



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

July 11, 2016

NOTICE OF INTENT TO SUSPEND LICENSES

Irma Ortega, President  
Senor Sol Mexican Grille  
990 Payne Avenue  
Saint Paul, MN 55130

RE: Wine on Sale (Second Half) and Malt On Sale (Strong) licenses held by Ortega Enterprises, LLC d/b/a Senor Sol Mexican Grille for the premises located at 990 Payne Avenue in Saint Paul  
License ID #20140000989

Dear Licensee:

The Department of Safety and Inspections (DSI) has recommended suspension of the Wine on Sale (Second Half) and Malt On Sale (Strong) licenses held by Ortega Enterprises, LLC d/b/a Senor Sol Mexican Grille for the premises located at 990 Payne Avenue in Saint Paul. The basis for this recommendation is as follows:

**On April 6, 2016, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating your Wine on Sale (Second Half) and Malt On Sale (Strong) licenses expired on March 27, 2016 and you owned delinquent license and late fees. You were also asked to submit the following information with your license fee payment:**

- **Current certificate of Liquor Liability Insurance for the coverages dates of March 27, 2016 to March 27, 2017 with a 10-day notice of cancellation**
- **Copies of Monthly Sales and Use Tax forms for the previous twelve (12) months from the Minnesota Department of Revenue**
- **Completed State Renewal of Liquor, Wine, Club or 3.2% Licenses form (attached).**
- **A completed Certificate of Compliance Minnesota Workers' Compensation Law form.**

**You were given until April 27, 2016, to pay the delinquent license and late fees and submit the required information.**

**DSI records show you paid the \$2,877.00 license fee payment and submitted the Workers' Compensation form on April 27, 2016. On April 28, 2016, you were sent an email from a DSI staff member stating your licenses were still on hold because you failed to submit the required insurance, sales tax receipts and state renewal form.**

**As of today's date, DSI has not received the remaining information needed to renew your licenses.**

In addition to the suspension of the Wine on Sale (Second Half) and Malt On Sale (Strong) licenses, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit required information in order to maintain your license.


At this time, you have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Thursday, July 21, 2016**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. You can submit the remaining required information. If this is your choice, you may send the information directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Thursday, July 21, 2016**. A self-addressed envelope is enclosed for your convenience. Submission of the remaining required information will be considered to be a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but contest the penalty, you may have a public hearing before the Saint Paul City Council, you will need to send me a letter with a statement admitting the facts and requesting a public hearing. I will need to receive your letter by **Thursday, July 21, 2016**. The matter will then be scheduled before the City Council to determine whether to suspend your Wine on Sale (Second Half) and Malt On Sale (Strong) licenses and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Thursday, July 21, 2016**. Information should be directed to the attention of Eric Hudak.

**If you have not contacted me by Thursday, July 21, 2016, I will assume that you do not contest the suspension of the Wine on Sale (Second Half) and Malt On Sale (Strong) licenses and imposition of \$500.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,

  
Geoffrey Karls  
Assistant City Attorney

cc: Eric Hudak, DSI Licensing Manager  
Irma Ortega, 2635 Geneva Avenue, Oakdale, MN 55128



Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement  
445 Minnesota Street, Suite 222  
St. Paul, MN 55101  
651-201-7500

**RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES**

No license will be approved or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S.3 to report any license cancellation.

License Code \_\_\_\_\_ License Period Ending \_\_\_\_\_ ID# \_\_\_\_\_

ISSUING AUTHORITY St. Paul

Licensee Name Ortega Enterprises LLC  
Trade Name Senor Sol Mexican Grille  
City, State, Zip Code 990 Payne Ave  
St Paul MN 55130

Business Phone \_\_\_\_\_

License Fees: Off Sale \_\_\_\_\_ On Sale 2,539 Sunday \_\_\_\_\_

By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.

Applicant's signature on this renewal confirms the following: Failure to report any of the following may result in civil penalties.

1. Licensee confirms it has no interest whatsoever, directly or indirectly in any other liquor establishments in Minnesota. If so, give details on back of this application.
2. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below.
3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below.
4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below.
5. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below.
6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period.

Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$100,000 surety bond may be submitted in lieu of liquor liability. (3.2% liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).

Licensee Signature \_\_\_\_\_ DOB \_\_\_\_\_ SS# \_\_\_\_\_ Date \_\_\_\_\_  
(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature \_\_\_\_\_ Date \_\_\_\_\_  
County Board issued licenses only (Signature certifies licensee is eligible for license).

Police/Sheriff Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Signature certifies licensee or associates have not been cited during the past five years for any state/local liquor law violations (criminal/civil). Report violations on back, then sign here.)

Indicate below changes of corporate officers, partners, home addresses or telephone numbers:

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Indicate below any direct or indirect interest in other liquor establishments:

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Report below details of liquor law violations (civil or criminal) that have occurred within the last five years.  
(Dates, offenses fines or other penalties, including alcohol penalties):

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Report below details involving any license rejections or revocations:

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City/County Comments:

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