



**City of Fort Lupton**  
**Liquor Licensing Authority**  
**Agenda**  
Tuesday, November 5, 2024  
6:00 PM  
130 South McKinley Avenue

**Zo Hubbard, Mayor**  
Valerie Blackston, Ward 1  
Chris Ceretto, Ward 2  
Carlos Barron, Ward 3  
David Crespín, Ward 1  
Claud Hanes, Ward 2  
Bruce Fitzgerald, Ward 3

**You may join in person or join remotely by clicking on:**  
**<https://global.gotomeeting.com/join/353347597>**

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Approval of Agenda**

**Consent Agenda** - Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

**a.** October 15, 2024 Liquor Licensing Authority Meeting Minutes

**Public Hearings** - Public Hearings allow members of the audience to present comments and questions to the City Council on the item being presented. Comments and questions may be limited to three (3) minutes- Mayor Hubbard

- a.** AM 2024-180 Consideration of the Renewal Application for a Retail Liquor License, by the City Council acting as the Local Licensing Authority, Submitted by Manihani Manihani Inc. dba Whipsaw Wine and Spirits
- b.** AM 2024-181 Continuance Hearing from October 1, 2024, Regarding Consideration of the Renewal Application for a Tavern Liquor License, by the City Council acting as the Local Licensing Authority, Submitted by Silvermoon LLC dba Silvermoon Bar and Café

**Adjourn**

**RECORD OF PROCEEDINGS  
LIQUOR LICENSING AUTHORITY  
October 15, 2024**

The Liquor Licensing Authority of the City of Fort Lupton met at the City Complex, 130 South McKinley Avenue, on Tuesday, October 15, 2024. Mayor Zo Hubbard called the meeting to order at 6:00 p.m. and invited everyone to join her in the Pledge of Allegiance.

**ROLL CALL**

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Hubbard, Councilmembers, Valerie Blackston, Carlos Barron, and Chris Ceretto. Councilmember Bruce Fitzgerald and Claud Hanes participated remotely. Councilmember David Crespín was absent.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, Chief of Police, William Carnes, Planning Director, Todd Hodges, City Attorney, Andy Ausmus and Finance Director, Leann Perino.

**APPROVAL OF AGENDA**

It was moved by Carlos Barron and seconded by Chris Ceretto to approve the agenda as presented. Motion passed unanimously on voice vote.

**CONSENT AGENDA**

It was moved by Chris Ceretto and seconded by Carlos Barron to approve the Consent Agenda as presented with the following items:

- October 1, 2024, Liquor Licensing Authority Meeting Minutes

Motion passed unanimously on voice vote.

**PUBLIC HEARING**

**AM 2024-169 Seeking Consideration by the Fort Lupton City Council Acting as the Local Licensing Authority for an Application Submitted by Carnitas Estilo Michoacan LLC dba Carnitas Estilo Michoacan for a Hotel and Restaurant License at 20 S. Grand Avenue**

The City Attorney, Andy Ausmus, swore in translator Miguel Iraola and the applicant, Roberto Naranjo-Rosas. He also advised the applicant that there are Councilmembers appearing remotely, Mr. Naranjo-Rosas stated he understood and agreed to continue with the hearing.

Mayor Hubbard opened the public hearing at 6:05 p.m. City Clerk, Mari Peña, provided an overview of the application. She stated the application was deemed complete on August 26, 2024. On September 17, 2024 the application was presented to City Council acting as the Local Licensing Authority to accept the application and Resolution 2024R049 established all

**RECORD OF PROCEEDINGS  
LIQUOR LICENSING AUTHORITY  
October 15, 2024**

of the City of Fort Lupton as the neighborhood and set the public hearing for today. No public comments were submitted to the City Clerk's Office.

Mayor Hubbard asked if anyone from the Public wished to speak for or against the application, no public comment was received.

Mayor Hubbard asked if anyone from Council had any questions. Councilmember Carlos Barron asked if the staff who will be serving the alcohol will have any seller server training. Mr. Iraolo-Rosas stated yes. City Attorney, Andy Ausmus, asked if they would be taking TIPS training and Mr. Iraola-Rosas stated yes.

Mari Peña, City Clerk stated part of the application process is to provide the needs and desires of the neighborhood. The applicant hired a petitioning service to collect signatures from residents in favor of or against the liquor license. 125 signatures were collected in favor of the liquor license and 5 people declined to sign the petition.

