



City of Grand Island

Tuesday, January 12, 2010

Council Session

Item H2

Consideration of Request from Conrado Anchondo, 917 West 4th Street for Liquor Manager Designation for Fiesta Latina/Nebraska Music Hall, 2815 South Locust Street

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: January 12, 2010

Subject: Request from Conrado Anchondo, 917 West 4th Street for Liquor Manager Designation for Fiesta Latina/Nebraska Music Hall, 2815 South Locust Street

Item #'s: H-2

Presenter(s): RaNae Edwards, City Clerk

Background

Conrado Anchondo, 917 West 4th Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-34765" Liquor License for Fiesta Latina/Nebraska Music Hall, 2815 South Locust Street.

This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all liquor manager designations. All departmental reports have been received. See attached Police Department report.

Based on the Police Department report the application is incomplete and inaccurate, making this a false application according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01).

Alternatives

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

1. Approve the request.
2. Forward the request with no recommendation.
3. Take no action on the request.

Recommendation

City Administration recommends that the Council deny the request for Liquor Manager Designation.

Sample Motion

Move to deny the request from Conrado Anchondo, 917 West 4th Street for Liquor Manager Designation in conjunction with the Class “C-34765” Liquor License for Fiesta Latina/Nebraska Music Hall, 2815 South Locust Street based on the false application.

12/15/09
16:29

Grand Island Police Department
LAW INCIDENT TABLE

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City : Grand Island
Occurred after : 16:15:53 12/10/2009
Occurred before : 16:15:53 12/10/2009
When reported : 16:15:53 12/10/2009
Date disposition declared : 12/10/2009
Incident number : L09121168
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License Investigation
Incident address : 2815 Locust St S
State abbreviation : NE
ZIP Code : 68801
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Viterra D
How received : T Telephone
Agency code : GIPD Grand Island Police Department
Responsible officer : Viterra D
Offense as Taken :
Offense as Observed :
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID : 14150
Long-term call ID :
Clearance Code : O Open Case
Judicial Status : NCI Non-criminal Incident

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	8917	12/11/09	Fiesta Latina,	Business
NM	40911	12/11/09	Anchondo, Conrado	Liquor Manager App
NM	42567	12/11/09	Anchondo, Maria C	Conrado's Wife

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT03	Bar/Night Club	

LAW INCIDENT NARRATIVE:

I received a copy of a liquor manager application for Conrado Anchondo at Fiesta Latina

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
1	Viterra D	318	Viterra D

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Grand Island Police Department
LAW INCIDENT TABLE

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LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	12:55:40 12/15/2009

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Grand Island Police Department
LAW INCIDENT TABLE

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Grand Island Police Department
Supplemental Report

On 12/10/09, I received a copy of a liquor manager application from Conrado Anchondo for Fiesta Latina. Maria Anchondo is listed on the application as Conrado's wife. She did not sign a spousal affidavit of non participation. The Anchondo's each have a valid driver's license and no warrants for their arrest. From the application, it appears that Conrado has been in Grand Island since at least 1996.

I checked Conrado through Spillman and found several contacts. I also checked him through NCJIS and found the following convictions: DUI (11/1/89), DUI 2nd (9/25/90), Racing on the Streets (4/8/98), Speeding (2/14/02), Speeding (9/7/05), Speeding (12/14/06), Speeding (7/31/07).

I checked Maria through Spillman and found several contacts. I also checked her through NCJIS and found the following convictions: Child Restraint (5/8/02), Traffic Signal and Child Restraint (8/7/03), Shoplifting (2/7/05).

On the application, it clearly asks "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law, a violation of a local law, ordinance or resolution." It also asks the applicant to list any pending charges at the time of the application. The last instruction dealing with charges and convictions says in bold with an underline, "If more than one party, please list charges by each individual's name." The Anchondo's failed to follow all of the instructions referred to in this paragraph.

First of all, the only charge or conviction listed on the application is a DUI in 1989. No name is listed beside the charge/conviction. None of Conrado's other charges or Maria's charges are listed. In addition, Maria has a pending speeding charge. She was cited on 11/18/09. She and Conrado filled out the application on 11/25/09.

Conrado's and Maria's failure to disclose their convictions, specify who the DUI belongs to, and list Maria's pending charge, technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). The convictions would fall under state law or local ordinance. Either way, the convictions are either an infraction or a misdemeanor that does not rise to the level of a Class I Misdemeanor in a specified crime under Nebraska State Statute Chapter 28 that would automatically nullify the liquor license.

At this point in time, the Grand Island Police Department recommends that Conrado Anchondo's liquor manager application be denied until the application can be filled out completely and accurately.

Date, Time: Tue Dec 15 15:23:51 CST 2009
Reporting Officer: Vitera
Unit #: 865