



WESTMINSTER

IN-PERSON SPECIAL PERMIT AND LICENSE BOARD SEPTEMBER 4, 2024 – 6:00 P.M.

1. Roll Call
 - A. Absences
2. Procedures
 - A. Approval of Minutes (August 7 and 21, 2024)
3. New Business
 - A. Special Event Permit – North Metro Arts Alliance
4. Miscellaneous Business/Reports
 - A. Upcoming meetings
5. Adjournment

SPECIAL PERMIT AND LICENSE BOARD
MINUTES OF IN-PERSON MEETING
WEDNESDAY, August 7, 2024

Answering to roll call were Chair Brown, Vice Chair Hatfield, Board members Magill, and Rommelfanger. Absent were Amin and Moe. Staff present included Mary Joy Barajas, Assistant City Clerk, Troy Gordanier, Liquor Enforcement Officer and Chuck Piekarski, Assistant City Attorney.

APPROVAL OF MINUTES

The minutes of the July 17, 2024, meeting was accepted into the record. Chair Brown excused member Moe's absence.

NEW HOTEL/RESTAURANT LIQUOR LICENSE FOR EL TEQUILENO MEXICAN FAMILY RESTAURANT

Chair Brown opened a public hearing to consider a new hotel/restaurant license application from El Tequileno 5 LLC DBA El Tequileno Family Mexican Restaurant, 5740 W 88th Avenue. Barajas reported that the application was complete and all legal notice requirements had been satisfied. The survey completed by Liquor Pros reflected a 100% needs and desires outcome and was entered into the record

Gordanier reported the background check was completed and nothing was found that would adversely reflect upon their character. Documentation for funding appeared proper, owner does have alcohol experience being the owner of several other locations. The Police department found no reason to deny the application.

Griselda Munoz-Galban, owner, Juan Trejo, Manager, were sworn in. James Morgan, attorney, lead Munoz-Galban and Trejo through questions concerning the new hotel/restaurant application. Munoz has been in the restaurant business for 21 years, currently has 4 restaurants serving Mexican food and alcohol. Estimated occupancy is 110 persons. Hours of operation are Sunday-Thursday 10:45 a.m. – 10:00 p.m.; Friday and Saturday 10:45 a.m. – 11:00 p.m. Opening planned for end of September. All employees to be responsible vendor trained before they begin working, some employees are being moved from other locations. Brown seeing no persons present or additional questions closed the public hearing at 7:12 p.m.

Based on the testimony and evidence provided, Rommelfanger made a motion, seconded by Magill to approve the hotel/restaurant liquor license application from El Tequileno 5 LLC DBA El Tequileno Family Mexican Restaurant, 5740 W 88th Avenue based on finding that the application was complete, the hearing was properly posted and advertised, the premise was located in an area where the sale of alcoholic beverages for on-premise consumption is allowed, there are one other hotel/restaurant liquor licenses within the designated neighborhood, there has not been a hotel/restaurant liquor license denied at this location or within

500 feet of it within the preceding two years, and the applicant was of good character based on the report provided by the Westminster Police Department.

In addition, the applicant was licensed to do business in Colorado and the desires of the inhabitants of the designated neighborhood indicated there was no objection to the use based on the results of the survey. The motion carried with a 5-0 vote.

MISCELLANEOUS INFORMATION

Barajas reported that there are items scheduled for the August 21 regular meeting

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 7:57 p.m.

ATTEST:

Chair

Mary Joy Barajas
Assistant City Clerk

SPECIAL PERMIT AND LICENSE BOARD
MINUTES OF IN-PERSON MEETING
WEDNESDAY, August 21, 2024 – 6:00 P.M.

Answering to roll call were, Vice Chair Hatfield, Board members Magill, Moe, and Rommelfanger. Absent were Chair Brown and members Amin and McCullough. Staff present included Mary Joy Barajas, Assistant City Clerk, and Chuck Piekarski, Assistant City Attorney.

RENEWAL HEARING REQUEST FOR SALSA GOURMET & GRILL LLC
HOTEL/RESTAURANT LIQUOR LICENSE

Vice Chair Hatfield opened a public hearing to hear information from the Barajas, Assistant City Clerk requesting a liquor license renewal hearing for Salsa Gourmet & Grill LLC dba Salsa Gourmet Grill, 8161 W 94th Avenue of their hotel/restaurant liquor license which is in violation of three municipal codes concerning their failure to obtain a business license per W.M.C 5-2-2.

