

**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, JANUARY 2, 2013, 2:00 P.M.**

**HEARING OFFICER MICHAEL GRATTAN**

**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. Safeway Stores 46, Inc. dba Safeway Store #1533, 2901 F Road, Grand Junction, CO 81504, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

The application for renewal for Safeway Stores 46, Inc. dba Safeway Store #1533 was found to be in order and approved.

2. Feather Petroleum Company, dba Stop N Save No. Three, 723 Horizon Drive, Grand Junction, CO 81506, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

The application for renewal for Feather Petroleum Company, dba Stop N Save No. Three was found to be in order and approved.

3. Orchard Mesa Dragon Treasure, Inc. dba Dragon Treasure II, 2740 Hwy. 50, Suite 101, 102, & 103, Grand Junction, CO 81503, Beer and Wine

No one was present representing the applicant.

Ms. Kemp advised that the Health Department reported that several critical violations were found and a re-inspection will be performed the week of January 7<sup>th</sup>.

City Attorney Shaver asked Ms. Kemp if they provided any detail of the critical violations or if they had indicated any objection to the renewal of the liquor license. Ms. Kemp said there was no detail of the violations provided and they made no indication whether they were in favor of or opposed to the renewal.

The application for renewal for Orchard Mesa Dragon Treasure, Inc. dba Dragon Treasure II was found to be in order and approved conditioned on a satisfactory report from the Health Department.

4. Brinker Restaurant Corporation dba Chili's Grill & Bar, 584 24 ½ Road, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that the Health Department was not able to conduct an inspection because their office was short staffed and will get an inspection conducted the week of January 7 2013.

The application for renewal for Brinker Restaurant Corporation dba Chili's Grill & Bar was found to be in order and approved conditioned on a satisfactory report from the Health Department.

5. Los Reyes Restaurant, Inc., dba Los Reyes Restaurant, 811 S. 7<sup>th</sup> Street, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Los Reyes Restaurant, Inc., dba Los Reyes Restaurant was found to be in order and approved.

6. Providence Project, Inc. dba La Bamba Mexican Restaurant, 546 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

City Attorney Shaver asked Ms. Kemp if the occupational tax was paid for this establishment. Ms. Kemp said it has not yet been paid but it doesn't become delinquent until February 1, 2013.

The application for renewal for Providence Project, Inc. dba La Bamba Mexican Restaurant was found to be in order and approved.

### III. **APPLICATION FOR CHANGE IN CORPORATE STRUCTURE AND CHANGE IN TRADE NAME**

1. Tyluk, Inc. dba After Shock (formally Whiskey River), 490 28 ¼ Road, Grand Junction, CO 81501, Tavern

Add Vice President Peggy Lou Vieira, 144 32 Road, Grand Junction, CO 81503

Peggy Vieira, Vice President of Tyluk, Inc., was present.

Ms. Kemp advised that a report is still pending from CBI/FBI on the background check of the Vice President, a representative from the Fire Department is here to advise of pending violation at the establishment, the Health Department is

still waiting for the applicant to file a change in trade name with them, and sales tax is not in compliance.

Ronnie Edwards, Grand Junction Fire Department Inspector, advised that there is a plastic like fabric on a wall at the establishment that is a fire hazard. The owner's husband has been advised by both the Fire Department and the Building Department that it needs to be sprayed with a fire retardant to be in compliance with Fire and Building Codes. Numerous messages have been left at the establishment to schedule a re-inspection, but the calls have not been returned.

Ms. Vieira said that she believes the fabric has been sprayed and can be re-inspected at anytime. She stated she is unaware of any sales tax issues. City Attorney Shaver inquired if Mr. Boyd is the only other officer of the corporation besides Ms. Vieira. Ms. Vieira said yes. City Attorney Shaver asked Ms. Vieira if the business is currently operating. Ms. Vieira said yes, it is operating under Tyluk, Inc. dba After Shock. City Attorney Shaver asked Ms. Vieira about the sales tax issue. Ms. Vieira advised that she did not know anything about the sales tax.

Hearing Officer Grattan found that the application for change in corporate structure and change in trade name was not in order and continued the matter until the January 16, 2013 Liquor and Beer Meeting. He advised Ms. Vieira that this should give her some time to address all of the issues.

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

1. Colorado Mesa University Foundation, 1450 N. 12<sup>th</sup> Street, Grand Junction, CO 81501, Grand Junction Rockestra Concert, located at the Robinson Theater in the Moss Performing Arts Center, 1100 North Avenue, Grand Junction, CO 81501, on January 19, 2013 from 6:00 p.m. to 10:00 p.m., Malt, Vinous, and Spirituous

President: Peggy Lamm, 507 Dove Court, Grand Junction, CO 81507  
Event Manager: Calvin Hofer, 721 ½ Willow Creek Road, Grand Junction, CO 81505

Peggy Lamm, Director of Development for Colorado Mesa University Foundation, and Calvin Hofer, Founder and Director of Grand Junction Rockestra, were present.

