

TOWN OF AVON, COLORADO
AVON LIQUOR LICENSING AUTHORITY MEETING FOR TUESDAY, SEPTEMBER 14, 2010
MEETING BEGINS AT 5 PM
AVON TOWN HALL, ONE LAKE STREET



PRESIDING OFFICIALS

CHAIRMAN RON WOLFE
VICE CHAIRMAN BRIAN SIPES
BOARD MEMBERS RICHARD CARROLL, DAVE DANTAS, KRISTI FERRARO
AMY PHILLIPS, ALBERT "BUZ" REYNOLDS, JR.

TOWN STAFF

TOWN ATTORNEY: ERIC HEIL TOWN MANAGER: LARRY BROOKS TOWN CLERK: PATTY MCKENNY

ALL LIQUOR BOARD MEETINGS ARE OPEN TO THE PUBLIC EXCEPT EXECUTIVE SESSIONS


COMMENTS FROM THE PUBLIC ARE WELCOME DURING PUBLIC HEARINGS

PLEASE VIEW AVON'S WEBSITE, [HTTP://WWW.AVON.ORG](http://www.avon.org), FOR MEETING AGENDAS AND MEETING MATERIALS

AGENDAS ARE POSTED AT AVON TOWN HALL AND RECREATION CENTER, ALPINE BANK, AND AVON LIBRARY

- 1. CALL TO ORDER / ROLL CALL**
- 2. INQUIRY OF THE PUBLIC FOR COMMENT AND APPROVAL OF AGENDA**
- 3. PUBLIC HEARING FOR NEW LIQUOR LICENSE**
 - a. Applicant: R & E Enterprises, LLC d/b/a Gondola Pizza
Address: 240 Chapel Place #113
Manager: Claudiu V. Popa
Type: Hotel and Restaurant Liquor License
- 4. CONSENT AGENDA**
 - a. Minutes from August 10, 2010
 - b. Resolution No. 10-08, Resolution Approving the Application of R & E Enterprise LLC d/b/a Gondola Pizza for a Hotel and Restaurant Liquor License (Patty McKenny, Town Clerk)
- 5. ADJOURNMENT**

Memo

To: Avon Local Liquor Licensing Authority
Thru: Larry Brooks, Town Manager
cc: Eric Heil, Town Attorney
From: Patty McKenny, Asst. Town Manager Management Services 
Date: September 8, 2010
Re: **PUBLIC HEARING** for new Hotel and Restaurant Liquor License for Gondola Pizza

Summary:

Town Council acting as the Local Liquor Licensing Authority is asked to consider the liquor license application for the following new license:

Applicant: R& E Enterprise LLC d/b/a Gondola Pizza
Address: 240 Chapel Place #113
Manager: Claudiu Valentin Popa
Type of License: Hotel and Restaurant License

A Public Hearing is required for this agenda item.

Background on the Role of Liquor Licensing Authority in Consideration of New Licenses:

The Avon Town Council acting as the Local Liquor Licensing Authority has the duty to conduct hearings and make findings of fact as to whether to grant or deny a new local liquor license. The State Licensing Authority cannot grant or issue any "new license" until the Authority has first approved the application by conducting a hearing for such license. If the Authority denies the application, the Executive Director of the State of Colorado cannot override its decision. If the Authority approves a license, the State Licensing Authority cannot refuse to issue the license except upon hearing with a 15-day notice to the applicant and the Authority. Once the state license is received by the Town Clerk's Office and the Certificate of Occupancy has been received from the Building Department, the Town and State licenses can be issued.

The Town Clerk, Town Attorney and Police Department handle the review of the liquor license applications administratively. A "Report of Findings" is completed by the Town Clerk & provided the applicants five days prior to the hearing. The Authority members are provided the application materials when it appears on the Liquor Board Agenda. A public hearing is conducted for all new applications. The Local Authority's decision is usually given at the conclusion of the hearing although it may be delayed. The decision must be given in writing within 30 days after the date of the hearing and may follow in the form of a resolution. The motion to approve or disapprove should be explicit stating the exact reasons for denial or approval. A motion to deny a license must be based on evidence presented at the hearing.