W.M.C 5-14-6 (B) provides the City Clerk sole discretion that grounds exist for a possible non-renewal hearing, the matter shall be referred to the licensing authority

Barajas provided details concerning the timeline of the steps the City has taken to work with the licensee in the attempt to bring them into compliance so that the business license can be issued

Rommelfanger moved to set a date for a renewal hearing for the hotel/restaurant liquor license for Salsa Gourmet & Grill LLC dba Salsa Gourmet Grill, 8161 W 94th Avenue. The vote was 4-0.

MISCELLANEOUS INFORMATION

Barajas reported that there is an item scheduled for the September 4 regular meeting.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 6:38 p.m.

ATTEST:

Chair

Mary Joy Barajas

Assistant City Clerk



WESTMINSTER

Agenda Item 3 A

Special Permit and License Board Agenda Memorandum

Date: September 4, 2024
Subject: Metro North Arts Alliance – Jazz Under the Stars
Prepared by: Mary Joy Barajas, Assistant City Clerk

This public hearing is to consider an application for a special events permit from the Metro North Arts Alliance (MNAA) in partnership with the City of Westminster for Jazz under the Stars to be held at the 73rd and Lowell Boulevard open air event space, from 8:00 a.m. to 9:00 p.m. This is MNAA's first SEP for 2024.

Copies of the application is attached, providing information, a service plan and a map designating the boundaries for the events.

Pursuant to state law, the event sites have been posted continuously for ten days preceding this hearing to inform the public of the request to sell malt, vinous and spirituous liquor for on premise consumption and of this hearing opportunity to voice support or opposition to the application.

A copy of Liquor Enforcement Officer Gordanier's report is attached, and he will be present to review the report and answer questions for the Board.

Pursuant to W.M.C. § 5-14-10(D), prior to issuing special events permits, the Board must consider, in addition to the eligibility of the applicants, whether issuance of the permit would be injurious to the public welfare due to the nature of the special event, its location within the community, or the failure of the applicants in a past special event to conduct the event in compliance with applicable laws and regulations.

Staff Recommendation

Based on the testimony and the evidence provided, grant, or deny the applications from the Metro North Arts Alliance (MNAA) for Jazz under the Stars at the 73rd and Lowell open air event space, from 8:00 a.m. to 9:00 p.m.

Attachments: Application, Police Department Report



WESTMINSTER

**Police Department
Liquor License Investigation**

CITY CLERK

Date Application Filed: 8/21/24	Account#: SEP 2024-1
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Business Name: North Metro Arts Alliance
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Business Address: 7287 Lowell Blvd, Westminster, CO 80030

New Application
 Renewal
 Transfer
 Change of Corporate Structure
 Change of Manager

Other: Special Event Permit	Hearing Date: 9/4/24 @ 7pm
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POLICE DEPARTMENT USE ONLY

Application Received by: Det. Troy Gordanier 92-6	Date: 8/21/24
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NCIC Check
 CCIC Check
 Local Check

Narrative:
North Metro Arts Alliance have applied for a Special Event Permit for their Jazz Under the Starts event.
The date and time for the event is September 20, 2024 from 6pm to 8pm.
The plan indicates that the area for allowable liquor sales, consumption and possession within the facility with signs indicating that alcohol is not allowed outside the designated area. There will be one entry/exit point. Staff will be on-hand controlling the sales, consumption and possession of alcohol.
Local background checks were completed on applicant Becky Silver and Kimmie DePinto. Nothing adverse was discovered that would affect this application.
ID's will be checked for those eligible to consume alcohol. Service will be done by Staff who are Responsible Vendor certified. Two extra duty police officers are requested for the event. Wrist bands will be utilized and a two drink maximum will be enforced.
The Westminster Police Department finds no reason to deny this liquor license application.

