



**City of Minneapolis**  
**Licenses and Consumer Services Division**  
 350 South Fifth Street Room 1-C City Hall  
 Minneapolis, Minnesota 55415  
[www.minneapolismn.gov](http://www.minneapolismn.gov)

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**FINDINGS OF FACT  
 CONCLUSIONS, AND  
 RECOMMENDATIONS**

In the Matter of License No. L318 50070 TOPOLO TACOS  
 for FOOD MOBILE VEHICLE VENDOR

Held by:  
**TOPOLO TACOS AND CATERING, LLC.**  
**JESSE CERMAK**  
**11770 VERMILLION ST NE UNIT E**  
**BLAINE, MN 55449**

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14-1078300

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This matter came before the Division of Licenses and Consumer Services at a License Settlement Conference on Tuesday, October 23, 2014 at 11:00 am in Room 107, Minneapolis City Hall. Appearing on behalf of the licensee was Jesse Cermak. Appearing for the City of Minneapolis were Linda Roberts, Assistant Manager of Licenses and Consumer Services, and Amy Duncan, License Inspector. Based on information presented at the hearing, the Division makes the following findings of fact, conclusions, and recommendations:

**FINDINGS OF FACT**

1. Topolo Tacos and Catering, LLC. has held a Mobile Food Vehicle Vendor license since 2013.
2. On June 19, 2013, the Topolo Tacos food truck was parked on the 600 block of Marquette Avenue at 8:54am. This is not an approved operating location until 9:00am due to parking restrictions.
3. On August 7, 2013, the Topolo Tacos food truck was parked on the 800 block of Marquette Avenue at 8:52am. This is not an approved operating location until 9:00am due to parking restrictions.

4. On May 29, 2014, the Topolo Tacos food truck was parked on the 700 block of Marquette Avenue at 8:54am. This is not an approved operating location until 9:00am due to parking restrictions.
5. On August 13, 2014, the Topolo Tacos food truck was parked on the 700 block of Marquette Avenue at 8:50am. This is not an approved operating location until 9:00am due to parking restrictions.

### **CONCLUSIONS**

1. On four separate occasions in a fourteen month period, Topolo Tacos food truck was found to be in violation of Minneapolis Code of Ordinances 188485(c), requiring mobile food vehicles to operate in approved locations in the City.
2. On June 19, 2013, August 7, 2013, May 29, 2014, and August 13, 2014, the , Topolo Tacos food truck was found to be in violation of Minneapolis Code of Ordinances 259.250(2), requiring a licensee to operate the business in compliance with all applicable laws and ordinances.
3. Topolo Tacos food truck has paid the \$200 fine related to the administrative citation issued on August 7, 2013, a \$400 fine related to the administrative citation issued on May 29, 2014, and a \$800 fine related to the administrative citation issued on August 13, 2014.

### **RECOMMENDATIONS**

Based on evidence presented at the hearing, the Division makes the following recommendation:

1. Topolo Tacos and Catering, LLC agrees to a 6 month suspension from operating its mobile food vehicle on Marquette Avenue upon approval of these Findings of Fact by the Minneapolis City Council.

Jesse Cermak 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:

Business

Topolo Tacos  
By: Jesse Cervante  
(signature)

Its: owner  
(title)

Dated: 11/14, 20 14

For the City of Minneapolis:

Grant Wilson  
Grant J. Wilson  
Manager

Dated: 12-2, 20 14