

**In the Matter of  
On-Sale Wine and Strong Beer  
License Held by G & A Partners, LLC**

**Findings of Fact,  
Conclusions and**

**Recommendations**

**d/b/a El Pantano Restaurant  
417 East Lake Street  
Minneapolis, MN 55408**

This matter came before the Department at a Licensing Settlement Conference hearing on Tuesday, June 19, 2007 in Room 1C, Minneapolis City Hall. Appearing on behalf of the licensee were Abdiwahab Mohamed; Owner and Licensee, Seferino Omana; Manager of El Pantano, and Steven Lundeen; Attorney for El Pantano. Appearing for the City were Ricardo Cervantes; Deputy Director of Licenses and Consumer Services, Michele Harvet; License Inspector, Linda Roberts; License Inspector, and Sgt. Kent Warnberg; Police Licensing. Based on information presented at the hearing, the Department makes the following findings of fact, conclusions, and recommendations:

**FINDINGS OF FACT**

1. El Pantano Restaurant is licensed as an On-Sale Wine and Strong Beer with Class B entertainment since 2005.
2. On April 19, 2007, while investigating a possible ownership change by request of the manager at El Pantano, License Inspector downloaded pictures from El Pantano's website that depicted a wet T-shirt contest, adult entertainment and a contest, that is not allowed with a Class B license. The contest was held at El Pantano on an undetermined date.
3. The licensee submitted food/alcohol sales reports that recorded other sales. Licensee may not be counting cover charges in their food sales.
4. The licensee admitted that the business repeatedly offered control of El Pantano's premises to promotion agencies that retain all cover charges for any bands that they represent and have perform at El Pantano.
5. Minneapolis Police Licensing Division presented evidence supporting allegations that El Pantano staff sold alcohol to a minor on June 14<sup>th</sup>, 2007.

**CONCLUSIONS**

1. The licensee operated outside of Class B entertainment which is in violation of

**Mpls Ord 259.250.**

2. The licensee allowed others to use their licensed premises which is in violation of Mpls Ord 360.15.
3. The licensee does not have clear documentation of 60/40 food/alcohol sales reporting.
4. The licensee sold alcohol to a minor which is in violation of Mpls Ord 370.10.

**RECOMMENDATIONS**

In lieu of the imposition of adverse license action including possible license revocation, the licensee agrees to comply with the following mandatory conditions and understands that failure to do so may result in further adverse license action inclusive of revocation:

1. The Minneapolis Licenses and Consumer Services Division will impose a \$2000.00 sanction. \$1500.00 of that amount to be stayed provided there are no same or similar violations until June 14, 2009. \$500.00 will be due at time of signing this agreement.
2. The licensee will provide an independent Certified Public Accountant report on sales from January 1<sup>st</sup>, 2007 through June 30<sup>th</sup>, 2007. Then, the licensee will provide an independent CPA report on sales from July 1<sup>st</sup>, 2007 through December 31<sup>st</sup>, 2007.
3. The licensee will provide a copy of the most current lease agreement for El Pantano Restaurant and every time the lease is updated or renewed.
4. The licensee will provide a clear plan of advertising that displays El Pantano as a restaurant and not as a nightclub. The licensee and/or promoter for the licensee will not distribute or hire others to distribute flyers, handbills, et cetera to the public on any public right of way, open air plaza, open air parking lot or ramp, or near sporting event or convention facilities in the city of Minneapolis that advertise events at the establishment.
5. The licensee will provide and implement a plan that shows clear management of security, includes the surveillance system, and lists staffing for each day.
6. The licensee will provide a current floor plan.
7. The licensee will provide and implement a detailed youth alcohol compliance policy.

G & A Partners, LLC understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility, and, as such, it is understood that there is a minimum standard that shall be met in order to hold such a license. Furthermore, it is understood that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances and regulations. As such, it is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any agreed upon or 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 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 G & A Partners, LLC  
d/b/a El Pantano Restaurant:

By: 

Abdiwahab Mohamed  
Director  
Owner/Licensee  
Services

Dated: 7/30/, 2007.  
2007.

For the City of Minneapolis:

By: 

Ricardo Cervantes, Deputy  
Licenses & Consumer

Dated: 8/1/07.