Investigations Officer: /s/ Det. Troy Gordanier 92-6	Date: 9/4/24	Approved by: /s/ Sgt. Steve Roll 9813	Date: 9/4/24
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Application for a Special Events Permit

Liquor Permit Number (Do Not Fill Out)

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- | | | |
|---------------------------------|--|--|
| <input type="radio"/> Social | <input type="radio"/> Athletic | <input type="radio"/> Philanthropic Institution |
| <input type="radio"/> Fraternal | <input type="radio"/> Chartered Branch, Lodge or Chapter | <input type="radio"/> Political Candidate |
| <input type="radio"/> Patriotic | <input type="radio"/> National Organization or Society | <input type="radio"/> Municipality Owned Arts Facilities |
| <input type="radio"/> Political | <input type="radio"/> Religious Institution | <input type="radio"/> Chamber of Commerce |

LIAB Type of Special Event Applicant is Applying for:

- | | | |
|------|--|-----------------|
| 2110 | <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor | \$25.00 Per Day |
| 2170 | <input type="checkbox"/> Fermented Malt Beverage | \$10.00 Per Day |

Name of Applicant Organization or Political Candidate

State Sales Tax Number (Required)

North Metro Arts Alliance

Mailing Address of Organization or Political Candidate

PO Box 1043

City	State	ZIP Code
Westminster	CO	80030

Address of Place to Have Special Event

7287 Lowell Blv

City	State	ZIP Code
Westminster	CO	80030

Authorized Representative of Qualifying Organization or Political Candidate

Becky Silver

Date of Birth (MM/DD/YY)

Phone Number

720-333-4908

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

City	State	ZIP Code

Event Manager

Kimmie DePinto

Date of Birth (MM/DD/YY)

02/20/1991

Phone Number

303-658-2485

Event Manager Home Address

4800 W 92nd Ave

City

Westminster

State

CO

ZIP Code

80031

Email Address of Event Manager

Kdepinto@westminsterco.gov

1. Is the place to have the Special Event located on State-owned property?
 Yes No
2. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?
 No Yes, How many days?
3. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?
 No Yes, License Number
4. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?
 Yes No
5. For Chambers of Commerce - Each member who holds a retail establishment permit attests they are not exercising the privileges of the retail establishment permit for the duration of the SEP days.
 Yes No
6. For Chambers of Commerce - Please list all members participating in the SEP.

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date

9-20-2024

From:

8:00a

To:

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Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Title

Signature

Date (MM/DD/YY)

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

Therefore, this Application is Approved.

Local Licensing Authority (City or County)

City County

Telephone Number of City/County Clerk

Title

Signature

Date (MM/DD/YY)

Do Not Write in this Space - For Department of Revenue Use Only

Liability Information

License Account Number

Liability Date

State

-750 (999) \$

Total

.00

City of Westminster
Community Services – Economic Development Division
73L Event: Jazz Under the Stars
Cocktail Tasting Security & Service Plan

This purpose of this document is to clearly define the Security and Service Plan for cocktails to be served at a Jazz Under the Stars event scheduled to take place in in Historic Westminster, at the 73rd and Lowell Open Air Event Space, on Friday, September 20th from 6p-8p.

Security

- The Community Services Department will request two City of Westminster uniformed police officers to serve as security for at the event.
- Officers will be responsible for ensuring alcoholic beverages do not leave the designated area, as well as provide on-site security including monitoring guests consuming alcohol for legal age and signs of intoxication.

Service Plan

- Cocktails will be served at the event inside the tent space, from 6p-8p on Friday, September 20th.
- The cocktails will be served at a bar station inside of the tent space, with signage clearly stating that all alcoholic beverages must remain inside the tent at all times. This will be monitored by staff and uniformed police officers. The tent clearly defines the bounds of the space with its walls.
- The event will be staffed by City of Westminster employees, and restaurant owners.
- There will be between 8-10 City employees in addition to the two Westminster Police officers throughout the service times.
- The event lead and all bartending staff will be trained in Responsible Alcohol Service Training (Training for Intervention Procedures) prior to the event. They will be responsible for monitoring alcohol consumption at the event.
- All guests will be required to show proper ID prior to admission.
- Once an ID has been verified, guests will receive a silver metallic wrist band to be worn on their right hand.
- There will be a two-drink maximum per 21+ ticket holders. This will be tracked by bar staff and City staff marking an “X” in sharpie on the wrist bands.
- Designated drivers and attendees not drinking alcohol will wear a black wristband.
- 160-200 tickets will be made available for this event to the community.

