



TO: FRUITA CITY COUNCIL AND MAYOR

FROM: DEBRA WOODS, DEPUTY CITY CLERK

DATE: MARCH 7, 2023

AGENDA TEXT: LIQUOR LICENSE RENEWAL – A request to approve the renewal of a Tavern Liquor License – Malt, Vinous and Spirituous for Koko’s located at 152 S. Mesa St.

BACKGROUND

The Tavern Liquor License for Koko’s located at 152 S. Mesa St. is up for renewal. Their current license expires on **March 23, 2023**.

The Police Department provided the attached incident report to the City Clerk’s Office that details calls for service that occurred over the last year. A summary of the descriptions and total numbers of these calls for service and clearance codes are also attached for the Council’s review. Lieutenant Nick Peck advised that it would be good for the City Council to be aware of the number of calls for service as well as the officer initiated checks on the applicant’s property but noted that there is nothing that would hinder the renewal of the liquor license.

Koko’s has the following alcohol training certificates on file in the City Clerk’s Office:

Name	Training	Expires
Frank Whidden	e-TIPS	07/16/24
Teresa Whidden	e-TIPS	07/21/24
Rosemarie Nichols Martinez	e-TIPS	02/28/25
Samantha L. Christensen	e-TIPS	06/24/24
Patricia Norma Brummett	e-TIPS	06/22/24
Terick Wilkerson	e-TIPS	02/07/25

The following information is provided as background on the liquor license renewal process:

Pursuant to State Statutes, the local licensing authority (City Council) may cause a hearing on the application for renewal to be held. No renewal hearing shall be held until a notice of hearing has been conspicuously posted on the licensed premises for a period of ten days and notice of the hearing has been provided the applicant at least ten days prior to the hearing. The licensing authority may refuse to renew any license for good cause, subject to judicial review.

This item is placed on the Consent agenda for the Council to determine if there is any cause for a hearing to be held on the renewal of the liquor license. If there is no cause for a hearing, the City Council should

approve the renewal of the existing license. If there is cause for a hearing, the City Council should set a date to hold a quasi-judicial hearing to determine if there are sufficient grounds for suspension or revocation of the liquor license. The City Council may also temporarily suspend any license, without notice, pending any prosecution, investigation or public hearing. No such suspension shall be for a period of more than 15 days.

FISCAL IMPACT

None.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City of Fruita is charged with protection of the public health, safety and welfare. The review and renewal of liquor licenses ensures that licensed establishments are operating by the rules and regulations adopted by the City and State concerning the sale or service of beer and alcoholic beverages.

OPTIONS AVAILABLE TO THE COUNCIL

1. Renew the Tavern Liquor License.
2. Schedule a hearing date to determine if there is good cause for the license to be suspended or revoked.

RECOMMENDATION

It is the recommendation of staff that the Council move to:

- **RENEW THE TAVERN LIQUOR LICENSE – MALT, VINOUS AND SPIRITUOUS FOR KOKO’S LOCATED AT 152 S. MESA ST.**