

City of Littleton

Minutes of Proceeding

Littleton Licensing Authority

June 8, 2011

The Littleton Licensing Authority met in a regular session on Wednesday, June 8, 2011 at the Littleton City Center, 2255 West Berry Avenue, Littleton, Colorado.

THOSE PRESENT: Bill Bradish – Authority Member
Susan Price - Authority Member
John Cole - Authority Member
Donovan O’Dell - Authority Member

THOSE ABSENT: Victoria England - Authority Member
Andrew Cole - Authority Member
Earl Gunia – Authority Member

ALSO PRESENT: Kirsten Crawford – Assistant City Attorney
Richelle Work - Deputy City Clerk

1. **CALL MEETING TO ORDER**

Chairperson Bradish called the meeting to order at 7:00 p.m.

2. **ROLL CALL**

Upon a call of the roll, four members were present. Authority Members England, Gunia and Andrew Cole were absent. A quorum was declared. The following business was transacted.

3. **MINUTES**

(a) Minutes of Regular Meeting May 11, 2011

Action: Approved as amended

It was moved by AUTHORITY MEMBER BRADISH, seconded by AUTHORITY MEMBER PRICE TO APPROVE THE MINUTES AS AMENDED.

Ayes: Authority Members Bradish, Price, John Cole, and O’Dell

Nays: None

Absent: Authority Members England and Gunia

MOTION CARRIED: 5 to 0

4. **AGENDA**

Action: Approved as submitted

5. **SETTING NEIGHBORHOOD BOUNDARIES AND SCHEDULING APPLICATION HEARINGS** – None

6. CONSIDERATION OF OTHER APPLICATIONS AND REQUESTS FOR LIQUOR LICENSES

(a) MODIFICATION OF PREMISES - None

(b) TRANSFER OF OWNERSHIP - None

(c) MANAGER'S REGISTRATION - None

(d) SUMMARY SUSPENSION - None

(e) CHANGE OF CORPORATE STRUCTURE – None

(f) CHANGE OF LOCATION - None

(g) RENEWAL APPLICATION - None

7. CONSIDERATION OF OTHER APPLICATIONS AND REQUESTS FOR MEDICAL MARIJUANA DISPENSARIES - None

8. FINDINGS OF PROBABLE CAUSE AND SCHEDULING SHOW CAUSE HEARINGS FOR LIQUOR LICENSES

Authority Chairperson Bradish stated this hearing was for a Probable Cause determination on Police report #201102221, dated May 11, 2011.

Attorney Crawford presented the police report and alleged violation information to the Authority.

Authority Members discussed the report.

It was moved by AUTHORITY MEMBER JOHN COLE, seconded by AUTHORITY MEMBER PRICE TO FIND THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT SOUTH SUBURBAN PARKS & REC. DISTRICT, DBA: LITTLETON GOLF AND TENNIS CLUB, 5800 SOUTH FEDERAL BLVD., LITTLETON, ARAPAHOE COUNTY, COLORADO, ON MAY 7, 2011, AT APPROXIMATELY 6:06 P.M., DID VIOLATE COLORADO LIQUOR CODE AND LITTLETON MUNICIPAL CODE. BASED ON SAID FINDINGS, I MOVE A PUBLIC HEARING BE SET FOR THE 13TH DAY OF JULY, 2011, FOR THE PURPOSE OF CONSIDERING THE STATUS OF SAID HOTEL & RESTAURANT LIQUOR LICENSE, WHEREIN THE ABOVE-MENTIONED LICENSEE MAY BE PRESENT TO SHOW CAUSE, IF ANY, WHY ITS LICENSE SHOULD NOT BE SUSPENDED OR REVOKED, AND FURTHER THAT NOTICE OF THESE FINDINGS AND THE HEARING TO SHOW SOUTH SUBURBAN PARKS & REC. DISTRICT, DBA: LITTLETON GOLF AND TENNIS CLUB IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW.

Ayes: Authority Members Bradish, Price, John Cole, and O'Dell

Nays: None

Absent: Authority Members England and Gunia

MOTION CARRIED: 5 to 0

9. **FINDINGS OF PROBABLE CAUSE AND SCHEDULED SHOW CAUSE HEARINGS FOR MEDICAL MARIJUANA DISPENSARY VIOLATIONS** - None

10. **LIQUOR LICENSE APPLICATION HEARINGS**

- a) SUNFLOWER ASIAN CAFÉ, INC.
DBA: SUNFLOWER ASIAN CAFÉ
91 W MINERAL AVE #100D

Attorney Crawford entered the following city exhibits into the record:

- Exhibit A - Waiver of hearing
- Exhibit B - Affidavit of posting of premises
- Exhibit C - Proof of publication
- Exhibit D - Licensing Authority Communication with Attachments
- Exhibit E - Petition Information
- Exhibit F - Public Hearing Roster

It was moved by AUTHORITY MEMBER JOHN COLE seconded by AUTHORITY MEMBER BRADISH TO ADMIT EXHIBITS A-F.