Special Events Alcohol and Drug Policy Statement (taken from the event safety plan)

- Staff, contractors and volunteers (including volunteer teams) are not allowed to consume alcohol while on duty. Any staff, contractor or volunteer who is intoxicated while serving in an official capacity for the festival will not be allowed to continue.
- Volunteers may not consume or be under the influence of alcohol, marijuana (smoke or edible), or other illegal drugs while wearing a volunteer T-shirt or other credentials associated with the City of Westminster. Volunteers may join the party after their volunteer shift is concluded. If a volunteer leaves her/his/their shift to enjoy the event and alcohol, they must remove their volunteer T-shirt.

- Any volunteer caught consuming alcohol while volunteering will be asked to leave the booth and not return.
- City and state law prohibit smoking marijuana in public places.
- City of Westminster staff and contractors are dedicated to allowing alcohol consumption in a safe and responsible manner. Staff, all volunteers, and contractors are obligated to follow all city and state laws when it comes to alcohol. No underage drinking is allowed. Anyone consuming alcohol must be able to provide a valid picture ID whenever it is requested.
- All event guests will submit photo IDs to be checked by City staff and will receive a wristband to validate that they are of legal drinking age.
- All volunteers, contractors, and staff who are involved in serving alcohol are required to be familiar with the principals of TIPS Training. TIPS (Training for Intervention Procedures) is a nationally recognized program designed to prevent intoxication, prevent drunk driving and prevent underage drinking.
- Attendees will have their wristbands marked when purchasing a drink. Attendees are limited to 2 drinks during the event.

Tips Training Reminders / Basic Server Information

As servers of alcohol, your job is to provide enjoyment for event attendees as well as ensure a safe environment at the event. The following information highlights the formal program developed for restaurants and bar employees called TIPS (Training for Intervention Procedures by Servers of Alcohol):

- The average 150-pound man will exceed the “legally impaired” level of alcohol in the bloodstream (.08) by drinking four 12-ounce beers within one hour. Women will generally have a higher level of alcohol because they have a higher % of body fat vs muscle (body fat does not absorb alcohol).
- Many things can factor in including rate of drinking, strength of the drink, height, weight, size and physical condition, stress and/or exhaustion level, medication and other drugs in the bloodstream. In trying to determine whether or not an individual is intoxicated, a server should observe the individual’s behavioral clues.

Look for:

- Loss of inhibitions (talks too loud, gets unusually exuberant or moody)
- Loss of judgment (inappropriate behavior, foul language, irrational comments, impulsive acts, extreme anger, grabbing beer, throwing cup)
- Impaired reactions (slurred speech, sleepy/bloodshot eyes, loss of train of thought)
- Hampered coordination (loss of balance, spilling, sloppiness, dropping beer)
- If a guest exhibits any of the above signs of impairment and is belligerent and/or is posing a danger to themselves or others, excuse yourself for the moment and communicate with event staff or WPD on channel 2 for help resolving the situation.

