CITY OF MINNEAPOLIS LICENSES AND CONSUMER SERVICES 350 SOUTH 5TH STREET, ROOM 1-C, CITY HALL MINNEAPOLIS, MN 55415

FINDINGS OF FACT CONCLUSIONS, AND RECOMMENDATIONS

In the Matter of License No. L190-50066 PICOSA RESTAURANT for LIQ ON-SALE B W/SS SERIES 2000

Held by:

PICOSA HOSPITALITY GROUP LLC LINDELL MENDOZA 65 SE MAIN ST STE 143 MINNEAPOLIS, MN 55414

10-0739671

This matter came before the Division of Licenses and Consumer Services at a Licensing Settlement Conference meeting on Thursday, December 10, 2009 in Room 1C, Minneapolis City Hall. Appearing on behalf of the Licensee was Lindell Mendoza, Owner. Appearing for the City were Ricardo Cervantes; Deputy Director and Michele Olds; License Inspector. Based on information presented at the meeting, the Division makes the following findings of fact, conclusions, and recommendations:

FINDINGS OF FACT

- 1. Picosa Hospitality Group, LLC has held an On-Sale Liquor License with Sunday Sales, Class B since the beginning of 2007.
- 2. Picosa Restaurant had been on the State of Minnesota delinquent tax list for unpaid taxes from February 20, 2009 to December 23, 2009.
- **3.** On July 30, 2009, an inspection of the licensed premises found alcohol that was purchased from a retailer.
- **4.** On November 18, 2009, an inspection of the licensed premises found alcohol that was purchased from a retailer.

CONCLUSIONS

- 1. Picosa Restaurant had not been able to pay past due taxes to the State of Minnesota for a period of ten months in violation of Minneapolis Code of Ordinances 360.140.
- **2.** On two separate inspections, Picosa Restaurant had illegally purchased alcohol on the licensed premises in violation of Minnesota Administrative Rules 7515.0520.

RECOMMENDATIONS

That the On-Sale Liquor License issued to Picosa Restaurant shall be subject to the following conditions and adverse license action:

- 1. Provide an updated alcohol service policy to Licensing due at time of signing this agreement to include the following:
 - A. Procedures regarding alcohol sales, youth alcohol access, containment of alcohol to the licensed premises, and closing at 1:00 AM and dispersing of customers by 1:30 AM.
 - B. Whenever a staff meeting is held, alcohol service and proof of age policies will be a standing agenda item.
- 2. The licensee has paid \$950 of citations related to the above issues and no further sanction will be issued for the above mentioned dates.
- 3. Create a system of sales accounting where tax collected daily is saved to be made available to cover monthly tax liability.

Picosa Hospitality Group, LLC 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 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 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.

For Picosa/Hospitality Group, LLC	For the City of Minneapolis:
d/b/a Picosa Restaurant By: Lindell Mendoza	By: Ricardo Cervantes
Owner	Deputy Director
	Licenses & Consumer Services
Dated: /- 6 - ,2010	Dated: /-19- ,2010