City Attorney Shaver handed Ms. Lamm and Mr. Hofer two documents marked Exhibits A and B (attached) and asked if either of them had any knowledge of the documents. Mr. Hofer said he had knowledge of both documents. City Attorney Shaver asked Mr. Hofer to describe what is depicted on Exhibit A. Mr. Hofer stated that it is a diagram of the proposed event area. Room 128, as shown in the middle of the diagram, is where the beer and wine will be sold. People can wander around that room or in the lobby area. There will be four security personnel in identifiable shirts manning the doors to prevent beer and wine from leaving the designated area. City Attorney Shaver asked Mr. Hofer if

the Robinson Theater is on campus of Colorado Mesa University (CMU). Mr. Hofer said that it is. City Attorney Shaver asked about the area outlined in red on the diagram. Mr. Hofer stated that is the area for the alcohol. Alcohol will not be allowed outside the area. City Attorney Shaver asked Mr. Hofer if they have had this type of event in the past and if so, how many, and have there ever been any problems with any of the events. Mr. Hofer said that they have had three or four of this type of event in the past and they have not had any problems in the past. City Attorney Shaver asked Mr. Hofer about the purpose of the event. Mr. Hofer stated that it is a fundraising event and the proceeds will be split evenly between the music department at CMU for scholarships and the Grand Junction Symphony.

Hearing Officer Grattan asked Mr. Hofer what Exhibit B is. Mr. Hofer stated that it is a Questionnaire and Affidavit for a Special Event. Hearing Officer Grattan asked if it was Mr. Hofer's handwriting and signature and if the answers were all correct to the best of his knowledge. Mr. Hofer said yes to all.

Hearing Officer Grattan found that under C.R.S. 12-48-106 there are no grounds for denial of the special events permit, specifically it would not be injurious to the public welfare because of the nature of the event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws, there is no one present in the room in objection to the special events permit, and therefore approved the application for a special events permit for Colorado Mesa University Foundation for the Grand Junction Rockestra Concert.

## **V. OTHER BUSINESS**

Ms. Kemp advised Hearing Officer Grattan and City Attorney Shaver that, in most cases, both the Health Department and the Fire Department have been much better advising whether or not they object to renewals when violations are found. City Attorney Shaver said that when they don't indicate whether or not they object, it makes a decision more difficult not knowing if those departments need a little bit of leverage or not. Ms. Kemp said she will request more information in the future from those departments when it is not clear.

## **VI. ADJOURNMENT**

The meeting was adjourned at 2:27 p.m.

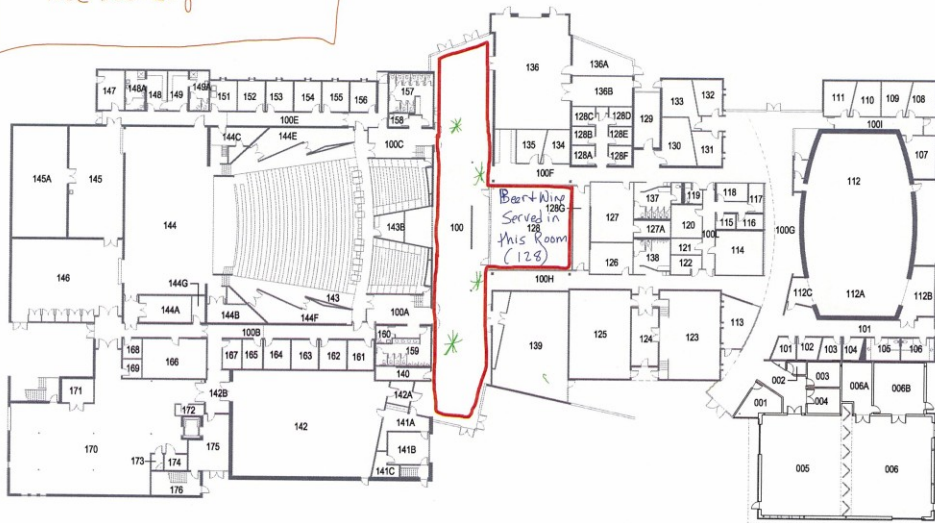
**NEXT REGULAR MEETING – January 16, 2013**

78

# Grand Junction Rockestra Concert January 19, 2013

Alcohol permitted only within  
Red boundary

\* = Security Personnel (4)  
2 JIPS Trained Personnel  
in Room 128



(B)

**SPECIAL EVENT PERMIT  
QUESTIONNAIRE AND AFFIDAVIT**

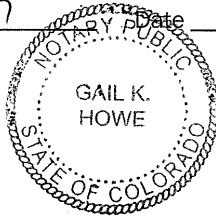
1. Name of Event: Grand Junction Rockestra Concert
2. How many attendees are expected at this event?  
500
3. Has the event been held in the past? If so, how many years?  
Yes. 4 concerts in this location dating back to June of 2011
4. Have there ever been any violations or citations issued during the event in the past?  
No
5. Describe the premises at which this event will take place.  
Robinson Theater in the Moss Performing Arts Center on the ramps of CHD. Beer/Wine will be served in an enclosed area.
6. What type of security will be provided at this event?  
There will be at least 5 staff members in bright green shirts patrolling all areas.
7. How many security personnel will be on hand?  
At least 5.
8. How will security personnel be identified?  
Bright Green shirts that have "SECURITY" written on them.
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
N/A
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.)  
There will be two people checking ID's before they can enter the area in which alcohol is served.

11. How will the conduct and level of intoxication of attendees be monitored and by whom?  
The T.I.R.S. trained servers (2 for beer; 1 for wine) will monitor this before serving people alcohol.
12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?  
yes
13. What types of alternate beverages and food/snacks will be available?  
Snacks will be available - pretzels, peanuts, bottled water & soda
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.  
98-05973

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.

Calvin Howe 12/6/12  
 Applicant's Signature

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



Subscribed and sworn to before me this 6th day of December, 2012.  
 My Commission Expires

Witness my hand and official seal.

[Signature] My commission expires 12/14/14  
 Notary Public