There was no further discussion or comments. Mayor Hubbard closed the public hearing at 6:10 p.m.

It was moved by Carlos Barron and seconded by Valerie Blackston to approve an Application Submitted by Carnitas Estilo Michoacan LLC dba Carnitas Estilo Michoacan for a Hotel and Restaurant License at 20 S. Grand Avenue. Motion carried unanimously on roll call vote.

**ADJOURNMENT**

The meeting adjourned at 6:11 p.m.

Submitted by,

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Maricela Peña, City Clerk

Approved by City Council,

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Zo Hubbard, Mayor



**SUBJECT FOR DISCUSSION**

Consideration of the Renewal Application for a Retail Liquor License, by the City Council acting as the Local Licensing Authority, Submitted by Manihani Manihani Inc. dba Whipsaw Wine and Spirits

**SUMMARY STATEMENT/BACKGROUND DISCUSSION**

On October 4, 2024, Manihani Manihani Inc. submitted a renewal application for its Retail Liquor License. Manihani Manihani INC. dba Whipsaw Wine and Spirits is located at 1400 Dexter Street. On June 3, 2024, the Colorado Department of Revenue Liquor and Tobacco Enforcement Division issued a letter to Whipsaw Wine and Spirits stating the retailer was in violation of C.R.S. 44-7-102(1) due to selling tobacco or nicotine products to a minor. The Liquor and Tobacco Enforcement Division issued a stipulation, agreement, and order to the retailer in lieu of proceeding with an Order to Show Cause. The retailer agreed to pay a fine totaling \$250.00 for the violation to avoid an Order to Show Cause.

Due to the violation, the renewal application is coming before the local licensing authority because the Clerk's office can't process the application administratively.

Notice of the hearing was provided to Manihani Manihani Inc. by mail to 1400 Dexter St., Fort Lupton, CO 80621 on October 9, 2024 and by email to Vikram Manihani on October 9, 2024. The Public Hearing notice was posted by Vikram Manihani on October 25, 2024.

**FINANCIAL CONSIDERATIONS**

N/A

**LEGAL/POLITICAL CONSIDERATIONS**

**ALTERNATIVES/OPTIONS**

1. Approval the application based on facts and evidence presented.
2. Table the decision for 30 days.
3. Deny the application, and make a record setting forth the reasons for denial.

**STAFF RECOMMENDATIONS**

Staff seeks recommendation

**Attachments:** a. Liquor and Tobacco Enforcement Letter and Stipulation, Agreement, and Order

**Certification of Council Approval:**

Ordinance No. \_\_\_\_\_

Resolution No. \_\_\_\_\_

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date



**COLORADO**  
Department of Revenue  
Specialized Business Group—  
Liquor & Tobacco

Physical Address:  
1707 Cole Blvd., Ste. 300  
Lakewood, CO 80401

Mailing Address:  
Colorado Liquor Enforcement Division  
P.O. Box 17087  
Denver, CO 80217-0087

June 3, 2024

Manihani Manihani, Inc.  
d/b/a Whipsaw Wine & Spirits  
4476 Lily Brooke Court  
Powder Springs, GA 30127  
[Whipsaw1400@gmail.com](mailto:Whipsaw1400@gmail.com)

Dear Licensee:

On April 22, 2024, an enforcement agent of the Liquor and Tobacco Enforcement Division (“Division”) from the Lakewood field office, observed an alleged violation of the Colorado Tobacco Code at your licensed entity, specifically: section 44-7-103(1), C.R.S., a retailer shall not sell or permit the sale of cigarettes, tobacco products, or nicotine products to a minor. Attached is a proposed Stipulation, Agreement, and Order (“Order”) regarding allegation(s) of violation(s) of the Colorado Tobacco Code by your licensed entity. The attached Order is subject to the provisions of Rule 408 of the Colorado Rules of Evidence as an offer in compromise and statements made in compromise negotiations. This Order has important legal consequences. Please carefully read the terms of the Order. You should consider consulting legal counsel to advise you.