Ayes: Authority Members Bradish, Price, John Cole, and O'Dell

Nays: None

Absent: Authority Members England and Gunia

MOTION CARRIED: 5 to 0

David Bailey, attorney for applicant, introduced Carol Johnson to present the petition information.

Carol Johnson, Esquire Petitioning, explained the petitioning process. She stated they did 548 doorknocks. They had 186 total signatures in support; 157 residents, and 29 businesses. There were two residents and two businesses in opposition. This was 99% in favor of the license.

Authority Member O'Dell asked if there is a problem with submitting petitions early enough to get to authority prior to the meeting.

Ms. Johnson stated that they always submit the petitions according to the schedule of the city office.

Authority Member Cole asked how businesses are separated from residents.

Ms. Johnson explained that there are two separate petitions done, one for residents and one for businesses.

David Bailey, attorney for applicant, and Siu Mui Ling, applicant, addressed the Authority.

Ms. Ling described the business practices. She stated she had a past liquor store for nine years, with two liquor violations and explained those violations. Ms. Ling, Marjory Matale, and Doni Marselies took the TIPS training with Oedipus on June 7, 2011. At this time, they only have beer and wine, but may add full alcohol later. They do not have a bar; all drinks are served at the table. She has six employees, including herself, but only three employees will be serving alcohol. They will be checking ID on anyone looking younger than 45 years old. The TIPS training showed them how to spot forged IDs. They have a drive-thru window for to-go pickups.

It was moved by AUTHORITY MEMBER PRICE, seconded by AUTHORITY MEMBER O'DELL THAT THAT THE PUBLIC HEARING BE CLOSED AND A RESOLUTION OF THE LITTLETON LICENSING AUTHORITY BE APPROVED WHICH GRANTS SUNFLOWER ASIAN CAFÉ INC., DOING BUSINESS AS SUNFLOWER ASIAN CAFÉ, 91 WEST MINERAL AVE #100D, LITTLETON, COLORADO, A HOTEL AND RESTAURANT LIQUOR LICENSE CONTINGENT UPON APPROVAL FROM THE COLORADO BUREAU OF INVESTIGATION AND THE COLORADO LIQUOR ENFORCEMENT DIVISION AND BASED UPON THE FOLLOWING FINDINGS OF FACT: (1) THAT THE NEEDS OF THE NEIGHBORHOOD ARE NOT NOW BEING MET; AND (2) THAT IT IS THE DESIRE OF THE ADULT INHABITANTS OF THE NEIGHBORHOOD THAT THE LICENSE BE ISSUED.

Ayes: Authority Members Bradish, Price, John Cole, and O'Dell

Nays: None

Absent: Authority Members England and Gunia

MOTION CARRIED: 5 to 0

11. **MEDICAL MARIJUANA DISPENSARY LICENSE APPLICATION HEARINGS** – None

12. **SHOW CAUSE HEARINGS FOR LIQUOR LICENSES** - None

13. **SHOW CAUSE HEARINGS FOR MEDICAL MARIJUANA DISPENSARIES** - None

14. **GENERAL BUSINESS**

Attorney Crawford explained the proposed change to the Rules of Procedure, which changes the order of the agenda, to have the approval of the agenda come before the approval of the minutes. This item will be removed and revisited at the July meeting after the board meets with City Council, as there may be other changes to the document that need approved.

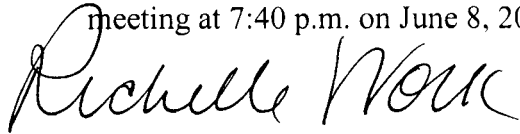
Attorney Crawford asked board members if they want any other issues added to the agenda for the study session on June 14.

Authority Member O'Dell asked that the rules include a revision to include more time for the authority members to review petitions before the meeting.

15. REPORTS

- a) **Staff** - None
- b) **City Attorney** - None
- b) **Authority Members** - None
- c) **Chairperson** - None

16. ADJOURNMENT – There being no further business, Chairperson Bradish adjourned the meeting at 7:40 p.m. on June 8, 2011.



Richelle Work
Deputy City Clerk/Recording Secretary