



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: DEBRA WOODS, DEPUTY CITY CLERK

DATE: NOVEMBER 7, 2023

AGENDA TEXT: LIQUOR LICENSE RENEWAL – A request to approve the renewal of an Optional Premises – Malt, Vinous and Spirituous Liquor License for Adobe Creek National, LLC dba Adobe Creek Golf Course located at 876 18 ½ Road

BACKGROUND

The Optional Premises Liquor License for the Adobe Creek National Golf Course located at 876 18 ½ Road is up for renewal. Their current license expires on **November 27, 2023**.

The Fruita Police Department report indicates that there have not been any violations or incidents at Adobe Creek National Golf Course reported to them in the last year and there is nothing unusual or of concern that would hinder renewal of the license.

On July 24, the City Clerk's office was advised by the Liquor Enforcement Division that Adobe Creek National Golf Course sold alcohol beverages to their minor operatives. The establishment will be subjected to an administrative action consisting of payment of a fine in lieu of suspension of the liquor license.

The City Clerk's office has no current Alcohol Awareness Training certificates or TIPS certificates on file for Adobe Creek National Golf Course; however, it should be noted that beginning mid-to-late 2019, this training was no longer provided by the City of Fruita Police Department. The City of Grand Junction's Police Services Department ceased providing the training for a little over three years due to the COVID-19 pandemic. The City of Grand Junction just resumed offering their classroom training in May of this year and the City of Fruita has retained a Responsible Alcohol Vendor Trainer who will be giving the training in Fruita twice per year with a morning class and an afternoon class on each day of the training.

General Manager of Adobe Creek Golf Course Joe Toke explained that his employees will be laid off at the end of this month (October) because golf course operations are seasonal, but those who will remain employed throughout the winter will attend the next Responsible Alcohol Vendor Training that becomes available. He has also assured the City Clerk's Office that once the 2024 season starts (March 2024), he will be sending all returning and new employees to the next available training class as well.

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

An Optional Premises Liquor License allows employees to serve alcoholic beverages in the Clubhouse and on the Golf Course.

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 Optional Premises – Malt, Vinous, and Spirituous Liquor License for Adobe Creek National Golf Course.
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 OPTIONAL PREMISES – MALT, VINOUS AND SPIRITUOUS LIQUOR LICENSE FOR ADOBE CREEK NATIONAL GOLF COURSE LOCATED AT 876 18 ½ RD**