

**PUEBLO LIQUOR & BEER LICENSING BOARD**  
**MINUTES -- REGULAR MEETING**  
**CITY HALL -- COUNCIL CHAMBERS**  
**SEPTEMBER 18, 2013 – 6:00 P.M.**

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of September 18, 2013 at 6:00 p.m., with Chairwoman Doris Harrison presiding.

**ROLL CALL**

Present: Board Members Don DiFatta, Mike Ferris, Doris Harrison, Charles Pullaro, Jr. and Tom Rose. Also Present—Assistant City Attorney Bob Jagger and Deputy City Clerk Lori Bravo-Neff.

**APPROVAL OF MINUTES**

Mr. DiFatta, seconded by Mr. Ferris, moved to approve the minutes of the Regular Meeting of September 4<sup>th</sup>, 2013. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**CONSENT AGENDA**

- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION-RENEWAL-CUAUTLA, INC. D/B/A 3 MARGARITAS VIII, 3620 N. FREEWAY ROAD**
- 2 TAVERN LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**  
Rollco, Inc. d/b/a Deluxe Tavern, 407 N. Santa Fe Avenue  
DE BG, Inc. d/b/a The Spotlight, 211 W. Northern Avenue
- 3 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**  
Cho Cha, LLC d/b/a Shanty Liquor, 2212 E. 4<sup>th</sup> Street  
Franky's Liquor Mart, Inc. d/b/a Franky's Liquor Mart, 905 W. 4<sup>th</sup> Street
- 4 CABARET LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**  
Christopher Rodriguez d/b/a Sharky's Bar, 1549 E. Evans Avenue  
DE BG, Inc. d/b/a The Spotlight, 211 W. Northern Avenue
- 5 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR-PUEBLO CITY-COUNTY LIBRARY DISTRICT, EVENT MANAGER: MIDORI CLARK, (EVENT TO BE HELD NOVEMBER 9TH, 2013. ADDRESS OF EVENT: 100 E. ABRIENDO AVENUE)**

Mr. Ferris, seconded by Mr. Rose, moved to approve the Consent Agenda as read. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

REGULAR AGENDA

**6 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR-PUEBLO CITY-COUNTY LIBRARY DISTRICT, EVENT MANAGER: MIDORI CLARK, (NEW EVENT TO BE HELD OCTOBER 4TH, 2013. ADDRESS OF EVENT: 100 E. ABRIENDO AVENUE)**

Event Manager Midori Clark, 612 W. 18<sup>th</sup> Street was sworn in and answered questions from the Board. Ms. Clark explained this new event is for their “All Pueblo Reads Chautauqua & Music Festival.” They have obtained a \$4000 grant from the State for this event. Ms. Clark stated she will be responsible for supervising the event. There will be 2 liquor distribution points. Third-party vendors will be selling food at the event and 4 persons will be selling/serving liquor. Ms. Clark described approved forms of identification. Their policy for checking the age of their patrons will be to ask for identification from all parties entering the serving area. Additionally, bartenders and TNT Security will be checking identification. TNT Security will be assigned to maintain order on the licensed premises. Alcohol will not be allowed to be taken off the licensed premises. The premises will be secured by metal barricades surrounding the licensed premises.

Mr. Ferris, seconded by Mr. Rose, moved to approve this Special Events Permit application. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**7 REPORT OF CHANGES-CHANGE OF CORPORATE STRUCTURE-TAVERN LIQUOR LICENSE: DISABLED AMERICAN VETERANS D/B/A DAV STEEL CITY CHAPTER #39, 2850 O’NEAL AVENUE (NEW COMMANDER FIDEL E. LUCERO REPLACES LEE ROMERO)**

New commander Fidel E. Lucero, 1059 S. Mescal Drive, Pueblo West, CO was sworn in and answered questions from the Board. The moral character of Mr. Lucero was satisfactory to the Board. He has worked at the DAV, a liquor-licensed premise and they have never had a violation. They are open to serve on Saturdays and for hall-rentals. In addition to himself, there are 2 bartenders employed at the DAV. Mr. Lucero described approved forms of identification. Mr. Lucero was encouraged to attend a Seller and Server Training Program from a State-approved vendor.

