



**City of Fort Lupton**  
**Liquor Licensing Authority**  
**Agenda**  
Tuesday, September 16, 2025  
6:00 PM  
130 South McKinley Avenue

**Zo Hubbard, Mayor**  
Valerie Blackston, Ward 1  
Chris Ceretto, Ward 2  
Michael Sanchez, 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://meet.goto.com/793699389>

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Approval of Agenda**

**Consent Agenda**

a. July 15, 2025 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 2025-004 Consideration of the Renewal Application for a Hotel & Restaurant License Submitted by Carnitas Estilo Michoacán

**Adjourn**

**RECORD OF PROCEEDINGS  
LIQUOR LICENSING AUTHORITY  
July 15, 2025**

The Liquor Licensing Authority of the City of Fort Lupton met at the City Complex, 130 South McKinley Avenue, on Tuesday, July 15, 2025. 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, Chris Ceretto, Bruce Fitzgerald, David Crespín and Michael Sanchez. Councilmember Valerie Blackston joined the meeting remotely at 6:15 p.m.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, Chief of Police, William Carnes, and City Attorney, Andy Ausmus.

**APPROVAL OF AGENDA**

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

**PUBLIC HEARING**

**AM 2025-002 Consideration of the Renewal Application for a Fermented Malt Beverage & Wine License by 7-Eleven Inc., dba 7-Eleven Store 41743H**

Mayor Hubbard opened the public hearing at 6:01 p.m.

Mari Peña, City Clerk, provided an overview of the renewal application to Council. On June 12, 2025, 7-Eleven, Inc. submitted a renewal application for its Fermented Malt Beverage & Wine Liquor License. 7-Eleven, Inc. dba 7-Eleven Store 41743H (“7-Eleven”) located at 641 14th Street. On April 3, 2025, the Colorado Department of Revenue Liquor and Tobacco Enforcement Division issued a letter to 7-Eleven stating the entity was in violation of C.R.S. 44-3-901(1)(b)(I), and 44-3-901(11) due to selling, serving, giving, or procuring of an alcohol beverage (a 6 pack of 12 oz bottles of Samuel Adams October Fest beer containing 5.3% alcohol - fermented malt beverage) to a twenty-year-old Liquor Enforcement Division underage purchaser.

The State of Colorado Liquor Enforcement Division issued a stipulation, agreement, and order to the retailer. In lieu of the issuance of an Order to Show Cause, and subsequent proceedings, the licensee filed a written petition to the Division requesting that the licensee be allowed to pay a fine in lieu of active suspension. The amount, after the Division’s calculation, \$573.74.

Notice of the hearing was posted on the licensed premises for ten days and notice of the hearing was provided to the applicant at least ten days before the hearing by email, meeting the statutory

**RECORD OF PROCEEDINGS  
LIQUOR LICENSING AUTHORITY  
July 15, 2025**

requirements of CRS 44-3-305(c).

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.

Veronica Vecchio, Attorney representing 7-Eleven, examined Clinton Cook who is the Market Leader for all 7-Eleven corporate businesses in Colorado. Ms. Vecchio asked Mr. Cook a series of questions; her first question was regarding 7-eleven's training policies for new hires and what on-going trainings 7-Eleven requires. Mr. Cook responded stating there is a series of courses that all new employees are required to complete, including age-restricted sales. He also stated employees are required to complete trainings every 6 months or annually for certain courses. The alcohol sales training is required to be completed annually. Ms. Vecchio asked what happened to the employee that sold to an underage person, Mr. Cook responded stating the employee was terminated immediately. Mr. Cook stated that if an employee violates 7-Eleven's protocol they are marked as un-hirable for one year. Mr. Cook also stated that all 14 current employees at this 7-Eleven have been re-trained since the violation took place on October 18, 2024. 7-Eleven also has secret shoppers come in to shop their locations monthly to ensure employees are following proper procedures. Mr. Cook stated he has had multiple conversations with the store leader and the team regarding what has taken place and he feels confident that a violation like this will not happen again.

City Attorney, Andy Ausmus, asked Mr. Cook if he has visited the store since the incident took place. Mr. Cook responded stating that he has visited the store 4 times since the incident occurred and is confident that another violation will not occur again. Mr. Ausmus asked if this store had a violation prior or after the October 18, 2024 incident. Mr. Cook responded stating no. Mr. Ausmus also asked if the manual override feature was disabled so the employee could not enter a date of birth into the system, if this incident would have been prevented. Mr. Cook stated yes, if the manual override was disabled then the incident would not have occurred.