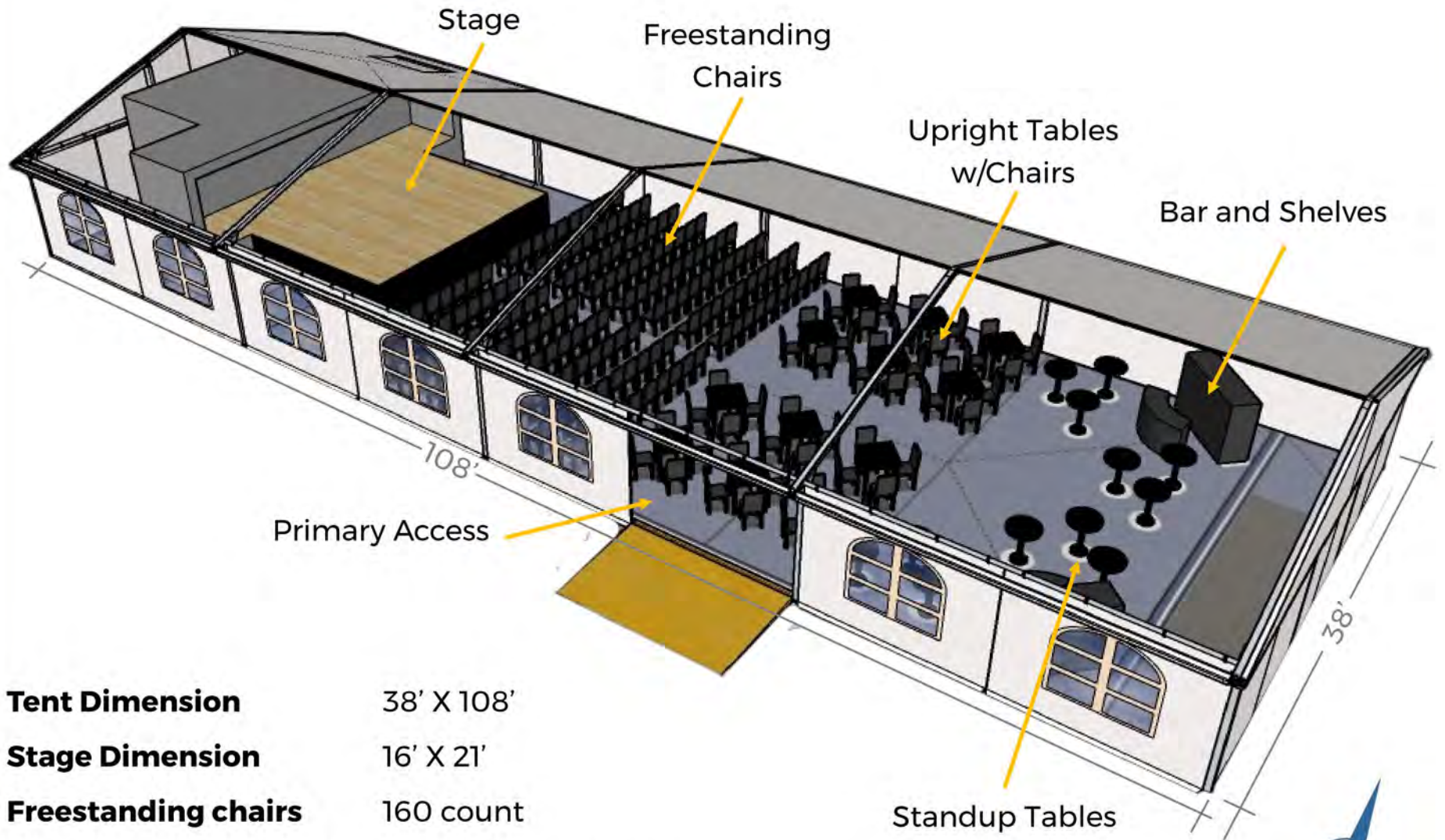
If security is not available, then:

- Use a calm and firm tone of voice and suggest that the individual take a break from consuming alcohol; suggest getting a soft drink or some food; speak directly to the point as it causes fewer negative reactions (slow down the rate of consumption).
- Do not be afraid to take responsibility for your actions, such as beginning your sentences in the first person “I” rather than the accusatory “you”; for example, “I believe you need to take a break” rather than “You look like you have had too much to drink.”
- Provide a reason for your action in a non-threatening and nonjudgmental way since everyone responds more positively to reasonable statements. Reasons include “It is the event’s house rules not

to over serve” or “It is against the law to serve alcoholic beverages to someone who appears to have been over served”.

You do not want to have to call security - act as if you are on their side. If the individual insists on contesting your decision to deny service, stop serving totally. Take the drink off the table. Walk away. Do not take matters into your own hands.

73rd and Lowell Jazz Festival



Tent Dimension	38' X 108'
Stage Dimension	16' X 21'
Freestanding chairs	160 count
Upright Tables w/chairs	12 tables and 48 chairs
Standup tables	12 tables
Bar with Drink Shelves	2



OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF TRADE NAME

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, a Statement of Trade Name for:

North Metro Arts Alliance

(Entity ID # 20051103511)

was filed in this office on 03/10/2005 with an effective date of 03/10/2005 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 08/19/2024 that have been posted, and by documents delivered to this office electronically through 08/20/2024 @ 14:48:29 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 08/20/2024 @ 14:48:29 in accordance with applicable law. This certificate is assigned Confirmation Number 16313003 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."