

Citation Nos.: BL A08-0614123  
BL A08-0614251  
BL A08-0614253

**CONSENT DECREE**

Respondent: RWB Development, LLC  
d/b/a Chambers Hotel

License: Valet Parking License

Appeal Hearing Date: June 3, 2008

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The parties to the above-entitled administrative enforcement action freely, knowingly and voluntarily enter into this CONSENT DECREE in full resolution of all administrative citations herein referenced and hereby jointly request that the undersigned administrative hearing officer accept the parties' proposed resolution and DISMISS THE ACTION WITH PREJUDICE, subject to and in accord with the terms of the following binding agreement:

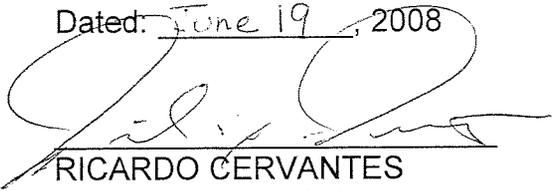
- RWB Development, LLC d/b/a Chambers Hotel (hereinafter "Respondent") was issued three (3) administrative citations for alleged business license violations occurring on February 14, 2008 in relation to its valet parking license. Each citation was in the amount of \$200.00. The Respondent properly and timely appealed each citation pursuant to Minneapolis Code of Ordinances (M.C.O.) § 2.80. A hearing before an assigned hearing officer was scheduled for June 3, 2008 at 10:00 a.m. in Room 321 of Minneapolis City Hall pursuant to M.C.O. § 2.100.
- At the June 3, 2008 hearing, the Respondent was represented by Corey J. Ayling, attorney at law from the firm of McGrann Shea Anderson Carnival Straughn & Lamb, Chartered. The City of Minneapolis was represented by Assistant City Attorney Joel Fussy and Ricardo Cervantes, Deputy Director of

Licenses and Consumer Services. Prior to commencement of the contested evidentiary hearing, all parties agreed on the record in front of the undersigned hearing officer to pursue a resolution of the matter. Discussions were immediately commenced between the parties outside of the presence of the hearing officer and a proposed resolution was reached. The terms of the resolution were placed on the record in front of the hearing officer and are reflected herein.

- The Respondent wishes to operate its valet parking service in full compliance with applicable regulations and ordinances and has engaged in proactive discussions with City regulatory staff to resolve this matter and to ensure that future violations do not occur and that beneficial cooperation does occur between staff for Respondent and officials of the City of Minneapolis.
- In full resolution of this matter, the Respondent agrees to (1) pay \$600.00 in enforcement costs to the City of Minneapolis and (2) execute and abide by the *Business License Operating Conditions* attached hereto. In exchange, the City consents to the dismissal with prejudice of this matter and agrees that the payment of such costs shall not constitute an adjudication that any business license violations occurred.
- The *Business License Operating Conditions* attached hereto shall be subject to approval by the Minneapolis City Council.
- The \$600.00 in costs of enforcement shall be remitted by the Respondent within one week of executing this agreement by mailing or delivering a check payable to "The City of Minneapolis" to the attention of License Inspector Leanne Selander, Minneapolis City Hall, Room 1C, 350 South 5<sup>th</sup> Street, Minneapolis, MN 55415.
- The Respondent shall comply with all applicable regulations and ordinances in the operation of its licensed valet parking service and nothing in this agreement shall restrict the ability of the City of Minneapolis to pursue future enforcement actions through criminal, civil, administrative or other avenues should circumstances warrant.

Respectfully Submitted,

Dated: June 19, 2008



RICARDO CERVANTES  
Deputy Director of Licenses  
& Consumer Services

Dated: June 19, 2008

RWB Development, LLC d/b/a Chambers Hotel  
by:

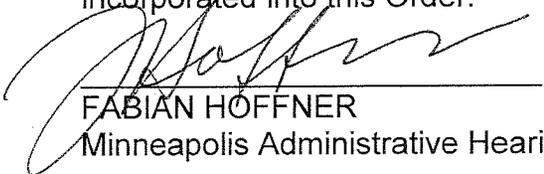
Signature: 

Printed Name: CLIFFORD W. ATKINSON

Title: GENERAL MANAGER

**ORDER**

The above-entitled administrative enforcement action is DISMISSED WITH PREJUDICE in accord with the above Consent Decree, which is hereby adopted and incorporated into this Order.



FABIAN HOFFNER  
Minneapolis Administrative Hearing Officer

Dated: 6/25/, 2008.

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

**BUSINESS LICENSE OPERATING CONDITIONS**

RWB DEVELOPMENT, LLC  
d/b/a CHAMBERS HOTEL  
901 HENNEPIN AVE  
MINNEAPOLIS, MN 55403

Re: Valet Parking License #29450032

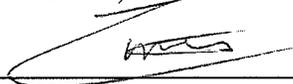
- 1) The Licensee shall comply with all applicable regulations, laws and ordinances governing its valet parking license, and shall comply with all conditions contained herein.
- 2) The Licensee shall not utilize any of the public alleyways abutting the premises for the parking or staging of any vehicles, and may only utilize such public alleyways as a thoroughfare for vehicles as permitted by law and previous license or zoning approval. Provided, however, that nothing in these Business License Operating Conditions shall affect rights under the City of Minneapolis Guide to Parking for Commercial Trucks / Commercial Vehicles, including but not limited to the right of Commercial Trucks to park up to 30 minutes in public alleyways while in the process of loading or unloading commodities.
- 3) The Licensee shall provide adequate staffing levels or, when circumstances warrant, shall temporarily refuse valet customers in order to insure that valeted vehicles are not parked in the valet zone over 15 minutes, to insure pedestrian and vehicular safety, and to assure that vehicles are not parked or staged in public alleyways for any amount of time.
- 4) Hotel staff shall comply with MCO 478.830 governing the use of passenger loading zones which states that such a zone shall be used for the expeditious loading or unloading of passengers for a period not to exceed three (3) minutes. Nothing in this condition shall prohibit the licensee from applying to Traffic and Parking Services for a fee-based parking/loading zone in which the operational time constraints of the zone can be modified.

- 5) The Licensee and all staff of the Licensee shall at all times cooperate with city licensing, traffic control and police officials and shall promptly and fully comply with all legitimate orders and requests from such officials.
- 6) The Licensee shall first direct any questions or concerns with the operation of its licensed valet service to the license inspector assigned to its premises, currently Leanne Selander, (612) 673-3910 [ leanne.selander@ci.minneapolis.mn.us ].

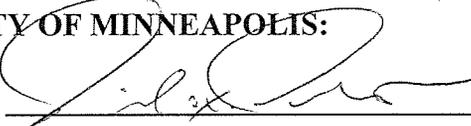
I have read the conditions listed above. I agree with the conditions and understand that failure on the part of my business, employees or agents to adhere to these conditions may be cause for future adverse license action including the suspension, revocation or denial of the renewal of the valet parking license issued to RWB Development, LLC d/b/a Chambers Hotel. These conditions shall be effective for the duration of time that the licensee operates at the premises unless subsequently modified by the City Council.

Based on the foregoing, these business license operating conditions are freely and voluntarily agreed upon in good faith:

**RWB DEVELOPMENT, LLC d/b/a CHAMBERS HOTEL:**

Signature:   
Printed Name: CLIFFORD W. ATKINSON  
Title: GENERAL MANAGER  
Date: 06/19/08

**CITY OF MINNEAPOLIS:**

By:   
Printed Name: Ricardo X. Cervantes  
Title: Deputy Director, Licenses & Consumer Services  
Date: June 19, 2008