



City of Minneapolis
Department of Regulatory Services
Licenses and Consumer Services Division
350 South Fifth Street Room 1-C City Hall
Minneapolis, Minnesota 55415
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**FINDINGS OF FACT
CONCLUSIONS, AND
RECOMMENDATIONS**

In the Matter of License No. L247-50231 LA COLONIA RESTAURANT
for WINE E W/STRONG BEER

Held by:

LA GRAN COLOMBIA INC
ANGEL JARA
2205 CENTRAL AVE NE
MINNEAPOLIS, MN 55418

13-0961038

This matter came before the Division of Licenses and Consumer Services at a License Settlement Conference on Wednesday, December 12, 2012 in Room 1C, Minneapolis City Hall. Appearing on behalf of the Licensee was Angel Jara; Owner of La Colonia. Appearing for the City were Grant Wilson; Manager of Licenses and Consumer Services, Sgt. Rolf Markstrom; Police License Investigative Division, and Michele Harvet; License Inspector. Based on information presented at the Conference, the Division makes the following findings of fact, conclusions, and recommendations:

FINDINGS OF FACT

1. La Colonia has held an On-Sale Wine and Strong Beer, Class E License, at this location since July, 2008.
2. The Minneapolis Police Department License Investigative Division conducts youth alcohol compliance checks in an effort to assure retail-alcohol license holders are not serving alcohol to persons under the age of 21.
3. On October 5, 2011 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance check at LaColonia Restaurant, located at 2205 Central Ave NE, in the City of Minneapolis. A 20 year old male shopper was sent into the

business in an attempt to purchase alcohol. The shopper sat down at a table and ordered a bottle of Corona from the server. The server asked the shopper for ID. After looking at the shopper's ID, the server provided the shopper with an opened 12 ounce bottle of Corona. Two Minneapolis plain clothes police officers were seated approximately 15 feet away from the shopper, and they observed transaction. The shopper handed the bottle of beer off to the officers. The transaction was completed, and the business was considered to have failed the compliance check. As a result of the compliance check failure, an administrative citation was issued to La Colonia Restaurant in the amount of \$500.00, as detailed in a City Council Resolution. LaColonia has paid the \$500.00 administrative fine.

4. On November 17, 2011 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance re-check at LaColonia Restaurant, pursuant to the above compliance check failure. 2 underage shoppers were sent into LaColonia in an attempt to purchase alcohol. The underage shoppers were carded and refused service. The business passed the compliance re-check.
5. On October 22, 2012 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance check at LaColonia Restaurant for the calendar year of 2012. Two 19 year old female shoppers were sent into the business in an attempt to purchase alcohol. The shoppers took a seat at a table. The server approached the shoppers, and shoppers ordered a Heineken and a Negro Modelo from the server. The server asked the shoppers for ID. The server looked at the IDs, handed them back to the shoppers, and then the server left the table. Approximately 3 minutes later, the restaurant owner walked up to the shoppers table and served the shoppers an opened bottle of Heineken and an opened bottle of Negro Modelo. Two Minneapolis plain clothes police officers were situated approximately 20 feet away from the shoppers and observed the transaction. The shoppers turned the beers over to the officers and left the business. The transaction was completed, and the business was considered to have failed the compliance check. This constituted the second youth alcohol compliance check failure within a 24 month period for La Colonia Restaurant. As a result of the second compliance check failure, an administrative citation was issued to LaColonia in the amount of \$1000.00, as detailed in a City Council Resolution. LaColonia has paid the \$1000.00 administrative fine.

CONCLUSIONS

1. On two separate occasions, employees of LaColonia Restaurant sold alcohol to persons under the age of 21, in violation of Minneapolis City Ordinance 370.10, Minnesota Statute 340A.503 subd. 2(1), and the established compliance check policy and procedures of the City of Minneapolis. These compliance failures all occurred in a period of less than 24 months.
2. The licensee has paid the \$500.00 administrative fine related to the first above stated compliance check failure. The licensee has also paid the \$1000.00 administrative fine related to the second above stated compliance check failure.

RECOMMENDATIONS

That the On-Sale Wine and Strong Beer, Class E License issued to La Colonia shall be subject to the following conditions and adverse license action:

1. La Colonia shall submit an updated and approved alcohol service policy to Licenses and Consumer, due at the time of signing this agreement.
2. La Colonia shall set up one alcohol server training within two (2) months following the approval of this agreement by City Council.
3. In lieu of a suspension the City shall impose a \$1500 sanction. \$1000 shall be stayed for a period of one year from the signing of this agreement. The licensee shall pay \$500 of this sanction due at the time of signing this agreement.

La Colonia understands that the holding of a business or liquor license in the City Of Minneapolis is both a privilege and a responsibility. A minimum standard shall be met in order to hold such a license. One minimum standard is that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

For La Gran Colombia, Inc.

d/b/a La Colonia

By: Angel Jara
Angel Jara
Owner

Date: 01/14/13.

For the City of Minneapolis:

By: Grant Wilson
Grant Wilson
Manager
Licenses & Consumer Services

Date: 1-15-13