



City of Grand Island

Tuesday, May 28, 2019

Council Session

Item E-1

Public Hearing on Request from Edwin Bolanos dba La Gran Billa, 613 East 4th Street for a Class “C” Liquor License

Council action will take place under Consent Agenda item G-3.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 28, 2019

Subject: Public Hearing on Request from Edwin Bolanos dba La Gran Billa, 613 East 4th Street for a Class “C” Liquor License

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

- It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:
- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
 - (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
 - (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Edwin Bolanos dba La Gran Billa, 613 East 4th Street has submitted an application for a Class “C” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale only inside the corporate limits of the city.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. See attached Police Department report.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve this application.

Sample Motion

Move to approve the application for Edwin Bolanos dba La Gran Billa, 613 East 4th Street for a Class "C" Liquor License contingent upon final inspections and completion of a state approved alcohol server/seller training program.

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Grand Island Police Department
LAW SUPPLEMENTAL NARRATIVE

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Grand Island Police Department
Supplemental Report

Date, Time: Thu May 16 13:33:00 CDT 2019
Reporting Officer: Vitera
Unit- CID

Edwin Bolanos is applying for a Class C (beer, wine, distilled spirits, on and off sale) Individual Retail Liquor License for a business called La Gran Billa which will be located at 613 E. 4th Street. La Fonda Jalisco is the former tenant at this address.

While perusing the application, I noticed that: Edwin attached a printout of a lot of convictions, he's not borrowing any money to establish and/or operate the business, he's had a liquor license for a business called La Fogatas and a liquor license for La Zona Rosa, he didn't include the city and state where he's lived since 1995, and he claims to own the building where La Gran Billa will be located.

A check was done on Edwin through Spillman and NCJIS. Spillman shows that sometime around February 2006, Edwin owned La Zona Rosa. We had quite a few calls to the club, but at this time, I'm not sure how long he owned it. I could not find a business named La Fogatas. Edwin also has numerous personal entries in Spillman. A lot of those entries are due to him owning La Pasadita Auto Sales. He has several contacts being a victim and reporting party, but he also has several traffic, criminal, and code violation contacts. He was arrested as recently as 7/6/18 for failing to appear in court on a traffic citation. One of our officers on light duty looked at Edwin in NCJIS and said he didn't find any additional convictions. Edwin has a valid Nebraska driver's license, and he doesn't have any outstanding warrants for his arrest. I also checked Edwin through a paid online law-enforcement-only database and didn't find anything out of the ordinary.

I spoke to Edwin over the phone on 5/17/19 and set up a meeting for 5/20/19 at 1000 hours. I also called the Nebraska Liquor Control Commission to see if they can find some history on La Fogatas and La Zona Rosa when Edwin owned it. I was unable to speak with anyone, but I left a voicemail for "Jackie" asking for any history they have regarding those two licenses.

Nebraska State Patrol Investigator Joe Hansen and I met with Edwin at the agreed upon time and place. I asked Edwin who helped him fill out the application, and he said that Al Fitzgerald did. I asked him how he knows Al, and he said Al is a friend who has helped him with business issues in the past. Edwin described the translation of La Gran Billa as meaning "Big farm or ranch." He also said it's a sector in El Salvador.

Most of my questions pertained to his past and current businesses. Edwin said he has lived in Grand Island for a little over twenty years. He said he lived in Los Angeles for about eight years before that and emigrated here from El Salvador. Soon after Edwin arrived in Grand Island, it appears that he bought most of the property on the south side of the 600 block of E. 4th Street. According to his application, he had liquor licenses at La Zona Rosa and La Fogatas which were both located in the 600 block of east 4th Street. If I understood Edwin correctly, he said that he was operating both places at the

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same time; and it got to be too much. Like I mentioned above, Edwin also owns La Pasadita Auto Sales which is also located in the 600-700 block of E. 4th Street.

Prior to getting into the property where La Gran Billa is going to be located, Investigator Hansen and I met with Edwin in his office at La Pasadita. We walked over there, and I noticed that he doesn't have any cars on his lot. He said that the used car business has become so saturated and competitive that he can't make money. He said that's part of the reason he's opening the restaurant and bar. Edwin said he won't have any other businesses besides the restaurant/bar and the used cars and trucks.

After speaking in the La Pasadita office, we walked over to the building where La Gran Billa is going to be. We asked Edwin about the DJ stereo equipment. He said he doesn't own the equipment and doesn't have any immediate plans to have music. If anything, Edwin said he might add a second pool table. His current plans are to have a restaurant that serves alcohol. However, he said he hasn't ruled out bringing in music. I told him that if he does that, he needs to have plenty of security.

I called the NLCC back and spoke with "Jackie." She advised that Edwin had a license at 613 E. 4th from 2005-2007, and a license at 611 E. 4th from 2006-2007. It was a relatively short time span, but there were no violations listed for either license.

All in all, while Edwin disclosed several convictions and didn't have any undisclosed convictions, none of them will automatically preclude him from receiving a liquor license. Also, there were some minor mistakes in the application, but nothing too significant. Lastly, with Edwin's brief history as a liquor license holder and having no violations, the Grand Island Police Department will not object to Edwin Bolanos receiving a liquor license for La Gran Billa.

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Liquor License Application:
Class "C": La Gran Billa

