

**In the Matter of
On-Sale Liquor with Sunday Sales, Class A
License Held by Midwest Latino
Entertainment & Talent, Inc.
d/b/a El Nuevo Rodeo Restaurant
2709 East Lake Street
Minneapolis, MN 55406
L198-50017**

**Findings of Fact,
Conclusions, and
Recommendations**

This matter came before the Division of Licenses and Consumer Services at a Licensing Settlement Conference hearing on Wednesday, June 18, 2008 in Room 1C, Minneapolis City Hall. Appearing on behalf of the Licensee was Maya Lopez-Santamaria; the owner of El Nuevo Rodeo. Appearing for the City were Ricardo Cervantes; Deputy Director of Licenses and Consumer Services, Michele Olds; License Inspector, Lt. Steve Kincaid; Police Licensing, and Sgt. Jane Moore; Police Licensing. Based on information presented at the hearing, the Division makes the following findings of fact, conclusions, and recommendations:

FINDINGS OF FACT

1. El Nuevo Rodeo has held their On-Sale Liquor, Class A, with Sunday Sales License since 2003.
2. An employee at El Nuevo Rodeo was found drinking an alcoholic beverage after 2:30am, on February 24, 2008.
3. A License Settlement Conference was held on Wednesday, March 26, 2008 in Room 1C, Minneapolis City Hall. Appearing on behalf of the Licensee were Maya Lopez-Santamaria; the owner of El Nuevo Rodeo, Juan Gaytan; employee, and Miguel Sanchez; employee. Appearing for the City were Ricardo Cervantes; Deputy Director of Licenses and Consumer Services, Michele Olds; License Inspector.
4. Three shootings occurred in April, 2008 near the building where El Nuevo Rodeo is housed causing security concerns.

CONCLUSIONS

1. An employee at El Nuevo Rodeo was found drinking an alcoholic beverage after 2:30am, on February 24, 2008. This is in violation of Minneapolis City Ordinance 364.85 Consumption in on-sale liquor or wine premises; hours regulated. No person, including the licensee and his or her employees and agents, shall consume liquor or beer in any on-sale liquor or wine premises between 2:30 a.m. and 8:00 a.m.
2. A prior License Settlement Conference on March 26, 2008 was not settled prior to this current License Settlement Conference.
3. Police reports were inconclusive that clientele of El Nuevo Rodeo Restaurant were involved in the three shootings that occurred in April, 2008 near El Nuevo Rodeo.

RECOMMENDATIONS

That the On-Sale Liquor with Sunday Sales, Class A License issued to Midwest Latino Entertainment & Talent, Inc. shall be subject to the following conditions and adverse license action:

1. The Minneapolis Licenses and Consumer Services Division will impose a \$500.00 sanction **due at time of signing** this agreement.
2. The Licensee shall adjust the security/alcohol service policy to reflect that **NO ONE** shall consume alcohol on the premises after 2:30 a.m. and before 8:00 a.m. all days of the week, except Sundays when no consumption is allowed before 10:00 a.m.
3. The Licensee shall provide a current and approved security/alcohol service policy to Licensing, **due at time of signing** this agreement.
4. The Licensee shall follow the submitted security/alcohol service policy that has been approved by Licensing.
5. The Licensee shall employ security personnel at a ratio of one (1) security guard per fifty (50) patrons and one (1) off-duty Minneapolis Police Officer. The Licensee shall employ two (2) off-duty Minneapolis Police Officers on nights when the expected attendance is 700 or more.
6. The Licensee will attend a Police training that focuses on learning about gangs in the city of Minneapolis, through Police Licensing, provided by Minneapolis Police Department personnel by **October 1, 2008**.
7. The Licensee will remove all patrons under eighteen (18) years of age by 10:00 PM every night, unless they are accompanied by a responsible guardian. The Licensee will have the responsible guardian sign a responsibility form.
8. One of the security personnel for the Licensee will be stationed in the US Bank parking lot from 9:00 PM to 3:00 AM looking for loitering, drinking in cars, fights, etc. Security must call 911 when crimes are witnessed.
9. El Nuevo Rodeo currently has sixteen (16) security cameras with digital recorders with forty-five days retention. Management will purchase and install twelve (12) more cameras by **September 30, 2008**. El Nuevo Rodeo will provide copies of digital recordings to the Division of Licenses and Consumer Services or Minneapolis Police if required to assist in a criminal or civil investigation and subject to receipt of a subpoena or an order from a court of law requesting the disclosure. The Management will provide a map with the locations of where all the cameras are located by **September 15, 2008**.
10. The Licensee will post a sign at the main entrances of El Nuevo Rodeo saying that they ban guns and weapons on their premises.

11. The Licensee will purchase a metal detection wand for scanning patrons by **August 31, 2008**. All patrons entering the facility will be wanded before entering. Patrons with guns, knives, and weapons will be denied entry.
12. The Licensee will make sure that patrons leaving the restaurant do not carry beverage bottles outside of the establishment.
13. The Licensee will have door staff monitor the actual number of patrons under twenty-one (21) years of age in the establishment.
14. The Licensee will attend at least one Downtown Bar Meeting or LINC Meeting in the next two months after signing this agreement. Inspector will provide dates and times to Licensee.

Midwest Latino Entertainment & Talent, Inc. 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 Midwest Latino Entertainment & Talent, Inc.

d/b/a El Nuevo Rodeo Restaurant:

By: Maya Lopez-Santamaria
 Maya Lopez-Santamaria
 Owner

Dated: 9-10-08, 2008

For the City of Minneapolis:

By: Ricardo Cervantes
 Ricardo Cervantes, Deputy Director
 Licenses & Consumer Services

Dated: Sept 10, 2008