

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

**MINUTES
WEDNESDAY, NOVEMBER 19, 2014, 2:00 P.M.**

ALTERNATE HEARING OFFICER SAM STARRITT

I. CALL TO ORDER

The meeting was called to order at 2:04 p.m. Those present were Alternate Hearing Officer Sam Starritt, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

**II. APPLICATIONS TO A RENEW LIQUOR AND BEER LICENSE WITH LATE FILING
Continued from November 5, 2014**

1. Las Marias, Inc. dba Las Marias, 118 S. 7th Street, Grand Junction, CO 81501, Hotel and Restaurant – Filed in the City Clerk's Office 18 Days Late

Ms. Peterson reported this is continued from November 5, 2014 due to Ms. Maestas not being able to secure a new lease at her current location and the issues with the Mesa County Health Department. Ms. Peterson reported that a compliance officer with Mesa County Health Department offered a probation period for the establishment which will include three monthly inspections. The establishment has signed a compliance agreement stating the facility will be allowed to continue operating if it successfully completes all three inspections without any repeated violations. Ms. Maestas's liquor license expired November 18, 2014 and she has discontinued serving alcohol until a decision can be made during this meeting, and that she has found a new location to relocate to. Ms. Peterson said she examined the lease and a diagram that Ms. Maestas brought to the City Clerk's office this a.m. for a change of location.

Ms. Maestas had the signed lease, diagram, and an agreement for a lease purchase at 421 Colorado with her and showed the Alternate Hearing Officer.

City Attorney Shaver said either a new lease at the current location or an application for a change in location is what was needed in order to have the renewal granted.

Ms. Maestas said she is meeting with a contractor right after this meeting and she hopes to get started on construction right away. If the new location is not done by the time her lease is up, she has contacted an attorney as she believes as long as she pays her rent, she should be able to stay at the existing location.

Alternate Hearing Officer Starritt believes there is good cause for the late filing, approved the renewal, and looks forward to a successful relocation for Las Marias.

Ms. Maestas asked City Attorney Shaver if she could begin serving alcohol now. City Attorney Shaver confirmed this.

III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. BLASTA, LLC dba Aztecas Family Mexican Restaurant, 2516 Broadway, Grand Junction, CO 81507, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for BLASTA, LLC dba Aztecas Family Mexican Restaurant was found to be in order and approved.

2. Los Potrillos, Inc. dba Aztecas Family Mexican Restaurant, 603 Hwy. 50, Grand Junction, CO 81503, Hotel and Restaurant

No one was present representing the applicant.

Ms. Peterson reported that Mesa County Health Department is requesting a conditional approval because of four critical violations found, to allow time to conduct a re-inspection.

The application for renewal for Los Potrillos, Inc. dba Aztecas Family Mexican Restaurant was found to be in order and approved conditioned on a satisfactory report from the Health Department.

3. El Mescal, Inc. dba Tequila's Family Mexican Restaurant, 2454 Highway 6 and 50, Suites 119 and 120, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

Ms. Peterson advised that Mesa County Health Department reported that the applicant had eight critical violations and is requesting a conditional approval to allow time for a re-inspection on November 17, 2014.

The application for renewal for El Mescal, Inc. dba Tequila's Family Mexican Restaurant was approved contingent a satisfactory report from the Health Department.

IV. APPLICATION TO RENEW LIQUOR AND BEER LICENSES WITH OUTDOOR DINING LEASE

1. Buon Appetito, Inc. dba Il Bistro Italiano, 400 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal and outdoor dining lease for Buon Appetito, Inc. dba Il Bistro Italiano was found to be in order and approved.

V. APPLICATIONS TO REGISTER NEW MANAGERS

1. RLJ II – R Grand Junction Lessee, LLC White Lodging Services dba Residence Inn by Marriott Grand Junction, 767 Horizon Drive, Grand Junction, CO 81506, Tavern

Amy S. Hampton, 460 ½ Chatfield Lane, Grand Junction, CO 81504 replaces Sarah Russell

No one was present representing the applicant.

Ms. Peterson said the CBI/FBI report is still pending but the sales tax is in compliance.

The application for registration of new manager for RLJ II – R Grand Junction Lessee, LLC White Lodging Services dba Residence Inn by Marriott Grand Junction was approved contingent on a satisfactory report from CBI/FBI.