The Liquor Code of Colorado provides that in making any decision, the Local Licensing Authority must consider the following before approving or denying the application:

- Facts and evidence resulting from the investigation and any facts brought to the attention of the Authority.
- The reasonable requirements of the neighborhood
- The desires of the inhabitants of the neighborhood.
- The number, type and availability of liquor outlets located in or near the neighborhood under consideration.
- Any other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed.

Requests for licenses may be denied for various reasons such as the applicant is not of good moral character, the applicant's character, record, or reputation is unsatisfactory, or the proposed outlet is within 500 feet of any school.

Background on Applications:

Attached is the "Report of Findings" for this application which was hand delivered to R & E Enterprises LLC on September 9, 2010. The Town Clerk and Town Attorney have reviewed the applications for complete information and notice was posted on the premise and published in the Vail Daily as documented in the report of findings. The Avon Police Department has conducted the background investigations on the principals and a report is attached.

Discussion:

The information in the report addresses how the applicant has met the criteria outlined in Section 5.08 Liquor Licenses of the Avon Municipal Code and the State Liquor and Beer Code. The report indicates that the applicant has the burden of proving he/she is qualified to hold the license. The applicant also has the burden of proving that the reasonable requirements of the neighborhood and the desires of the community require the granting of the license. A petition survey has been submitted; this information will assist in the determination of the "desires & needs of the neighborhood".

The applicant has submitted a diagram of the premises. The applicant, Claudiu Popa, will attend the meeting. If the Authority decides to approve the application, a resolution is attached, which if adopted takes this action.

Financial Implications:

The application fees have been submitted for both the Town liquor license fees and for the State liquor license fees. A concurrent review of the application by the State of Colorado has been requested; those fees have been paid as well. There are also renewal fees the party pays at the time the license is renewed on an annual basis. Sales tax revenue will be also be submitted by the establishment.

Town Manager Comments:

pm for JB -

Attachments for the Application are as follows:

- A. Report of Findings
- B. Resolution
- C. Colorado Liquor License Application
- D. Diagram of Premises
- E. Individual History Record & Report from Avon Police Department
- F. Operating Agreement
- G. Secretary of State Certificate and Articles of Organization
- H. Lease Agreement
- I. Petition

EXHIBIT A



**LOCAL LIQUOR LICENSING AUTHORITY
TOWN OF AVON, COLORADO**

RE THE APPLICATION OF)

R&E ENTERPRISE, LLC) REPORT OF FINDINGS
D/B/A GONDOLA PIZZA

240 CHAPEL PLACE, #113)
AVON, COLORADO)

FOR A HOTEL AND RESTAURANT LICENSE)

TO: THE APPLICANT ABOVE AND OTHER INTERESTED PARTIES

SUBMITTED BY: PATTY MCKENNY, TOWN CLERK, TOWN OF AVON

DATE: SEPTEMBER 6, 2010

PURSUANT to the Statutes of the State of Colorado, the Ordinances of the Town of Avon, and the Rules and Procedures of the Local Licensing Authority, you are hereby advised that with regard to the application for a Hotel and Restaurant License filed with the Town Clerk on July 14, 2010, an investigation has been made, and the Report of Findings is as follows:

1. The location of the existing establishment, Gondola Pizza is 240 Chapel Place, #113, Avon, Colorado. The State or Local Licensing Authority has not denied an application at this proposed location within the last two years. Note this business location has been operating as a pizza restaurant since 2006 but has never held a hotel and restaurant liquor license.
2. From evidence submitted, the applicant is entitled to possession of the premises as documented by the following leasing documents:
 - a. Lease Agreement by & between Chapel Square LLC (Landlord) & Salad Factory (Tenant) dated March 12, 2004
 - b. Agreement of Lease Assignment and Assumption and Modification by and between Salad Factory, Inc. and Romex Enterprises, Inc. d/b/a Gondola Pizza dated May 1, 2006
 - c. First Amendment to Lease Agreement by and between Chapel Square Ventures, LP and Romex Enterprises, Inc. d/b/a Gondola Pizza dated March 1, 2010
 - d. Agreement of Lease Assignment and Assumption and Modification by & between Romex Enterprises, Inc. ad R & E Enterprises, LLC d/b/a Gondola Pizza and Henorel Kovacs and Chapel Square Ventures, LP dated July 1, 2010
 - e. Lease expiration date is February 28, 2011
3. The sale of liquor in the proposed location is in an area permitted under the applicable zoning laws of the Town of Avon. If approved and prior to issuance of the liquor license, it should be confirmed that the applicant must be current with its retail sales tax license and business license issued by the Town of Avon.
4. The proposed building in which the liquor is to be sold is not located within 500' of any public or parochial school or the principal campus of any college, university or seminary.



