



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, 2012

NOTICE OF INTENT TO DENY LICENSES

James M. Matias
J & J Vending
1063 Van Buren Avenue
St. Paul, MN 55104

RE: Food Vending Machine, Food Vending Machine Operator and Food Vehicle license applications submitted by James M. Matias d/b/a J & J Vending for the City of Saint Paul
License ID #: 2011000021

Dear Mr. Matias:

The Department of Safety and Inspections will recommend denial of the Food Vending Machine, Food Vending Machine Operator and Food Vehicle license applications submitted by James M. Matias d/b/a J & J Vending for the City of Saint Paul. The basis for the recommendation is based on the following information:

On June 12, 2012, you were sent a letter from the Department of Safety and Inspections (DSI) stating that your license applications have been "Pending" since January 4, 2011 and would remain pending until you obtained a DSI Environmental Health Inspection Approval.

In the letter, you were also asked to contact Abdi Museid at (651) 266-9141 to schedule an Environmental Facility Inspection of your proposed business operation. In addition, according to DSI records, you also need to schedule an Environmental Vehicle Inspection and submit the vehicle license number required if transporting food, goods, etc...

You were then given until June 29, 2012, to schedule the Environmental Facility Inspection. As of today's date, neither the facility or vehicle inspections have been scheduled and the vehicle license number has not been submitted.

At this time, you have three options on how to proceed:

1. You can call Abdi Museid, DSI Environmental Health Inspector at (651)266-9141 to schedule an Environmental Facility Inspection no later than **Monday, July 23, 2012**.
2. If you wish to admit the facts but you 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 to the facts and requesting a public hearing. I will need to receive your letter no later than **Monday, July 23, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.

3. You can withdraw your license applications. Send a written statement to that effect to the Department of Safety and Inspections at 375 Jackson Street, Suite 220, St. Paul, Minnesota 55101-1806 no later than **Monday, July 23, 2012**. Information should be directed to the attention of Christine Rozek. Any request for a refund of the license application fees must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me or DSI by Monday, July 23, 2012, I will assume that you do not contest the denial of your licenses. 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,

Handwritten signature of Daphne Lundstrom in cursive script, followed by a forward slash and the initials 'jk'.

Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI

STATE OF MINNESOTA))
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 11th day of July she served the attached **NOTICE OF INTENT TO DENY LICENSES** and correct copy thereof in an envelope addressed as follows:

James M. Matias
J & J Vending
1063 Van Buren Avenue
St. Paul, MN 55104

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

Julie Kraus
Julie Kraus

Subscribed and sworn to before me
this 11th day of July, 2012

Rita M. Bossard
Notary Public