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

Sarah C. Russell, 1226 Q Road, Loma, CO 81524 replaces Curtis Hansen

No one was present representing the applicant.

Ms. Peterson said the CBI/FBI report is still pending but the sales tax is in compliance.

The application for registration of new manager for RLJ II – C Grand Junction Lessee, LLC dba Courtyard by Marriott Grand Junction was approved contingent on a satisfactory report from CBI/FBI.

VI. APPLICATION FOR A TRANSFER OF OWNERSHIP

1. Western Slope Lodging, LLC dba Holiday Inn Hotel and Suites Grand Junction, 2751 Crossroads Boulevard, Grand Junction, CO 81506, Hotel and Restaurant

Transferring from The Grand Inn, LLLP dba Holiday Inn Hotel and Suites Grand Junction to Western Slope Lodging, LLC dba Holiday Inn Hotel and Suites Grand Junction

Managing Member: Michael O. May, 12936 Arezzo Circle, Parker, CO 80134
Managing Member: Rick A. Hill, 6163 S. Jackson Gap Court, Aurora, CO 80016
Registered Mgr.: Randy L. Rudd, 1185 Legacy Way, Fruita, CO 81521

Mr. Randy Rudd, General Manager for the Holiday Inn Hotel and Suites Grand Junction, was present representing the applicant.

Alternate Hearing Officer Starritt asked Mr. Rudd to explain the purpose of the transfer of ownership. Mr. Rudd explained that all the owners are the same and he remains the general manager, but they have gone from a LLLP to a LLC, basically from a partnership to a limited liability corporation.

Ms. Peterson reported that all the reports are in compliance. Alternate Hearing Officer Starritt asked City Attorney Shaver if he had any objections. City Attorney Shaver said he did not and recommends approval.

Alternate Hearing Officer Starritt approved the transfer of the hotel and restaurant liquor license for Western Slope Lodging, LLC dba Holiday Inn Hotel and Suites Grand Junction.

VII. APPLICATION FOR SPECIAL EVENTS PERMITS

1. Grand Valley Public Radio Company, 1310 Ute Avenue, Grand Junction, CO 81501 – KAFM Radio Room Concert Series on November 22, December 3, and December 12, 2014, 1310 Ute Avenue, Grand Junction, CO 81501, Malt Vinous, and Spirituous

President: Mark McCain, 3231 Lakeside Dr., #301, Grand Junction, CO 81506

Event Mgr.: Cash Kiser, 136 Vista Grande Rd., Grand Junction, CO 81507

Mr. Cash Kiser, event manager, was present.

Ms. Peterson reported the paperwork is in order and the notice was posted. The request is to add three additional dates to the concert series, which they have added in the past, and there have not been any issues at any of these events.

City Attorney Shaver handed Mr. Kiser a document marked Exhibit A (see attached) and asked him if he is familiar with this. Mr. Kiser said yes, that he completed this document. City Attorney Shaver asked Mr. Kiser if that was his signature. He responded yes. City Attorney Shaver handed Mr. Kiser another document marked Exhibit B (see attached) and asked him to explain the area. Mr. Kiser said this is the same area they have been using and there have been no issues at the past events. City Attorney Shaver said he would recommend approval and entered the Exhibits into the record.

Alternate Hearing Officer Starritt asked if there was anyone present who is in favor or against this request. Alternate Hearing Office Starritt found that pursuant to Colorado State Statutes 12-48-106, there were no grounds to deny the special events permit, it would not be injurious to the public welfare because of the nature of the special event (KAFM Radio Room Concert Series) and its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable law. He found that the application for a special event permit submitted by Grand Valley Public Radio Company was in order and approved it.

VIII. APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION

1. ENGA, Ltd. dba Sergio's, 1224 N. 25th Street, Grand Junction, CO 81501, Hotel and Restaurant

Member: James R. White, 524 Kansas Avenue, Grand Junction, CO 81507

Mr. White was present along with an employee of the establishment.

Ms. Peterson reported that all the paperwork is in order but CBI/FBI is still pending, and that this is a concurrent review. Alternate Hearing Officer Starritt asked Mr. White to tell him about his restaurant. Ms. White said it is an Italian, Steak, and Seafood Restaurant. They opened with a "soft opening" to train their staff about two weeks ago.