**LOCAL LIQUOR LICENSING AUTHORITY
TOWN OF AVON, COLORADO**

5. The appropriate documents, i.e. individual history records & fingerprints, required to conduct the background investigation have been submitted to the Colorado Bureau of Investigation and Avon Police Department. The report on the principal from CBI has been returned and the results of the criminal background investigation from the Avon Police Department showed no criminal background:

<u>Title</u>	<u>Name</u>	<u>Address</u>	<u>Telephone</u>
Managing Member	Claudiu Valentin Popa	PO Box 2522 Vail, CO 81658	970-949-3308

6. The applicant has submitted the appropriate application fees to the Town Clerk for costs associated with a new application; the application has been submitted to the Liquor Enforcement Division for a concurrent review. If the Hotel and Restaurant License is approved by Avon's Local Liquor Authority, the appropriate executed paperwork will be forwarded to the State of Colorado Liquor Enforcement Division for its approval and issuance of the State license. Upon receipt of the State liquor license, the Town Clerk will then provide the applicant with both liquor licenses.
7. The public hearing on this application will be held on September 14, 2010 at 5 P.M. in the Council Chambers of the Avon Town Hall, One Lake Street, Avon, Colorado. Public Notice was given regarding said application and the scheduled hearing date was published in the Vail Daily on September 3, 2010 and posted on premises of the proposed location the week of September 1, 2010. At said hearing, the applicant shall have an opportunity to be heard regarding all matters related to the application, including all matters set forth herein.
8. The "Neighborhood" has been established by the Avon Liquor Licensing Authority with the adoption of Resolution No. 04-04 on November 23, 2004, defining it as "the neighborhood to be served by any applicant for liquor license of any kind shall be the Town of Avon, including residents of the Town, persons working in the Town and visitors to the Town".
9. At the public hearing, the applicant has the burden of proving he/she is qualified to hold the license applied for, and that his character, record and reputation are satisfactory. The applicant also has the burden of proving that the reasonable requirements of the neighborhood and the desires of the inhabitants of the neighborhood require the granting of the license. And finally, the applicant is required to file with the Town Clerk documentary evidence, thereof, including any surveys and petitions, no later than seven days before the date of the hearing; these petitions are included as a part of these findings. In reviewing the signatures there is included a mix of residents and visitors as reflected by the streets and mailing addresses. There was no signature on the petitions that was in opposition of this establishment having a hotel and restaurant liquor license.
10. The applicant is advised to obtain and read a copy of the State of Colorado Liquor and Beer Codes and Regulations and the Town Code Section on Liquor Licenses (Title 5, Chapter 5.08). These regulations can be found on the following websites:
http://www.revenue.state.co.us/liquor_dir/home.asp
http://www.colocode.com/avon/avon_05.pdf

Hand Delivered: September 9, 2010

EXHIBIT B

PROCEEDINGS OF THE LIQUOR LICENSING AUTHORITY OF THE TOWN OF AVON, COUNTY OF EAGLE AND STATE OF COLORADO

RESOLUTION NO. 10-08 SERIES OF 2010

A Resolution Approving The Application Of R & E Enterprise LLC d/b/a Gondola Pizza For A Hotel and Restaurant Liquor License

WHEREAS, on the 14th day of September 2010, the Liquor Licensing Authority of the Town of Avon ("the Authority") did receive and consider the application of R & E Enterprise LLC d/b/a Gondola Pizza whose mailing address is PO Box 1861, Eagle, CO 81631, for a hotel and restaurant liquor license at 240 Chapel Place, #113., Avon, Colorado; and

WHEREAS, the Authority finds that Notice of Application was published in the Vail Daily on September 3, 2010 and proof of publication by the publisher of the Vail Daily was received and made a part of the record; and

WHEREAS, the Authority finds that the application was in proper form and accompanied by the necessary supplementary evidentiary matter required by law, the regulations of the State of Colorado and the Authority; and

WHEREAS, the application was supported by petitions with signatures that supported the application in full with 100% in favor; and

