



LOCAL LICENSING AUTHORITY

Minutes
May 1, 2019

Meeting Convened at 5:35 p.m.

ROLL CALL

- ✓ Gary Berlin
- Guyleen Castriotta, Council Alternate
- ✓ Jacob Starkovich
- Kim Groom
- ✓ Leon Murray
- ✓ Mike Shelton
- ✓ Kirsty Lockhart, Alternate

Also present were: Deputy City & County Attorney Pat Gilbert
Assistant City & County Attorney, Courtney Thiemann
Deputy City & County Clerk, Danee Hunzee
Deputy City Clerk - Licensing, Michelle Carlow

DISPOSITION OF MINUTES

- a. Approval of Minutes - [April 3, 2019](#)

Approved.

4. LOCAL LICENSING AUTHORITY BUSINESS

- a. [Centenario, Inc. d/b/a 3 Margaritas Show Cause Hearing Re: Alleged Violation of Colorado Revised Statute 44-3-901\(6\)\(a\)\(I\); and BMC 9-64-010](#)

Chairperson Berlin advised that at the March 6, 2019, meeting, the Authority issued a Show Cause Order to the Licensee and that the hearing had been set for the April 3, 2019, meeting and continued to the May 1, 2019, meeting.

Courtney Thiemann, Broomfield Municipal Prosecutor, provided a status update and advised that a stipulation for a penalty had been reached with the Licensee.

Jesus Gutierrez, Manager, and Erica Kaiser, legal representative, were present.

Authority Member Shelton commented.

Mr. Gutierrez responded to Authority inquiries on the violation.

AUTHORITY MEMBER MURRAY MOVED AND AUTHORITY MEMBER SHELTON SECONDED THAT THE PROPOSED FINDINGS BE ADOPTED, AS STIPULATED; AND THAT THE SHOW CAUSE HEARING IN THIS MATTER SCHEDULED FOR 5:30 P.M., MAY 1, 2019, BE VACATED. THE MOTION PASSED UNANIMOUSLY.

AUTHORITY MEMBER MURRAY MOVED AND AUTHORITY MEMBER STARKOVICH SECONDED THAT THE LOCAL LICENSING AUTHORITY IMPOSE A SUSPENSION OF FIFTEEN (15) DAYS; WITH EIGHT (8) DAYS TO BE HELD IN ABEYANCE UNTIL DECEMBER 15, 2019; AND PAYMENT OF A FINE IN LIEU OF SEVEN (7) DAYS

SUSPENSION IN ACCORDANCE WITH STATE STATUTE; AND LICENSEE WILL PROVIDE DOCUMENTATION REGARDING TRAINING COMPLETED BY EMPLOYEES. THE MOTION PASSED UNANIMOUSLY.

- b. [Request for Order to Show Cause Hearing for June 5, 2019: XYG, Inc. & 7-Eleven, Inc. d/b/a 7-Eleven Store 37562A Gurbaz, Inc. & 7-Eleven, Inc. d/b/a 7-Eleven Store 38135A KM Liquors, Inc. d/b/a Broadlands Liquor Bogeys LLC d/b/a Casablanca Wine & Spirits Circle K Stores, Inc. d/b/a Circle K Store #2709903](#)

Courtney Thiemann, Broomfield Municipal Prosecutor, provided a status update and advised that a Motion to proceed with a Continue Show Cause Hearing be set.

AUTHORITY MEMBER MURRAY MOVED AND AUTHORITY MEMBER SHELTON SECONDED THAT THE LOCAL LICENSING AUTHORITY HAS DETERMINED PROBABLE CAUSE EXISTS TO BELIEVE THE NAMED LICENSEES HAVE VIOLATED THE COLORADO LIQUOR CODE AND RELATED REGULATIONS, AND THAT AN ORDER TO SHOW CAUSE AND NOTICE OF HEARING BE ISSUED TO THE LICENSEES, AND HEARINGS BE SCHEDULED FOR EACH INDIVIDUAL LICENSEE FOR 5:30 P.M., JUNE 5, 2019. THE MOTION PASSED UNANIMOUSLY.

- c. [Request for Order to Show Cause Hearing for August 7, 2019: Quik-Way Retail Associates II, LTD d/b/a Fast Market 8150 Murphy Oil USA, Inc d/b/a Murphy Express #8747 Suncor Energy Sales, Inc d/b/a Shell Hahnum Corp. d/b/a Westlake Liquor Quail Creek Wine & Spirits Inc. d/b/a Quail Creek Wine & Spirits](#)

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- d. [Aaryaz, Inc. & 7-Eleven, Inc. d/b/a 7-Eleven Store 38330A - New Fermented Malt Beverage Off-Premises License - Public Hearing](#)

The public hearing was declared open at 5:52 p.m.

Bikal Sapkota, Aaryaz, Inc. Owner; Kevin Coates, legal representative with Dill & Dill; Ashley Dollen, 7-Eleven representative; and Carol Johnson, Esquire Petitioning, were present on behalf of the Applicant.

Pat Gilbert, Deputy City & County Attorney, summarized the city administration's report.

Mr. Sapkota, Mr. Coates, Ms. Dollen, and Ms. Johnson were sworn in and Ms. Johnson, Mr. Sapkota, and Mr. Coates provided the applicant's presentation.

Authority Members Lockhart, Murray, and Starkovich, and Chair Berlin commented.

Ms. Johnson, Mr. Sapkota, Mr. Coates and Ms. Dollen answered Authority Members' questions.

The public hearing was closed at 6:33 p.m.

Pat Gilbert, Deputy City & County Attorney, presented the proposed findings.