Ms. Peterson read the survey results into the record (see attached). City Attorney Shaver asked Mr. White who conducted the survey. Mr. White said he did along with two of his staff. City Attorney Shaver asked Mr. White if he agreed with the results Ms. Peterson read. Mr. White said he did. City Attorney Shaver said he sees no reason to object to the issuance of this license.

Alternate Hearing Officer Starritt asked if there was any one present who objects to this license being issued. Seeing no one, Alternate Hearing Officer Starritt found the application for a new hotel and restaurant liquor license for ENGA, Ltd. dba Sergio's to be in order and approved it. The City Clerk's office will prepare a resolution for Alternate Hearing Officer Starritt's signature.

IX. REVIEW AND AUTHORIZE STIPULATION, AGREEMENT AND ORDER

1. Rockslide Brew Pub, Inc. dba Rockslide Brew Pub, 401 Main Street, Grand Junction, CO 81501, Brew Pub with Outdoor Dining Lease
 1. Pursuant to §5.12.250 GJMC, a licensee shall be required to notify the Police Department of the City whenever any person within his establishment becomes disorderly in conduct by lewd or indecent display, rowdiness, fighting or challenging to fight, gambling, or any other conduct that would be offensive to the average citizen or to the residents of the neighborhood in which the establishment is located, and such requirement shall extend to such conduct in the area immediately adjacent to the premises as well as to the interior thereof.

It is alleged that on or about November 16, 2013, the Licensee did not notify the Grand Junction Police Department of disorderly conduct that took place between two males on the premises. The two males were stopped from continuing to fight and escorted from the premises.

2. Pursuant to §5.12.250 GJMC, a licensee shall be required to notify the Police Department of the City whenever any person within his establishment becomes disorderly in conduct by lewd or indecent display, rowdiness, fighting or challenging to fight, gambling, or any other

conduct that would be offensive to the average citizen or to the residents of the neighborhood in which the establishment is located, and such requirement shall extend to such conduct in the area immediately adjacent to the premises as well as to the interior thereof.

It is alleged that on or about November 16, 2013, the Licensee did not notify the Grand Junction Police Department of disorderly conduct that took place when two females began arguing with a third female on premises. One female threw a beer bottle. When she was escorted from the premises she became combative with the security guard. The second female continued to argue with the third female and was cursing at her. The second female was escorted out of the bar. The third female was injured with a "goose egg" on her forehead.

3. Pursuant to §5.12.250 GJMC, a licensee shall be required to notify the Police Department of the City whenever any person within his establishment becomes disorderly in conduct by lewd or indecent display, rowdiness, fighting or challenging to fight, gambling, or any other conduct that would be offensive to the average citizen or to the residents of the neighborhood in which the establishment is located, and such requirement shall extend to such conduct in the area immediately adjacent to the premises as well as to the interior thereof.

It is alleged that on or about January 4, 2014, the Licensee did not notify the Grand Junction Police Department of disorderly conduct that took place between two females on the premises. An argument ensued between the two females inside the establishment. It was believed that the females were about "to get in a physical fight" on the premises so they were removed. Out in front of the premises the fight became physical between the two females. The security guards stood and watched and then finally intervened.

Jamie Beard, Assistant City Attorney, and Stephan Schweissing, Counsel for the Rockslide, were both present.

Ms. Beard said she does have a corrected Stipulation, Agreement, and Order that was signed on this day (see attached). Ms. Beard said she will not be going forward with the first incident, only the November 16, 2013 disorderly conduct and the January 4, 2014 incident between two females on the premise.

Alternate Hearing Officer asked Mr. Schweissing if he wanted the agreement entered into the record. Mr. Schweissing said yes and asked if the due date for the payment of the fine could be changed since next week is a holiday week and his office will be closed. Both parties agreed upon the payment due date of December 3, 2014 and initialed the change on the agreement.

Mr. Schweissing said that he has had numerous conversations with Ms. Beard, Police Chief Camper, and his client. There was some disconnect with when the incidents happened and how they were reported to the applicant at the renewal of the liquor license in June. Ms. Beard advised that they have made

improvements to the process for future violations that will benefit the licensee, Ms. Woodland with the Police Department who compiles the police report for the annual renewal, and training for the establishment on how they should report incidents.