WHEREAS, the neighborhood to be served by the proposed licensee has heretofore been determined to be the Town of Avon, including residents of the Town, persons working in the Town and visitors to the Town;

**NOW, THEREFORE, THE LIQUOR LICENSING AUTHORITY OF THE TOWN OF
AVON DOES FIND:**

1. The applicant is of good moral character and reputation.
2. The neighborhood to be served by the applicant is the Town of Avon, including residents of the Town, persons working in the Town and visitors to the Town.
3. There does exist a reasonable requirement in such neighborhood for the type of license for which application is made.
4. The adult inhabitants of the Town desire that the license be granted.

ADOPTED THE 14th DAY OF September 2010.

TOWN OF AVON, COLORADO

Ronald C. Wolfe, Chairman

Patty McKenny, Secretary

**COLORADO LIQUOR
 RETAIL LICENSE APPLICATION**

EXHIBIT C

NEW LICENSE **TRANSFER OF OWNERSHIP** **LICENSE RENEWAL**

ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
 APPLICANT MUST CHECK THE APPROPRIATE BOX(ES)
 LOCAL LICENSE FEE \$ _____
 APPLICANT SHOULD OBTAIN A COPY OF THE COLORADO LIQUOR AND BEER CODE (Call 303-370-2165)

1. Applicant is applying as a
 Corporation Partnership (includes Limited Liability and Husband and Wife Partnerships)
 Individual Limited Liability Company Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation Fein Number
R & E ENTERPRISE LLC **27-2589999**

2a. Trade Name of Establishment (DBA) State Sales Tax No. Business Telephone
GONDOLA PIZZA **25-56628-0000** **970-845-6000**

3. Address of Premises (specify exact location of premises)
240 CHAPEL PL #113

City **AVON** County **EAGLE** State **CO** ZIP Code **81620**

4. Mailing Address (Number and Street) City or Town State ZIP Code
PO BOX 1861 **EAGLE** **CO** **81631**

5. If the premises currently have a liquor or beer license, you MUST answer the following questions:
 Present Trade Name of Establishment (DBA) Present State License No. Present Class of License Present Expiration Date

LIAB	SECTION A	NONREFUNDABLE APPLICATION FEES	LIAB	SECTION B (CONT.)	LIQUOR LICENSE FEES
2300	<input type="checkbox"/>	Application Fee for New License	1985	<input type="checkbox"/>	Resort Complex License (City)
2302	<input type="checkbox"/>	Application Fee for New License - w/Concurrent Review	1986	<input type="checkbox"/>	Resort Complex License (County)
2310	<input type="checkbox"/>	Application Fee for Transfer	1988	<input type="checkbox"/>	Add Related Facility to Resort Complex ... \$ 75.00 X _____ Total _____
			1990	<input type="checkbox"/>	Club License (City)
			1991	<input type="checkbox"/>	Club License (County)
			2010	<input type="checkbox"/>	Tavern License (City)
			2011	<input type="checkbox"/>	Tavern License (County)
			2012	<input type="checkbox"/>	Manager Registration - Tavern
			2020	<input type="checkbox"/>	Arts License (City)
			2021	<input type="checkbox"/>	Arts License (County)
			2030	<input type="checkbox"/>	Racetrack License (City)
			2031	<input type="checkbox"/>	Racetrack License (County)
			2040	<input type="checkbox"/>	Optional Premises License (City)
			2041	<input type="checkbox"/>	Optional Premises License (County)
			2045	<input type="checkbox"/>	Vintners Restaurant License (City)
			2046	<input type="checkbox"/>	Vintners Restaurant License (County)
			2070	<input type="checkbox"/>	Add Optional Premises to H & R
			2370	<input type="checkbox"/>	Master File Location Fee
			2375	<input type="checkbox"/>	Master File Background

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

County	City	Industry Type	License Account Number	Liability Date	License Issued Through
				FROM	(Expiration Date) TO
State -750 (999)	City 2180-100 (999)	County 2190-100 (999)	Managers Reg -750 (999)		
Cash Fund New License 2300-100 (999)				Cash Fund Trans. License 2310-100 (999)	
				TOTAL	
				\$ 0	

APPLICATION DOCUMENTS CHECKLIST AND WORKSHEET

Instructions: This check list should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

ITEMS SUBMITTED, PLEASE CHECK ALL APPROPRIATE BOXES COMPLETED OR DOCUMENTS SUBMITTED

I. APPLICANT INFORMATION

- A. Applicant/Licensee identified.
- B. State sales tax license number listed or applied for at time of application.
- C. License type or other transaction identified.
- D. Return originals to local authority.
- E. Additional information may be required by the local licensing authority.