Mayor Hubbard asked Mr. Cook how many manual overrides occur in a month at this store. Mr. Cook responded stating that 3.7 is the average amount of times overrides occur and this store is below the average.

Councilmember Valerie Blackston joined the meeting late at 6:15 p.m. and was not able to vote on this item.

City Attorney, Andy Ausmus, asked if the representatives for 7-Eleven had a full and fair opportunity to present all facts and presentation in support of the renewal application. Ms. Vecchio responded stating yes.

Mayor Hubbard asked if all appropriate fees for the renewal have been paid. City Clerk, Mari Peña

**RECORD OF PROCEEDINGS**  
**LIQUOR LICENSING AUTHORITY**  
**July 15, 2025**

responded stating all fees have been paid there were no concerns from code enforcement when they completed their liquor inspection.

Mayor Hubbard asked if anyone from the public wished to speak for or against the matter. Hearing none, Mayor Hubbard closed the public hearing at 6:25 p.m.

It was moved by Bruce Fitzgerald and seconded by David Crespino to Approve the Renewal Application for a Fermented Malt Beverage & Wine License by 7-Eleven Inc., dba 7-Eleven Store 41743H. Motion carried unanimously on roll call vote.

**AM 2025-003 Consideration of the Renewal Application for a Tavern Liquor License by Lucky Shot Sports Bar + Grill LLC, dba Lucky Shot Sports**

Mayor Hubbard opened the public hearing at 6:26 p.m.

Mari Peña, City Clerk, provided an overview of the renewal application to Council. On June 27, 2025, Lucky Shot Sports Bar + Grill LLC submitted a renewal application for its Tavern Liquor License. Lucky Shot Sports Bar + Grill LLC dba Lucky Shot Sports (“Lucky Shot”) located at 324 Denver Ave. On April 7, 2025, the Colorado Department of Revenue Liquor Enforcement Division issued a letter to Lucky Shot stating the entity was in violation of C.R.S. 44-3-901(1)(b)(I), and 44-3-901(11) due to selling, serving, giving, or procuring of an alcohol beverage (a Coors Banquet, 5% alcohol by volume – malt beverage) to a seventeen-year-old Liquor Enforcement Division underage purchaser.

The State of Colorado Liquor Enforcement Division issued a stipulation, agreement, and order to the retailer. In lieu of the issuance of an Order Show Cause, and subsequent proceedings, the licensee filed a written petition to the Division requesting that the licensee be allowed to pay a fine in lieu of active suspension. The amount, after the Division’s calculation, \$776.36.

Notice of the hearing was posted on the licensed premises for ten days and notice of the hearing was provided to the applicant at least ten days before the hearing by email, meeting the statutory requirements of CRS 44-3-305(c).

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.

City Attorney, Andy Ausmus, asked Preston Davis, Manager of Lucky Shot Sports, what the circumstances of the violation was. Mr. Davis explained the incident and stated the employee did not ask for identification before serving the underage minor a beer. Mr. Ausmus asked what happened to the employee that sold to the underage person. Mr. Davis responded stating that the employee was given a 7-day suspension. He stated they did not want to fire her since she has

**RECORD OF PROCEEDINGS  
LIQUOR LICENSING AUTHORITY  
July 15, 2025**

been bartending for the location for 15 years. Mr. Ausmus asked what trainings the employees are required to complete. Mr. Davis stated they require all of their employees to be TIPS certified. The particular employee who sold to an underage person has completed all the required training the State requires and has completed the alcohol beverage training recently. Mr. Ausmus asked if the employee was charged with selling alcohol to an underage minor. Mr. Davis stated he did not know but he believes she had a fine to pay. Mr. Ausmus asked if the employee has had other violations during her tenure and Mr. Davis stated no and no other employees have sold to a minor. Mr. Ausmus asked what steps Mr. Davis has taken to prevent this type of incident from happening again. Mr. Davis stated they have added additional "we ID" signs around the bar and they have updated their policy to a zero-tolerance policy so if an incident like this occurs again, the employee will be terminated. Mr. Davis also stated that they send in secret shoppers to see if employees are violating policies. He also stated that they purchased new POS equipment with ID scanners. Mr. Ausmus asked if they have implemented a point of sale system that does not allow the sell of alcohol without verifying an ID. Mr. Davis stated they do not have a system in place yet but they hope to in the future. Mr. Ausmus asked how they plan to prevent underage sells again. Mr. Davis stated they will look into other safeguards to ensure this type of incident does not occur again. Mr. Ausmus asked if they have had another violation since October 18, 2024 and Mr. Davis stated no. Mr. Davis also stated they have complied with all of the States recommendations and have paid the fine. Mr. Davis also stated all 7 employees are trained and current on their certifications.