Alternate Hearing Officer Starritt approved and signed the agreement and asked Ms. Peterson to provide the Certificate of Mailing as required.

X. OTHER BUSINESS

There was none.

XI. ADJOURNMENT

The meeting adjourned at 3:03 p.m.

NEXT REGULAR MEETING – December 3, 2014

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**SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT**

1. Name of Event: KAEM Radio Room Concert Series
2. How many attendees are expected at this event?
30 - 75
3. Has the event been held in the past? If so, how many years?
Concerts and informational Community Events - 6 years
4. Have there ever been any violations or citations issued during the event in the past?
No
5. Describe the premises at which this event will take place.
The Radio Room and Art Gallery is a small performance venue on the first floor of KAEM Community Radio
6. What type of security will be provided at this event?
Radio Room Manager/Event Coordinator and designated volunteers are assigned security
7. How many security personnel will be on hand?
one to two designated depending on ticket sales
8. How will security personnel be identified?
Clearly labeled KAEM T-Shirts
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
Not applicable
10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)
ID's will be checked at the bar/serving counter for anyone who appears under 50 years of age. Attendees under 21 will receive an "X" with permanent marker

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- 11. How will the conduct and level of intoxication of attendees be monitored and by whom?
Event Coordinator and TIP Certified Volunteer
Servers will monitor attendees
- 12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?
Yes, Servers are TIP certified and/or have
extensive training at establishments serving alcohol.
- 13. What types of alternate beverages and food/snacks will be available?
water, soda, Chips, granola bars, Meat, Cheese
and other snacks
- 14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.
Yes - # 0120-750

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

[Signature] Date 10/20/14
 Applicant's Signature

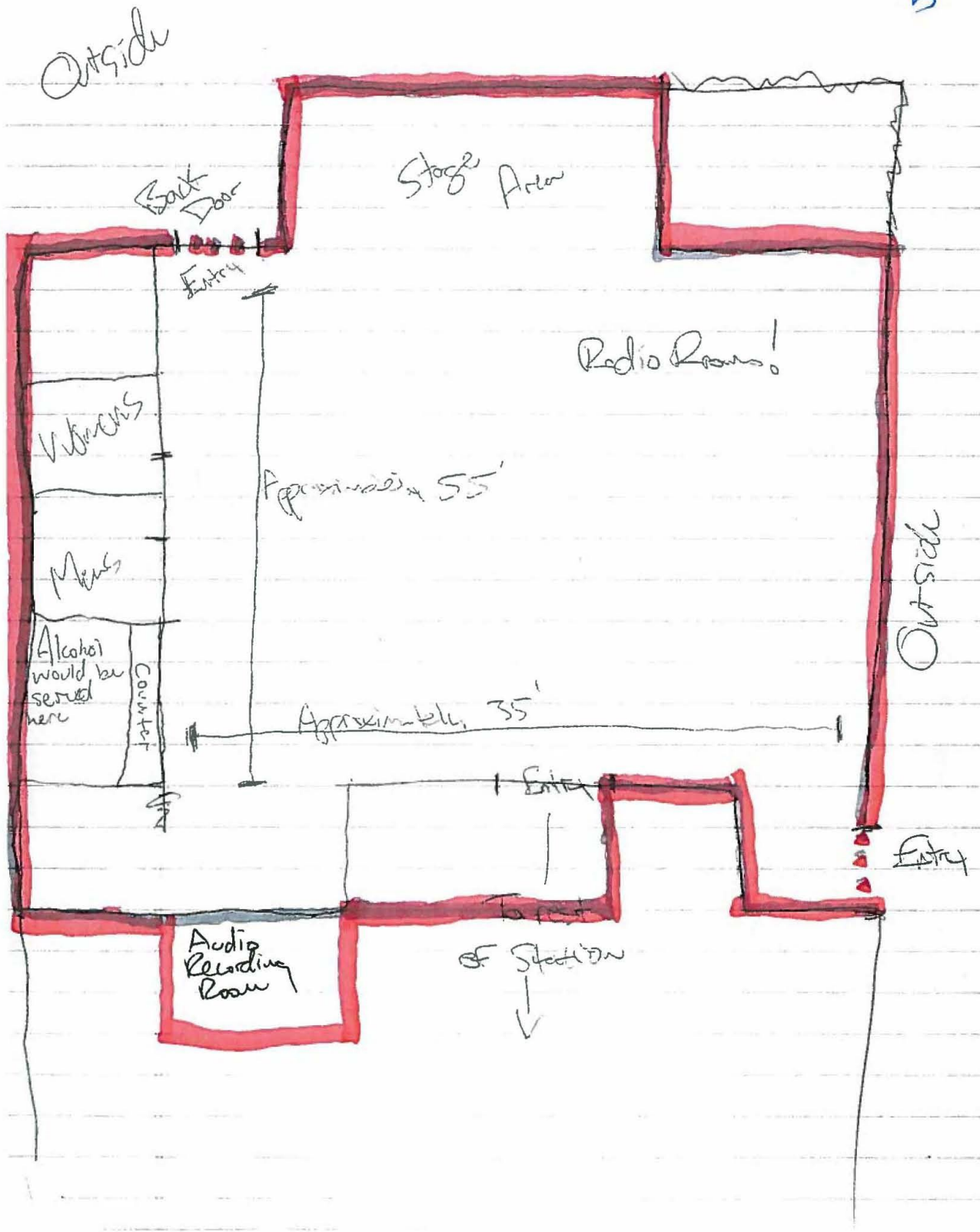
STATE OF COLORADO)
 COUNTY OF MESA) SS.
 CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 20 day of OCTOBER, 20 14.