II. DIAGRAM OF THE PREMISES

- A. No larger than 8 1/2" X 11".
- B. Dimensions included (doesn't have to be to scale). Exterior areas should show control (fences, walls, etc.).
- C. Separate diagram for each floor (if multiple levels).
- D. Kitchen - identified if Hotel and Restaurant.

III. PROOF OF PROPERTY POSSESSION

- A. Deed in name of the Applicant ONLY (or)
- B. Lease in the name of the Applicant ONLY
- C. Lease Assignment in the name of the Applicant (ONLY) with proper consent from the Landlord and acceptance by the Applicant.
- D. Other Agreement if not deed or lease.

IV. BACKGROUND INFORMATION AND FINANCIAL DOCUMENTS

- A. Individual History Record(s) (Form DR 8404-I).
- B. Fingerprints taken and submitted to local authority. (State authority for master file applicants.)
- C. Purchase agreement, stock transfer agreement, and or authorization to transfer license.
- D. List of all notes and loans.

V. CORPORATE APPLICANT INFORMATION (If Applicable)

- A. Certificate of Incorporation (and/or)
- B. Certificate of Good Standing if incorporated more than 2 years ago.
- C. Certificate of Authorization if foreign corporation.
- D. List of officers, directors and stockholders of parent corporation (designate 1 person as "principal officer").

VI. PARTNERSHIP APPLICANT INFORMATION (If Applicable)

- A. Partnership Agreement (general or limited). Not needed if husband and wife.

VII. LIMITED LIABILITY COMPANY APPLICANT INFORMATION (If Applicable)

- A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office).
- B. Copy of operating agreement.
- C. Certificate of Authority (if foreign company).

VIII. MANAGER REGISTRATION FOR HOTEL AND RESTAURANT. TAVERN LICENSES WHEN INCLUDED WITH THIS APPLICATION

- A. \$75.00 fee.
- B. Individual History Record (DR 8404-I).

6. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years? Yes No

7. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state);
 (a) been denied an alcohol beverage license?
 (b) had an alcohol beverage license suspended or revoked?
 (c) had interest in another entity that had an alcohol beverage license suspended or revoked?
 If you answered yes to 7a, b or c, explain in detail on a separate sheet.

8. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes," explain in detail.

9. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

10. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee. GOLDEN EAGLE ENTERPRISE

11. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?
 Ownership Lease Other (Explain in Detail)

a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:

Landlord <u>CHAPEL SQUARE VENTURES</u>	Tenant <u>R&E ENTERPRISES</u>	Expires <u>2/28/11</u>
<u>GEORGIA LIMITED PARTNERSHIP</u>	<u>Sublease TO</u>	

Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11". (Doesn't have to be to scale)

12. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.

NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST
<u>NONE</u>			

Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

13. **Optional Premises or Hotel and Restaurant Licenses with Optional Premises**
 Has a local ordinance or resolution authorizing optional premises been adopted? Yes No

Number of separate Optional Premises areas requested. _____ (See License Fee Chart)

14. **Liquor Licensed Drug Store** applicants, answer the following:
 (a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? COPY MUST BE ATTACHED. Yes No

15. **Club Liquor License** applicants answer the following and attach:
 (a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? Yes No

 (b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?
 (c) How long has the club been incorporated? _____ (Three years required)
 (d) Has applicant occupied an establishment for three years that was operated solely for the reasons stated above?

16. **Brew-Pub License or Vintner Restaurant Applicants answer the following:**
 (a) Has the applicant received or applied for a Federal Permit? Yes No

 (Copy of permit or application must be attached)

17a. Name of Manager (for all on-premises applicants) _____ (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I)). Date of Birth

17b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. Yes No

18. **Tax Distraint Information.** Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? Yes No

 If yes, provide an explanation and include copies of any payment agreements.

