



## PUBLIC HEARING AGENDA ITEM

<b>DATE:</b> May 15, 2024
<b>SUBJECT:</b> Liquor License Renewal: LIQ2024-00035 - MI TIERRA MEXICAN FOOD LLC dba MI TIERRA MEXICAN FOOD
<b>FROM:</b> Brandan Slattery
<b>AGENCY/DEPARTMENT:</b> Community and Economic Development
<b>RECOMMENDED ACTION:</b> That the Adams County Liquor and Marijuana Licensing Authority Board Approve Renewal of the Hotel and Restaurant Liquor License Issued to MI TIERRA MEXICAN FOOD LLC dba MI TIERRA MEXICAN FOOD

### **BACKGROUND:**

Applicant applied for renewal of their Hotel and Restaurant Liquor license in a timely manner with all fees owing.

### **AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

Planning: No review, no comment.  
Permits: None  
Enforcement: No review, no comment  
Building: No review, no comment

No known DOR-LE actions or investigations during the year.

### **ATTACHED DOCUMENTS:**

Renewal application  
Tax Check Authorization, Waiver, and Request to Release Information

DR 8400 (03/31/23)  
COLORADO DEPARTMENT OF REVENUE  
Liquor Enforcement Division  
PO BOX 17087  
Denver CO 80217-0087

**Submit to Local Licensing Authority**

**MI TIERRA MEXICAN FOOD  
5200 EAST FRONT RANGE PARKWAY  
Watkins CO 80137**

RECEIVED APR 15 2024

Paid A.C.

APPLICANT ID: 749040

Fees Due	
Renewal Fee	625.00
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

## Retail Liquor License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name MI TIERRA MEXICAN FOOD LLC		Doing Business As Name (DBA) MI TIERRA MEXICAN FOOD	
Liquor License # 03-15253	License Type Hotel & Restaurant / Optional (county)		
Sales Tax License Number 04226181-0004	Expiration Date 07/24/2024	Due Date 06/09/2024	
Business Address 5200 EAST FRONT RANGE PARKWAY Watkins CO 80137		Phone Number 3032614025	
Mailing Address 5200 EAST FRONT RANGE PARKWAY Watkins CO 80137		Email StephenCarnacho@icloud.com	
Operating Manager Stephen Carnacho			
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* *If rented, expiration date of lease 12/24/2025			
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3a. Are you renewing a takeout and/or delivery permit? (Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3b. If so, which are you renewing? <input type="checkbox"/> Delivery <input type="checkbox"/> Takeout <input type="checkbox"/> Both Takeout and Delivery			
4a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
4b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ Yes ☒ No
8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ Yes ☒ No

<b>Affirmation &amp; Consent</b> I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.		
Type or Print Name of Applicant/Authorized Agent of Business <i>Stephen Camacho</i>		Title <i>Owner/Manager</i>
Signature <i>Stephen Camacho</i>		Date <i>4-15-24</i>
<b>Report &amp; Approval of City or County Licensing Authority</b> The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules. <b>Therefore this application is approved.</b>		
Local Licensing Authority For		Date
Signature	Title	Attest


## Tax Check Authorization, Waiver, and Request to Release Information

Stephen Camacho am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Mi Tierra Mexican Food (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>Stephen Camacho / Mi Tierra Mexican Food</u>		Social Security Number (Tax Identification Number) 	
Address <u>5200 Front Range Pkwy</u>			
City <u>Watkins</u>		State <u>CO</u>	Zip <u>80137</u>
Home Phone Number		Business/Work Phone Number	
Printed name of person signing on behalf of the Applicant/Licensee <u>Stephen Camacho</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) <u>Stephen Camacho</u>			Date signed <u>4-15-24</u>

### Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

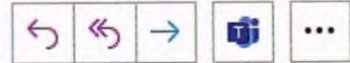
## DOR - ONLINE PAYMENTS - LIQUOR - MI TIERRA MEXICAN FOOD



Rayleen Swarts

To ☐ Stephene Camacho

Cc ☐ Brandan Slattery



12:01 PM

Ms. Camacho,

Below is the link to pay the state fees online at their website. Their fee is \$625.00. Please send us a copy of the receipt along with a copy of your new lease.

payment online to Colorado Department of Revenue: [ONLINE PAYMENT PORTAL \(https://secure.colorado.gov/payment/liquor\)](https://secure.colorado.gov/payment/liquor)

Thank you.



Rayleen Swarts

Permit Center

Permit Coordinator II - *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite W2000B

Brighton, CO 80601

o: 720.523.6800 | f: 720-523-6967

[epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org)

We are open Monday - Friday from 8:00am-4:30pm. We are available by phone by calling 720-523-6800 and email [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org).

**AMENDMENT THREE TO LEASE AGREEMENT BETWEEN ADAMS  
COUNTY AND MI TIERRA MEXICAN FOOD, LLC**

THIS AMENDMENT THREE TO LEASE AGREEMENT ("Amendment Three") is entered into this 14<sup>th</sup> day of May 2024, by and between the Board of County Commissioners of Adams County, State of Colorado, located at 4430. S. Adams County Parkway, Brighton, Colorado 80601, hereinafter referred to as "Landlord," and Mi Tierra Mexican Food, LLC, located at 7605 Grandview Ave., Arvada, CO 80020 hereinafter referred to as "Tenant."

WHEREAS, Landlord and Tenant entered into a lease agreement ("Lease") on December 10, 2020, for café and dining services at the Colorado Air and Space Port ("CASP") which is owned and operated by the Landlord; and,

WHEREAS, Landlord and Tenant entered into a First Amendment to the Lease on January 13, 2022, to include the use of additional areas; and,

WHEREAS, the parties wish to amend the Lease to extend the term of the Lease; and,

WHEREAS, the parties wish to amend additional terms of the Lease in order to update the annual rental sum, the name of the health department, the minimum insurance requirements, and to make the Lease term coincide with the term of the liquor license.

NOW, THEREFORE, for the consideration hereinafter set forth, the parties agree as follows:

1. The term of the Lease is extended through July 24, 2025<sup>1</sup>.
2. The annual rental sum shall increase 3% per year as stated in Section 1 of the Lease.
3. The second Section 4 [sic] on page 3 of the Lease is hereby deleted in its entirety and replaced with the following:  
  
"Tenant shall comply with applicable Adams County and State Regulations, including but not limited to those of the Adams County Health Department and all applicable liquor licensing regulations. Failure to comply with health department regulations or orders shall constitute a material breach of this Agreement."
4. Exhibit C is hereby deleted in its entirety and replaced with a new exhibit C, attached to this amendment, to reflect changes in insurance requirements.
5. Except as modified by this Amendment Three, the remaining terms and conditions of the Lease shall remain in effect.

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<sup>1</sup> The extension includes Tenant's first extension option and synchronizing the Lease term with the liquor license term.

LANDLORD:

ADAMS COUNTY, COLORADO

BY: \_\_\_\_\_  
Chair, Board of County Commissioners

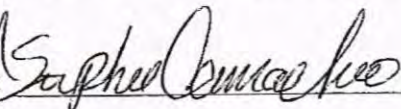
ATTEST:  
JOSH ZYGIELBAUM  
CLERK AND RECORDER

APPROVED AS TO FORM

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Adams County Attorney's Office

TENANT  
MI TIERRA MEXICAN FOOD, LLC

BY: 

Title: Owner