Witness my hand and official seal.

VDRung My commission expires 12/20/17
 Notary Public





MEMO: Local Licensing Authority
FROM: Debbie Kemp, Deputy City Clerk *DK*
DATE: November 12, 2014
SUBJECT: Application for a new hotel and restaurant liquor license by ENGA, Ltd. dba Sergio's, 1224 N. 25th Street, Grand Junction, CO

ENGA, Ltd. filed an application with the Local Licensing Authority on October 17, 2014 for a new hotel and restaurant liquor license permitting sales of alcohol beverages by the drink for consumption on the premises at 1224 N. 25th Street under the trade name of Sergio's. The application and supplementary documents were reviewed, found to be in order and accepted. A copy was sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for November 19, 2014. The Notice of Hearing was given by posting a sign on the property on or before November 9, 2014 and by publishing a display ad in the Daily Sentinel on November 7, 2014.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey. The neighborhood was defined as the area bounded on the North by Orchard Avenue, Grand Avenue on the South, 28 ½ Road on the East and N. 17th Street on the West and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check the yes/no column if you support/oppose this type of license being issued because the existing outlets do/do not adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	25
	OPPOSE:	0
Residential Results:	FAVOR:	127
	OPPOSE:	1

There were 8 responses that were disqualified because four of the address listed were out of the survey boundary area, two responses did not list an address, one respondent didn't mark yes or no or list an address, and one respondent marked that they were under 21 years of age.

There were 10 "exhibits to survey petition" that indicated three contacts were not 21 years of age, six contacts refused to sign, 40 contacts with no answer and no second attempts were made, six had no solicitors signs, 54 marked as no answer, one marked as other, and 46 addresses listed did not specify reasons.

No letters of opposition or counterpetitions have been filed to date.

The Grand Junction Police Department has investigated the owner for local criminal history. They have inspected the property and verified the Notice of Hearing was posted in a timely manner and will be verifying that the diagram matches the establishment. The fingerprints have been forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, Mesa County Health Department, and City of Grand Junction Sales Tax Department.

The number of liquor licensed outlets in the survey area are:

Hotel and Restaurant = 4 (Tequila's, Blue Moose BBQ & Grill, Rib City Grill, and Wrigley Field)

Tavern = 3 (TJ's Billiards, A Taste of Heaven Catering, and Brass Rail Lounge)

Retail Liquor Store = 1 (Teller Arms Liquor)

That concludes this report.

cc: Applicant
John Shaver, City Attorney
Meghan Woodland, Grand Junction Police Department
File

**STIPULATION, AGREEMENT AND ORDER
BEFORE THE HEARING OFFICER IN AND FOR THE LOCAL LIQUOR
LICENSING AUTHORITY OF THE CITY OF GRAND JUNCTION**

IN THE MATTER OF:

**ROCKSLIDE BREW PUB, INC. dba ROCKSLIDE BREW PUB
401 MAIN STREET
GRAND JUNCTION, CO 81501**

LICENSE NO. 4021380

THIS AGREEMENT BETWEEN, the City of Grand Junction ("CITY") and Rockslide Brew Pub Inc. dba Rockslide Brew Pub by and through Mike J. Bell owner and authorized agent of the Licensee ("LICENSEE") is offered for the purpose of settlement of the matters detailed herein.