You may resolve this matter by signing and returning the attached Order and effectuating payment of the stated fine to the Division using the address above or by emailing the executed order to [led\\_adminactions@state.co.us](mailto:led_adminactions@state.co.us). The fine is due on the date specified within the Order, and needs to be submitted at the same time as the signed Order so your fine can be appropriately processed. The associated fine may be paid by Certified Check or Cashier’s check mailed to the mailing address above or paid online at: <https://secure.colorado.gov/payment/liquor>. If the Division does not receive the signed Order and payment by the due date indicated in the order, this offer to settle expires, and the terms and conditions presented and offered in the attached Order become null and void. If you fail to respond by the due date in the Order, or if you do not agree to the terms of the Order, an Order to Show Cause will be issued, and a hearing will be scheduled to determine the merits of the allegations contained in the Order. Should an Order to Show Cause be issued and the matter proceed to hearing, the Division may seek up to the maximum penalty allowed by law, if warranted by the circumstances. The Order contains a proposed fine amount to be paid in lieu of the Division proceeding with an Order to Show Cause.

To discuss matters relating to this notice and the attached Order, you should contact [led\\_adminactions@state.co.us](mailto:led_adminactions@state.co.us) within ten (10) days of the date of this notice.

Sincerely,  
*Michelle Stone-Principato*

Michelle Stone-Principato  
Division Director  
Liquor and Tobacco Enforcement Division

Stipulation, Agreement, and Order  
Whipsaw Wine & Spirits  
LED Case No. 2024LW0140  
Page 1

BEFORE THE LIQUOR ENFORCEMENT DIVISION  
DEPARTMENT OF REVENUE  
STATE OF COLORADO

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**STIPULATION, AGREEMENT, AND ORDER**

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IN THE MATTER OF:

**Manihani Manihani, Inc.**  
**d/b/a Whipsaw Wine & Spirits**  
**1400 Dexter Street**  
**Fort Lupton, CO 80621**  
**Whipsaw1400@gmail.com**

**Tobacco License No. TOB-006366**

Respondent.

LED Case No. 2024LW0140

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THIS STIPULATION, AGREEMENT, AND ORDER (“Order”) between the State of Colorado Department of Revenue, Liquor Enforcement Division, (“Division”), and Manihani Manihani, Inc., Tobacco License No. TOB-006366 (“Retailer”), is entered into for the purpose of settlement and to avoid the uncertainty and cost of future administrative action. The Division and Retailer stipulate and agree as follows:

1. Pursuant to subsection 44-7-105(1)(a)(I), C.R.S., the Division, on its own motion or on complaint from another governmental agency responsible for the enforcement of laws relating to the prohibition of the sale of cigarettes, tobacco products, or nicotine products to minors, may penalize retailers for violations of article 7 of title 44, C.R.S.
2. Pursuant to subsection 44-7-105(1)(b), C.R.S., the Division may, after investigation and a public hearing at which a retailer must be afforded an opportunity to be heard, fine a retailer for a violation by the retailer, or by any agent or employee of the retailer, of article 7 of title 44, C.R.S. or any rule promulgated pursuant to article 7 of title 44.
3. Pursuant to section 44-7-103(1), C.R.S., a retailer shall not sell or permit the sale of cigarettes, tobacco products, or nicotine products to a minor, as defined in section 44-7-102(8), C.R.S.

4. The Division and Retailer have come to a mutual agreement and understanding to jointly resolve the Division's investigation and allegations in lieu of proceeding to an administrative hearing on an Order to Show Cause issued by the Division to determine the merits of such investigation and allegations.
5. Retailer admits to the following facts and violation regarding the date of investigation, April 22, 2024:
  - A. Retailer holds Tobacco Retail License No. TOB-006366 with a business address of 1400 Dexter Street, Fort Lupton, Colorado 80621 ("Retail Location").
  - B. Division investigators conducted a compliance check regarding sales of cigarettes, tobacco products, and/or nicotine products at the Retail Location using the services of a seventeen-year-old underage operative, 23MLK17075 ("Underage Operative").
  - C. Underage Operative entered the Retail Location and attempted to purchase cigarettes, tobacco products, and/or nicotine products.
  - D. Retailer, by and through its agent, Pal Kuldeep, sold or permitted the sale of a Lost Mary Tropical Fruit disposable vape product to the Underage Operative.
  - E. Retailer was neither presented with nor reasonably relied upon a valid government-issued photographic identification that identified the Underage Operative as being twenty-one years of age or older.
  - F. By selling cigarettes, tobacco products, and/or nicotine products to the Underage Operative, Retailer violated section 44-7-103(1), C.R.S.
  - G. Retailer does not claim an affirmative defense pursuant to section 44-7-106(2), C.R.S.
6. Retailer and the Division stipulate the violations admitted in paragraph 5 are Retailer's first violation of section 44-7-103(1), C.R.S., within a twenty-four (24) month period commencing on the date set forth in paragraph 5.
7. Retailer and the Division agree, in lieu of proceeding with an Order to Show Cause and subsequent administrative action, to the following sanction:
  - A. Retailer agrees to pay a fine totaling **\$250.00 (Two hundred and fifty dollars)**. Payment of the fine shall either be **made online at: <https://secure.colorado.gov/payment/liquor>** by selecting Cigarette, Tobacco, Nicotine Products and Administrative Action Fee or Fine and including the amount listed above, or shall be in the form of a **certified check or a cashier's check** made