Mayor Hubbard asked how often employees are to take the TIPS training. Mr. Davis stated they pay for their team to take the training annually.

City Attorney, Andy Ausmus, read the connected meetings advisement to Mr. Davis and he stated understood and consented.

Mayor Hubbard asked if anyone from the public wished to speak for or against the matter. Hearing none, Mayor Hubbard closed the pubic hearing at 6:39 p.m.

It was moved by Bruce Fitzgerald and seconded by Valerie Blackston to Approve the Renewal Application for a Tavern Liquor License by Lucky Shot Sports Bar + Grill LLC, dba Lucky Shot Sports. Motion passed with 6 yes votes and 1 no vote from Councilmember Claud Hanes on roll call vote.

**ADJOURNMENT**

The meeting adjourned at 6:40 p.m.

Submitted by,

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**RECORD OF PROCEEDINGS  
LIQUOR LICENSING AUTHORITY  
July 15, 2025**

Maricela Peña, City Clerk

Approved by Liquor Licensing Authority,

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Zo Hubbard, Mayor

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**SUBJECT FOR DISCUSSION**

Consideration of the Renewal Application for a Hotel & Restaurant License Submitted by Carnitas Estilo Michoacán

**SUMMARY STATEMENT/BACKGROUND DISCUSSION**

The City Clerk’s Office received the liquor license renewal application from Carnitas Estilo Michoacán located at 20 S. Grand Ave. As part of the renewal process, an inspection of the licensed premise was conducted on July 25, 2025. During the inspection, it was revealed:

- The State Liquor License was not posted,
- No receipts to indicate where the alcohol was purchased, and
- A 750 ml bottle of Roscato Sweet Red wine was open and partially empty.

A subsequent inspection with the owner and licensee, Roberto Rosales, conducted on August 1, 2025, revealed:

- the State liquor license was found posted behind the City license,
- receipts were not provided for the alcohol purchased, and
- the bottle of Roscato was being used for cooking only.

Pursuant to the *Colorado Code of Regulations 1 C.C.R. 203-2, Regulation 47-700*, entitled *Inspection of the Licensed Premises*, all receipts for the purchase of the alcohol must be maintained to show fully the business transactions. Mr. Rosales indicated he was purchasing alcohol from Sam’s Club.

Pursuant to the *Colorado Code of Regulations 1 C.C.R. 203-2, Regulation 47-408* entitled *Purchases by Retailers, a Hotel and Restaurant Licensee may purchase not more than seven thousand dollars’ worth of alcohol beverages during a calendar year from a retail liquor store (RLS), fermented malt beverage (FMB & wine) retailer, or a liquor licensed drugstore (LLDS)*.

Mr. Rosales was provided the opportunity to submit receipts for his purchases of alcohol. He was unable to do so. This matter must now be referred to the Fort Lupton Liquor Licensing Authority (“Authority”) due to violations of the Colorado Code of Regulations 1 C.C.R. 203-2, Regulations 47-700, related to the inability of the licensee to provide the necessary documentation.

The Clerk’s Office requested the State of Colorado Liquor Enforcement Division conduct an investigation into violations of Colorado Code of Regulations.

During a meeting with Mr. Rosales and the State investigator, on September 2, 2025, Mr. Rosales agreed to

- start purchasing alcohol from Restaurant Depot, a wholesaler. It was determined that the purchases from Restaurant Depot would meet compliance with the liquor regulations.
- It was noted that Mr. Rosales was now maintaining receipts for his alcohol purchases.

**Certification of Council Approval:**

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

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

\_\_\_\_\_  
Date

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

Notice of the hearing was posted on the licensed premises for ten days and notice of the hearing was provided to the applicant at the meeting of September 2, 2025, at least ten days before the hearing in person, meeting the statutory requirements of CRS 44-3-305(c).

**FINANCIAL CONSIDERATIONS**

N/A

**LEGAL/POLITICAL CONSIDERATIONS**

**ALTERNATIVES/OPTIONS**

1. Approve the renewal application with the stipulation that quarterly inspections be conducted to show the licensee is maintaining records/books and obtaining his alcohol beverages through a wholesaler.
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 approval of the renewal application with the stipulation that quarterly inspections be conducted to show the licensee is maintaining records/books and obtaining his alcohol beverages through a wholesaler (\$7,000 per year can still be obtained through the approved retailers).

Attachments:                   a. N/A