By signing below, the LICENSEE acknowledges that it has been made aware of its rights and that it understands those rights, including but not limited to the right to remain silent, the right to have the prosecution prove every element of the charges against it and the right to a public hearing. The LICENSEE acknowledges that it has been informed of and understands the charges against it.

The LICENSEE waives its right to a hearing and any right to further presentment of the underlying offense(s) described herein and agrees that the same were committed as charged. The LICENSEE acknowledges that any waiver made pursuant to this Agreement is voluntary and made with full knowledge of the possible consequences of such waiver.

The LICENSEE understands that it has the right to request a hearing at any time prior to the conclusion of the case. The LICENSEE understands that it has the obligation to request a hearing and knowingly waives that right if no request is submitted.

The CITY and the LICENSEE agree as follows:

That the facts and allegations contained here are true and accurate, to wit:

On or about November 16, 2013, the LICENSEE did not notify the Grand Junction Police Department of disorderly conduct that took place when two females began arguing with a third female on premises. One female threw a beer bottle. When she was escorted from the premises she became combative with the security guard. The second female continued to argue with the third female and was cursing at her. The second female was escorted out of the bar. The third female was injured with a "goose egg" on her forehead. The Grand Junction Police Department was not notified by the LICENSEE.

On or about January 4, 2014, the Licensee did not notify the Grand Junction Police Department of disorderly conduct that took place between two females directly in front of the premises. The two females began physically fighting. The security guards broke up the fight. No notification was made to the Grand Junction Police Department.

On two separate occasions the LICENSEE has violated §5.12.250 GJMC, which requires a licensee to notify the Police Department of the City whenever any person within his establishment becomes disorderly in conduct by lewd or indecent display, rowdiness, fighting or challenging to fight, gambling, or any other conduct that would be offensive to the average citizen or to the residents of the neighborhood in which the establishment is located, and such requirement shall extend to such conduct in the area immediately adjacent to the premises as well as to the interior thereof.

With this agreement, the City has agreed to not move forward on the remaining allegation in the Order to Show Cause.

- a) Attorney for the LICENSEE, Stephan B. Schweissing accepted service of the Order to Show Cause and Notice of Hearing on behalf of his client on July 2, 2014, at the hearing for the renewal of the license The Order to Show Cause and Notice of Hearing informed the LICENSEE that it may set up a conference with the City Attorney and/or request a hearing with the Liquor and Beer Licensing Authority to discuss the matter within ten (10) days of receipt of the Order.
 - b) Stephan Schweissing, Mike J. Bell, and Jack Ballenger met with Jamie B. Beard, Assistant City Attorney, on August 21, 2014, for a conference at 10:00 a.m. at the City Attorney's Office, 250 N. 5th Street, Grand Junction, Colorado. LICENSEE indicated at the meeting that there was additional information that should be considered. Mr. Schweissing provided additional information on or about September 5, 2014 and Ms. Beard spoke with Harry Weiss, Director for the Downtown Development Authority. LICENSEE has indicated that with this agreement, the Licensee does not contest the violations referred to above on November 16, 2013 and January 4, 2014 and does not intend to present evidence challenging the violations at a hearing.
 - c) The City Attorney's Office requested that the Liquor Licensing Authority schedule a status hearing for November 19, 2014 at 2:00 p.m. at the City Hall Hearing Room, 250 N. 5th Street, Grand Junction, CO 81501 so this agreement may be presented to the Hearing Officer for final review. The LICENSEE was notified at the time of entering into this stipulation of the hearing and will be notified by mail by Belinda White of the City Attorney's Office.
1. The LICENSEE agrees to a fourteen (14) day suspension of its license, seven (7) days for each violation, as a penalty for its violation of the Grand Junction Municipal Code as set forth in

