand that any associate who sells alcoholic beverages to a minor, or assists a minor in purchasing alcohol will be subject to immediate discharge. Any other violation of the Company's restricted sales policies may lead to disciplinary action, up to and including discharge.**

Associate Signatur: \_\_\_\_\_

Printed Name \_\_\_\_\_

Store Number \_\_\_\_\_ Date \_\_\_\_\_

**Retain in Associate Personnel Record**