

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

**FINDINGS OF FACT  
CONCLUSIONS, AND  
RECOMMENDATIONS**

In the Matter of License No. L247 50086 SABOR LATINO RESTAURANT  
for WINE E W/STRONG BEER

Held by:

**SABOR LATINO, INC.- SABOR LATINO RESTAURANT  
GENARO MARCATOMA  
2505 CENTRAL AVENUE NE  
MINNEAPOLIS, MN 55418**

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08-0621318

**This matter came before the Division of Licenses and Consumer Services at a Licensing Settlement Conference hearing on Thursday, April 3, 2008 in Room 1C, Minneapolis City Hall. Appearing on behalf of the Licensee were Genaro Marcatoma; Owner and Licensee. Appearing for the City were Ricardo Cervantes; Deputy Director of Licenses and Consumer Services, Michele Olds; License Inspector. Based on information presented at the hearing, the Division makes the following findings of fact, conclusions, and recommendations:**

**FINDINGS OF FACT**

- 1. Sabor Latino Restaurant was licensed as a food restaurant from 2002 to 2003. They have held their On-Sale Wine and Strong Beer license since 2003.**
- 2. The Minneapolis Police Department Licensing Division conducts Youth Alcohol Compliance checks in an effort to ensure retail alcohol license holders are not serving alcohol to persons under the age of 21 years.**
- 3. On February 27, 2008, Minneapolis Police Officers conducted a Youth Alcohol Compliance check at 2505 Central Ave NE. In this instance, the server examined the shoppers' identification and the one underage shopper was sold alcohol. The server also gave the shopper the alcohol in an unopened bottle and put it in a bag for the shopper to take off premise. An Administrative Citation was issued, and a \$500 fine was imposed to Sabor Latino Restaurant.**
- 4. Genaro Marcatoma reported that he fired the employee that made the illegal sale and she no longer works there.**

**CONCLUSIONS**

1. On one occasion, an employee of Sabor Latino Restaurant sold alcohol to a person 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. Minnesota Statute 340A.101 was also violated when the server allowed the shopper to remove the alcohol from the on-sale premises.

**RECOMMENDATIONS**

That the On-Sale Wine with Strong Beer License issued to Sabor Latino Restaurant shall be subject to the following conditions and adverse license action:

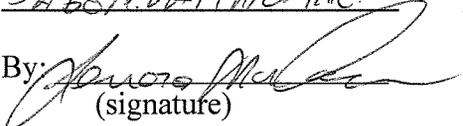
1. Purchase an identification card reader within thirty (30) days of this agreement being approved by full City Council.
  2. Provide an alcohol server training policy to Licenses and Consumer Services, due at time of signing this agreement. It should include the requirement for annual alcohol service training and training for new-hires within 30 days of hire. The policy should reference the restaurant's identification policy. The policy should include the following items numbered two (2) through six (6).
  3. Whenever a staff meeting is held, have alcohol service as a standing agenda item.
  4. Post alcohol service related signs in highly visible locations for reminders to staff.
  5. Post signs that identify Sabor Latino's alcohol service policy to customers.
  6. Employ a youth alcohol self-check/reward program with decoy four (4) times each year for the next two (2) years and keep documentation of the results within thirty (30) days of this agreement being approved by full City Council.
  7. The licensee will attend a Liquor and the City (LINC) at least one time in the next three months.
  8. In lieu of a suspension the City shall impose a \$2000 sanction. \$1500 shall be stayed for a period of two years from the signing of this agreement. The licensee shall pay \$500 of this sanction due at the time of signing this agreement.
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Sabor Latino, Inc. 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 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

SABOR LATINO INC.  
By:   
(signature)

Its: OWNER  
(title)

Dated: 4.24, 2008

For the City of Minneapolis:

  
Ricardo Cervantes  
Deputy Director of Licenses

Dated: April 30, 2008