Paragraph 1 of this Stipulation and Agreement. The suspension of the LICENSEE'S license to take place as follows:

- a) License to be actively suspended for (4) days from 12:01 A.M. on the 9th day of January, 2015 until 11:59 P.M. on the 12th day of January, 2015.
 - b) During any period of active suspension the LICENSEE shall post its premises in compliance with Regulation 47-600(F), 1 C.C.R. 203-2.
 - c) Ten (10) days of the suspension to be held in abeyance for a period of one (1) year from the date of the approval of this Agreement by the Local Licensing Authority, pending no further violations of the Colorado Liquor Code or any applicable local ordinance or regulation during that period.
 - d) Since the violations, the LICENSEE has mitigated the conduct of the licensed premises.
 - Training will occur on a regular basis to insure all employees understand the laws and regulations.
 - Notice is to be provided to the police department as required.
 - LICENSEE is involved with the DDA and the other establishments downtown to keep each other informed when there is any issue with customers or when actions of others are concerning that could affect other businesses.
 - e) The LICENSEE and the City agree that the LICENSEE is allowed to pay a fine in lieu of active suspension in accordance with 12-47-601(3) C.R.S. In that regard the City supports that:
 - 1) The public welfare and morals would not be impaired by permitting the LICENSEE to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purpose(s); and,
 - 2) The books and records of the LICENSEE are kept in such a manner that the loss of sales of alcohol beverages which the LICENSEE would have suffered had the suspension gone into effect, can be determined with reasonable accuracy therefore; and
 - 3) The LICENSEE has not had its License suspended or revoked nor had any suspensions stayed by the payment of a fine during the last two years of the license preceding the date of this Agreement.
2. The LICENSEE may pay a fine equivalent to twenty percent (20%) of the LICENSEE's estimated gross revenue from the sale of alcohol beverages during a period of two days, except

that the fine shall not be less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00). The fine shall be calculated on the average days' sales for the months of the incidences. Based on the average sales the amount of the fine has been determined to be \$945.74. As support, a copy of _____ is attached. A fine calculation form is also attached. *IBB SJS*

3. Payment of the fine pursuant to the provisions of this agreement shall be in the form of a check made payable to the City of Grand Junction on or before ~~November 26, 2014~~ *December 3, 2014* *SJS* *IBB*
4. Upon payment of the fine set in Paragraph 3, LICENSEE's four (4) days active suspension as set forth in Paragraph 2(a) shall be deemed automatically stayed on full and faithful compliance with all terms of this stipulation.
5. If the LICENSEE fails to make timely payment or otherwise fails to comply with the terms hereof, the four (4) days suspension shall be served and the fine shall be paid.
6. If at any subsequent hearing or by a stipulation in lieu of hearing, the Licensing Authority finds that the LICENSEE, during the one year period violated any provision of the Colorado Liquor Code including all regulations thereunder or any applicable local ordinance or regulation, then the Licensing Authority shall, in addition to any other penalty imposed, order the LICENSEE to serve all or any days of suspension presently held in abeyance pursuant to this Agreement.
7. This Stipulation, Agreement and Order shall not be effective unless and until approved by the Licensing Authority.

Respectfully submitted this 19th day of November, 2014.

OFFICE OF THE CITY ATTORNEY

Rockslide Brew Pub, Inc.

I, Mike J. Bell have authority to bind the corporation to his agreement.

by: Jamie B. Beard 11/19/14
date
Jamie B. Beard
Assistant City Attorney
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501
(970) 244-1537

by: Mike J. Bell 11/19/2014
date
Mike J. Bell

Stephan Schweissing #18976 11/14/14
date
Stephan Schweissing
Attorney for Licensee

APPROVED AND ORDERED this 19th day of November, 2014.


Hearing Officer

CERTIFICATE OF MAILING

I certify that on the 19th day of November, 2014, a true and correct copy of the Order was placed in the U.S. mail, postage prepaid and/or hand delivered as indicated, addressed to:

Stephan B. Schweissing
319 Colorado Avenue
Grand Junction, CO 81501

Jamie B. Beard
Office of the City Attorney

** hand delivered

Meghan Woodland
Grand Junction Police Department

** hand delivered