payable to the Colorado Department of Revenue and mailed to the Department of Revenue, Attn: Liquor Enforcement Division, P.O. Box 17087, Denver, Colorado 80217-0087.

- B. The Division will execute this Order upon receipt of both the Order executed by Retailer and payment of the fine required by paragraph 7(A). If the Division does not receive the **Order executed by the Retailer AND fine payment by June 14, 2024**, the Division will proceed with the issuance of an Order to Show Cause, and the Retailer's admissions herein will be deemed withdrawn.
8. This Order shall be admissible as evidence at any future hearing before the Hearings Division of the Department of Revenue and may be used in connection with any future actions by the Division.
9. Retailer expressly agrees and acknowledges that Retailer has received sufficient notice and has entered into this Order knowingly and voluntarily. Retailer acknowledges that the terms of this Order were mutually negotiated and agreed upon. After consulting with legal counsel, or having elected to proceed without legal counsel, Retailer affirms that Retailer has read this Order and fully understands its nature, meaning and content. Retailer agrees that upon execution of this Order, no subsequent action or assertion shall be maintained or pursued by Retailer asserting the invalidity in any manner of this Order.
10. Upon execution by all parties, this Order shall represent the entire and final agreement of the parties. In the event that any provision of this Order is deemed unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of this Order shall be given full force and effect.
11. Upon execution by the Parties, this Order and all its terms shall have the same force and effect as an order entered after a formal hearing pursuant to sections 24-4-105 and 44-7-105, C.R.S., except that it may not be appealed.
12. This Order may be executed by electronic means (facsimile, e-mail, DocuSign etc.), and any signatures delivered electronically will be deemed to be as valid as an original signature.
13. Retailer understands, and knowingly and voluntarily enters into, this Order. Retailer further understands, and knowingly and voluntarily waives the following rights:
- A. The right to a formal disciplinary hearing on the merits of the matters forming the basis of this Order and the right to require the Division to meet its burden of proof in a formal hearing;
- B. The right to cross-examine all witnesses against Retailer at a formal hearing;

- C. The right to subpoena witnesses, present evidence, and testify on Retailer's own behalf at a formal hearing;
  - D. The right to engage in pre-hearing exchange of evidence with the Division and to review the Division's evidence prior to hearing; and
  - E. The right to judicial review of this Order pursuant to sections 24-4-106 and 44-7-105(5), C.R.S.
14. Upon approval and order of the Division, this Order shall become a permanent part of the Retailer's record with the Division, and it shall be open to public inspection and published pursuant to the Division's standard policies and procedures or applicable law.
15. This Order constitutes the entire agreement and understanding between the parties and supersedes all prior agreements and promises related to the allegations, facts and issues that are the subject of this Order, written or oral between the parties which modify, interpret, construe or affect this Order. Any other allegations, facts and issues not specifically raised or addressed in this Order have not been considered by the parties and are not made a part of this Order.

  
Vikram S. Manihani  
Manihani Manihani, Inc.

06/05/2024  
Date

**APPROVED and ORDERED** on the date set forth in the electronic signature below.

\_\_\_\_\_  
Michelle Stone-Principato  
Director  
Liquor and Tobacco Enforcement Division  
Department of Revenue

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing **STIPULATION, AGREEMENT, AND ORDER** was sent via electronic mail, on the date set forth in the electronic signature below, addressed as follows:

|                                                                                                                                                                                                                  |                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Licensee Business Address</u><br>Manihani Manihani, Inc.<br>d/b/a Whipsaw Wine & Spirits<br>1400 Dexter Street<br>Fort Lupton, CO 80621<br><u>Whipsaw1400@gmail.com</u><br><br>Tobacco License No. TOB-006366 | <u>Licensee Mailing Address</u><br>Manihani Manihani, Inc.<br>d/b/a Whipsaw Wine & Spirits<br>4476 Lily Brooke Court<br>Powder Springs, GA 30127<br><u>Whipsaw1400@gmail.com</u> |
| Liquor and Tobacco Enforcement Division<br>P.O. Box 17087<br>Denver, CO 80217-0087<br><u>led_adminactions@state.co.us</u>                                                                                        |                                                                                                                                                                                  |