Mr. Pullaro, seconded by Mr. Rose, moved to approve this Change of Corporate Structure. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**8 PERMIT APPLICATION AND REPORT OF CHANGES-CHANGE OF MANAGER – TAVERN LIQUOR LICENSE: DISABLED AMERICAN VETERANS D/B/A DAV STEEL CITY CHAPTER #39, 2850 O’NEAL AVENUE (NEW MANAGER FIDEL E. LUCERO REPLACES LEE ROMERO)**

Mr. Pullaro, seconded by Mr. Ferris, moved to take administrative notice of the testimony given in Item #7 and approve this change of manager. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**9 REPORT OF CHANGES-CHANGE OF CORPORATE STRUCTURE-TAVERN LIQUOR LICENSE: DE BG, INC. D/B/A THE SPOTLIGHT, 211 W. NORTHERN AVENUE (NEW PRESIDENT DARRELL J. ORTIZ REPLACES DARYL ESPINOZA. MR. ESPINOZA’S 100% INTEREST GOES TO SOLE OFFICER MR. ORTIZ)**

New president Darrell J. Ortiz, 1715 Palmer Avenue was sworn in and answered questions from the Board. The moral character of Mr. Ortiz was satisfactory to the Board. Mr. Ortiz stated he has previously worked in a liquor-licensed establishment in Denver and that license never had a violation. There are no silent partners or financial backers not disclosed in this application; he is the sole officer in this corporation. Mr. Ortiz stated he employs three employees at this point in time and he hopes to hire

**REGULAR AGENDA (CONTINUED)**

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additional employees when they become more established. To his knowledge, none of the current employees have pled guilty to or been convicted of a crime other than a minor traffic offense. His policy for checking the age of his patrons is to check everyone's identification as they come through the door. Mr. Ortiz was encouraged to attend a Seller and Server Training Program from a State-approved vendor. A brief discussion was held with regard to his financial interest and how he became the president/owner. Mr. Ortiz stated he did not purchase the business from the previous owner. He further explained that the previous owner, Daryl Espinoza, is a friend of his and has health issues. He stated Mr. Espinoza just wants out of the liquor business and so he asked Mr. Ortiz if he was interested in taking over. The Board explained to Mr. Ortiz that the minutes that are included with his application are too vague and they would like for them to be more specific. The Board stated if there was an exchange of stock certificates, he should present them as part of this application.

Mr. Rose, seconded by Mr. DiFatta, moved to continue this matter to the October 2<sup>nd</sup>, 2013 meeting. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**10 PERMIT APPLICATION AND REPORT OF CHANGES-CHANGE OF MANAGER – TAVERN LIQUOR LICENSE: DE BG, INC. D/B/A THE SPOTLIGHT, 211 W. NORTHERN AVENUE (DARRELL J. ORTIZ REPLACES DARYL ESPINOZA AS PRESIDENT. MR. ESPINOZA'S 100% INTEREST GOES TO MR. ORTIZ WHO IS NOW THE SOLE OFFICER)**

Mr. Rose, seconded by Mr. Ferris, moved to continue this matter to the October 2<sup>nd</sup>, 2013 meeting. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**11 HEARING: TRANSFER OF OWNERSHIP—TAVERN LIQUOR LICENSE: PIXIE STIXX ON THE RIVERWALK, LLC D/B/A PIXIE STIXX ON THE RIVERWALK, 115 E. RIVERWALK, UNIT 100, (CURRENTLY LICENSED TO THE SICILIAN OF PUEBLO, LLC D/B/A THE SICILIAN, LICENSE EXPIRED JULY 19, 2013)**

Mr. Jagger explained due to a miscommunication, the applicant was not present and this matter should be continued to the next meeting.

For the record, it was determined there was no one present in opposition to the issuance of this license.

Mr. DiFatta, seconded by Mr. Rose, moved to continue this matter to October 2<sup>nd</sup>, 2013. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**12 HEARING: TRANSFER OF OWNERSHIP—CABARET LICENSE: PIXIE STIXX ON THE RIVERWALK, LLC D/B/A PIXIE STIXX ON THE RIVERWALK, 115 E. RIVERWALK, UNIT 100, (CURRENTLY LICENSED TO THE SICILIAN OF PUEBLO, LLC D/B/A THE SICILIAN, LICENSE EXPIRED JULY 19, 2013)**

Mr. DiFatta, seconded by Mr. Rose, moved to continue this matter to October 2<sup>nd</sup>, 2013. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**REGULAR AGENDA (CONTINUED)**

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**ADJOURN** – With no further business to come before the Board, the meeting was adjourned at ??? p.m.

Respectfully submitted,

  
Lori Bravo-Neff, Deputy City Clerk  
City Clerk's Office