



City of Grand Island

Tuesday, September 24, 2019

Council Session

Item E-2

Public Hearing on Request from Mayra Foods, LLC dba Sanchez Restaurant – Jaz’s Tacos, 218 So. Wheeler Avenue for a Class “I” Liquor License

Council action will take place under Consent Agenda item G-8.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: September 24, 2019

Subject: Public Hearing on Request from Mayra Foods, LLC dba Sanchez Restaurant-Jaz's Tacos, 218 So. Wheeler Avenue for a Class "I" 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

Mayra Foods, LLC dba Sanchez Restaurant-Jaz's Tacos, 218 So. Wheeler Avenue has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol on 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.

Also submitted was a request for Liquor Manager Designation for Mayra Betancourt, 241 So. Vine Street. Ms. Betancourt has completed a state approved alcohol server/seller training program. Staff recommends approval of the liquor license contingent upon final inspections.

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 Mayra Foods, LLC dba Sanchez Restaurant-Jaz's Tacos, 218 So. Wheeler Avenue for a Class "I" Liquor License contingent upon final inspections and Liquor Manager Designation for Mayra Betancourt, 241 So. Vine Street.

09/12/19
13:05

Grand Island Police Department
LAW SUPPLEMENTAL NARRATIVE

450
Page: 1

Incident number : L19090645
Sequence number : 1
Name : Vitera D
Date : 10:50:57 09/08/2019
Narrative : (see below)
318

Grand Island Police Department
Supplemental Report

Date, Time: Sun Sep 08 10:51:07 DT 2019
Reporting Officer: Vitera
Unit- CID

Mayra Betancourt is applying for a Class I (beer, wine, distilled spirits, on sale only) LLC Retail Liquor License for Sanchez Plaza/Jaz's Tacos. She is also applying to become the liquor manager.

While perusing the application, I noticed that Mayra is married to Orlando Betancourt who signed a Spousal Affidavit of Non-Participation form. Mayra is buying the business of current liquor license holder, Sanchez Plaza. She also applied for a Temporary Operating Permit (TOP). Mayra disclosed seven traffic convictions, and Orlando disclosed four traffic convictions. Mayra is not borrowing any money from any source to establish/operate the business, and she won't be sharing any of the business profits with anyone. Mayra also stated that she's never had a liquor license before, and she and her husband have lived in Grand Island for the last fifteen years. Her business plan says that Jaz's Tacos will be open seven days a week serving traditional homemade authentic Mexican food. It goes on to say that "Every restaurant that serves Mexican food has to serve alcohol and so we plan to sell alcohol."

Spillman and NCJIS were checked for Mayra and Orlando. Neither one have anything listed except traffic convictions which appear to be accounted for in the application. Mayra and Orlando each have a valid Nebraska driver's license, and neither one has any outstanding arrest warrants. I also checked on the Betancourt's through a paid online law enforcement-only database which tends to provide mostly personal identifying information and information about civil issues. I didn't find anything out of the ordinary on either one of them.

Nebraska State Patrol Investigator Joe Hansen made an appointment to meet with Mayra on 9/9/19 at 1300 hours. We met with her at the agreed upon place and time. Before I could ask many questions or go over the application with Mayra, I got called away. I later spoke to Investigator Hansen who advised that he completed the interview, doesn't have any concerns, and will be recommending an approval of the license.

Based upon a favorable review of the application, no criminal history except traffic convictions, and the meeting with Investigator Hansen, the Grand Island Police Department has no objection to Jaz's Tacos receiving a liquor license or to Mayra Betancourt becoming the liquor manager.

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Liquor License Application: Class "I" : Jaz's Tacos