19. If applicant is a corporation, partnership, association or limited liability company, applicant **must list ALL OFFICERS, DIRECTORS, GENERAL PARTNERS, AND MANAGING MEMBERS.** In addition applicant **must list** any stockholders, partners, or members with **OWNERSHIP OF 10% OR MORE** IN THE APPLICANT. ALL PERSONS LISTED BELOW must also attach form DR 8404-1 (Individual History record), and submit finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
CLAUDIN V POPA	0078 HAYSTACKER EAGLE CO	11/25/86	OWNER	100%

*If total ownership percentage disclosed here does not total 100% applicant must check this box
 Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant

Additional Documents to be submitted by type of entity

CORPORATION Cert. of Incorp. Cert. of Good Standing (if more than 2 yrs. old) Cert. of Auth. (if a foreign corp.)
 PARTNERSHIP Partnership Agreement (General or Limited) Husband and Wife partnership (no written agreement)
 LIMITED LIABILITY COMPANY Articles of Organization Cert. of Authority (if foreign company) Operating Agrmt.
 ASSOCIATION OR OTHER Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable) _____ Address for Service _____

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature _____ Title **OWNER** Date **7/13/10**

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)

Date application filed with local authority **July 14, 2010** Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)

THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

That each person required to file DR 8404-1 (Individual History Record) has:

<input checked="" type="checkbox"/> Been fingerprinted	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Been subject to background investigation, including NCIC/CCIC check for outstanding warrants	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license

(Check One)
 Date of Inspection or Anticipated Date _____
 Upon approval of state licensing authority.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority for Town of Avon	Telephone Number 970 748 4000	<input checked="" type="checkbox"/> TOWN, CITY <input type="checkbox"/> COUNTY
Signature _____	Title _____	Date _____
Signature (attest) _____	Title _____	Date _____

**TOWN OF AVON, COLORADO
MINUTES OF THE LOCAL LIQUOR LICENSING AUTHORITY MEETING
HELD AUGUST 10, 2010**

The Avon Town Council acting as the Local Liquor Licensing Authority for the Town of Avon, Colorado convened at 5:30 PM at the Avon Town Hall, One Lake Street, Avon, Colorado. A roll call was taken and Board members of the Authority present were Ron Wolfe as Chairperson, and Board members Dave Dantas, Rich Carroll, Amy Phillips, Buz Reynolds and Brian Sipes. Kristi Ferraro absent.

RENEWAL OF LIQUOR LICENSES

- a. Applicant: Suncor Energy Sales, Inc., d/b/a Shell
Address: 46 Nottingham Road
Manager: Anakut Loya
Type: Retail 3.2% Beer License (Off Premise)

Chairman Wolfe stated that all application materials were in order. Board member Dantas moved to approve the renewal of the Retail 3.2% Beer License (Off Premise) for Suncor Energy Sales, Inc., d/b/a Shell. Board member Carroll seconded the motion and it passed unanimously (Ferraro absent).

- b. Applicant: Chair Four LLC, d/b/a Vin 48
Address: 48 E Beaver Creek Blvd
Manager: Colin Baugh
Type: Hotel and Restaurant Liquor License

Chairman Wolfe stated that all application materials were in order. Board member Sipes moved to approve the renewal of the hotel and restaurant liquor license for Chair Four LLC, d/b/a Vin 48. Board member Phillips seconded the motion and it passed unanimously (Ferraro absent).

- c. Applicant: Dillon Companies, Inc. d/b/a City Market #26
Address: 260 Beaver Creek Place
Manger: Chuck Holcomb
Type: Retail 3.2% Beer License (Off Premises)

Chairman Wolfe stated that all application materials were in order. Board member Carroll moved to approve the renewal of the hotel and restaurant liquor license for China Garden Inc, d/b/a China Garden. Board member Phillips seconded the motion and it passed unanimously.

CONSENT AGENDA

Board member Sipes moved to approve the consent agenda; Board member Carroll seconded the motion and it passed unanimously.

- a. Minutes from July 13, 2010

There being no further business to come before the Board, the meeting adjourned at 5:20 PM.

RESPECTFULLY SUBMITTED:

Patty McKenny, Secretary

APPROVED:

Rich Carroll
Dave Dantas
Kristi Ferraro
Amy Phillips
Albert "Buz" Reynolds
Brian Sipes
Ron Wolfe