By:

Hilary Hutchinson  
Legal Assistant  
Liquor and Tobacco Enforcement Division  
Department of Revenue



### SUBJECT FOR DISCUSSION

Continuance Hearing from October 1, 2024, Regarding Consideration of the Renewal Application for a Tavern Liquor License, by the City Council acting as the Local Licensing Authority, Submitted by Silvermoon LLC dba Silvermoon Bar and Café

### SUMMARY STATEMENT/BACKGROUND DISCUSSION

On October 1, 2024, the Local Licensing Authority held a public hearing on the renewal application for Silvermoon LLC dba Silvermoon Bar and Café ("Silvermoon"). At this hearing, the Local Licensing Authority determined it was in the best interest to continue the hearing to November 5, 2024, to allow the applicant, Jason Cardenas, time to provide proof that Silvermoon holds possession of the premises located at 334 Main St., Fort Lupton, CO 80621. The Local Licensing Authority also requested Mr. Cardenas to provide updated Colorado Secretary of State business registration, proof that State and Local taxes for the business have been paid, and proof of current Sales Tax Certificate from the State of Colorado Department of Revenue.

On October 3, 2024, notice of the continuance hearing was provided to Silvermoon by mail to 334 Main St., Fort Lupton, CO 80621 and by email to Jason Cardenas.

The renewal application is coming before the local licensing authority to determine if the Silvermoon LLC legally holds possession of the premises which is a requirement for any licensee. The Clerk's office can't process the application administratively.

The licensing authority may refuse to renew any license for good cause, subject to judicial review.

Pursuant to Statutes:

(44-3-103) For the purpose of refusing or denying a license renewal the local licensing authority must determine "Good cause": (a) The licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of the Colorado Liquor Code or any rules promulgated pursuant to the Colorado Liquor Code.

Pursuant to 44-3-301. Licensing in general.

(b) At all times a licensee shall possess and maintain possession of the premises or optional premises for which the license is issued by ownership, lease, rental, or other arrangement for possession of the premises.

### FINANCIAL CONSIDERATIONS

N/A

### LEGAL/POLITICAL CONSIDERATIONS

Information pertaining to actual legal possession of the property by Silvermoon LLC needs to be provided.

### ALTERNATIVES/OPTIONS

1. Discuss any possible alternatives or other options that were considered or that may be available for Approval of the application based on facts and evidence presented.

#### Certification of Council Approval:

Ordinance No. \_\_\_\_\_

Resolution No. \_\_\_\_\_

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

2. Deny the application, and make a record setting forth the reasons for denial.
  - a. If the application is denied, any person applying to the courts for a review of the state or any local licensing authority's decision shall apply for review within thirty days after the date of decision of refusal by a local licensing authority or, in the case of approval by a local licensing authority, within thirty days after the date of decision by the state licensing authority and shall be required to pay the cost of preparing a transcript of proceedings before the licensing authority when a transcript is demanded by the person taking the appeal or when a transcript is furnished by the licensing authority pursuant to court order.

**STAFF RECOMMENDATIONS**

Staff seeks recommendation

**Attachments:**

- a. AM from the October 1, 2024 Hearing
- b. Notice of Continuance Letter



**SUBJECT FOR DISCUSSION**

Consideration of the Renewal Application for a Tavern Liquor License, by the City Council acting as the Local Licensing Authority, Submitted by Silvermoon LLC dba Silvermoon Bar and Café

**SUMMARY STATEMENT/BACKGROUND DISCUSSION**

On October 3, 2023, the Local Licensing Authority held a public hearing on the renewal application for Silvermoon LLC dba Silvermoon Bar and Café ("Silvermoon").

During the hearing, Jason Cardenas, owner of the Silvermoon, stated he was trying to obtain ownership of the property and Christina Cardenas, widow of Joe Henry Cardenas, stated she was speaking to an attorney regarding ownership and would like to have the property sold. Jason Cardenas also stated that the business is operating on a month to month basis.

It was determined, due to the fact that Jason Cardenas was in legal possession of the property and that fact that Christina Cardenas is the de facto representative of the estate, and that Christina and Jason indicated there was a prior lease agreement, the operations of a month to month lease satisfied the requirements of possession of the premises.

The owner of the property, Joe Henry Cardenas, passed away March 2023. As of September 25, 2024, as evidenced by the Weld County Assessor's Office, the decedent Joe Henry Cardenas still holds ownership of the property at 334 Main Street.

A search of the court's website concluded that no probate case has been opened for Joe Henry Cardenas.

Due to the information regarding Mr. Cardenas' death, and being the sole owner of property, the renewal application is coming before the local licensing authority to determine if the Silvermoon LLC legally holds possession of the premises which is a requirement for any licensee. The Clerk's office can't process the application administratively.

The local licensing authority may hold a hearing on the application for renewal, but not until a notice of hearing has been conspicuously posted on the licensed premises for ten days and notice of the hearing has been provided to the applicant at least ten days before the hearing. The licensing authority may refuse to renew any license for good cause, subject to judicial review.

- Notice of the hearing was provided to Silvermoon LLC by mail to 334 Main St., Fort Lupton, CO 80621 on September 17, 2024, by text and by email to Jason Cardenas on September 17, 2024. The Public Hearing notice was posted by Jason Cardenas on September 20, 2024.

Pursuant to Statutes:

(44-3-103) For the purpose of refusing or denying a license renewal the local licensing authority must determine "Good cause": (a) The licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of the Colorado Liquor Code or any rules promulgated pursuant to the Colorado Liquor Code.

**Certification of Council Approval:**

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Resolution No. \_\_\_\_\_

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

Pursuant to 44-3-301. Licensing in general.

(b) At all times a licensee shall possess and maintain possession of the premises or optional premises for which the license is issued by ownership, lease, rental, or other arrangement for possession of the premises.

#### FINANCIAL CONSIDERATIONS

N/A

#### LEGAL/POLITICAL CONSIDERATIONS

Information pertaining to actual legal possession of the property by Silvermoon LLC needs to be provided.

#### ALTERNATIVES/OPTIONS

1. Discuss any possible alternatives or other options that were considered or that may be available for Approval of the application based on facts and evidence presented.
2. Table the decision for 30 days.
3. Deny the application, and make a record setting forth the reasons for denial.
  - a. If the application is denied, any person applying to the courts for a review of the state or any local licensing authority's decision shall apply for review within thirty days after the date of decision of refusal by a local licensing authority or, in the case of approval by a local licensing authority, within thirty days after the date of decision by the state licensing authority and shall be required to pay the cost of preparing a transcript of proceedings before the licensing authority when a transcript is demanded by the person taking the appeal or when a transcript is furnished by the licensing authority pursuant to court order.

#### STAFF RECOMMENDATIONS

Staff seeks recommendation

Attachments: a. N/A



City Clerk

130 S. McKinley Avenue  
Fort Lupton, CO 80621

Phone: 720.466.6101  
Fax: 303.857.0351

[www.fortluptonco.gov](http://www.fortluptonco.gov)

October 3, 2024

Via US Mail/Email: [jasonacardenas1975@gmail.com](mailto:jasonacardenas1975@gmail.com)

Silvermoon LLC  
dba Silvermoon Bar and Café  
334 Main Street  
Fort Lupton, CO 80621

Re: Liquor License Renewal Application  
Notice of Continuance to November 5, 2024

Dear Jason,

On October 1, 2024, the Fort Lupton City Council acting as the Liquor Licensing Authority, held a hearing on your renewal application to determine whether you hold possession of the premises. After testimony received from you, the Authority determined it was in the best interest to continue the hearing to November 5, 2024, to allow time to submit proof of updated documents.

In addition to any other information you choose to provide, whether in the form of documentation or witness testimony, on November 5, 2024, you are to bring the following documentation to the hearing:

- Written proof of how Silvermoon holds possession of the premises, including but not limited to a written lease, proof of insurance, cancelled rent checks, etc.;
- Written proof of current and updated Colorado Secretary of State business registration and filings with the Secretary of State;
- Written proof that all State and Local taxes related to the business have been paid, including but not limited to property taxes for 334 Main Street have been paid in full and there is no past due balance (Weld County Treasurer's Office); and,
- Written proof of current and updated Sales Tax Certificate from State of Colorado Department of Revenue.

If you have any questions, please don't hesitate to contact me at (720) 466-6101.

Sincerely,

A handwritten signature in blue ink that reads "Mari Peña".

Mari Peña  
City Clerk  
720-466-6101