

City of Scottsbluff, Nebraska

Monday, October 7, 2019

Regular Meeting

Item Public Inp3

Council to make a recommendation to the Nebraska Liquor Control Commission naming Desiree R. Ramirez as the Liquor License Manager of B49 Operating LLC, dba The Tangled Tumbleweed.

Staff Contact: Kim Wright, City Clerk

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use

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SEP 03 2019

**NEBRASKA LIQUOR
CONTROL COMMISSION**

MUST BE:

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form MUST be included with your application
- ✓ 21 years of age or older

Corporation/LLC information

Name of Corporation/LLC: B49 Operating, LLC

Premise information

Liquor License Number: ~~19-067~~ 123062 Class Type C (if new application leave blank)

Premise Trade Name/DBA: The Tangled Tumbleweed

Premise Street Address: 1823 Avenue A

City: Scottsbluff County: NE Zip Code: 69361

Premise Phone Number: 308-633-3867

Premise Email address: jmt@cartmumhall.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).


SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Ramirez First Name: Desiree MI: R
Home Address: 1700 A Street
City: Gering County: Sch Zip Code: 69341
Home Phone Number: 308.641.6660
Driver's License Number & State: _____
Social Security Number: _____
Date Of Birth: 02/20/1972 Place Of Birth: Scottsbluff
Email address: desirami@me.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

☒ YES

☐ NO

Spouse's information

Spouses Last Name: Ramirez First Name: DeJesse MI: R
Social Security Number: _____
Driver's License Number & State: _____
Date Of Birth: 12/31/1971 Place Of Birth: Scottsbluff

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS
APPLICANT SPOUSE

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Gering, Nebraska	2007	present			

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1992 present	Desiree Ramirez	Self-employed	308.641.6600

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

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. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

☐ YES ☒ NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

☒ YES ☐ NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: _____ Name on Certificate: _____

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Desiree R. Ramirez	4/24/2019	TIPS ID# 5073541

*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Desiree R. Ramirez manager	June 26 th 2018	The Tangled Tumbleweed 1823 Ave 1A Scottsbluff, NE 68901

5. Have you enclosed form 147 regarding fingerprints?

☐ YES

☐ NO

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Dwaine R. Ramsey
Signature of Manager Applicant

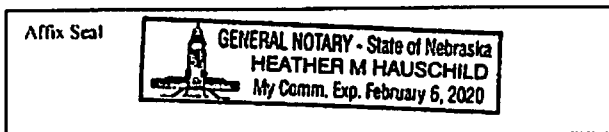
Jose R. Ramsey
Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska
County of Scotts Bluff The foregoing instrument was acknowledged before me this

August 24th, 2019 by Dwaine R. Ramsey and Jose R. Ramsey
date NAME OF PERSON BEING ACKNOWLEDGED

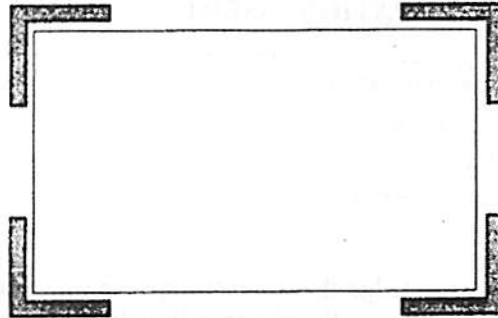
Heather M. Hauschild
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

Des
**PRIVACY ACT STATEMENT/
SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

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THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:

DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of \$45.25 per person **MUST** be made **DIRECTLY** to the Nebraska State Patrol;
It is recommended to make payment through the NSP PayPort online system at www.ne.gov/go/nsps
Or a check made payable to **NSP** can be mailed directly to the following address:
Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License
The Nebraska State Patrol – CID Division
3800 NW 12th Street
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID
Applicant(s) will not have cards to include with license application.
- Fingerprints taken at local law enforcement offices may be released to the applicants;
Fingerprint cards should be submitted with the application.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

Trade Name: The Tangled Tumbweed

Name of Person Bring Fingerprinted: Desiree R Ramirez

Date of Birth: 02/20/72 Last 4 SSN: 2596 Date fingerprints were taken: 8/26/19

Location where fingerprints were taken: Seb. County Sheriff's Dept.

How was payment made to NSP?

☐ NSP PAYPORT ☒ CASH ☐ CHECK SENT TO NSP CK # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES ☐

Desiree R Ramirez
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

FORM 147
REV MAY 2018

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

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**NEBRASKA LIQUOR
CONTROL COMMISSION**



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. The penalty guideline for violation of this affidavit is cancellation of the liquor license.



I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.

Jesse R Ramirez
Signature of NON-PARTICIPATING SPOUSE
Jesse R Ramirez
Print Name

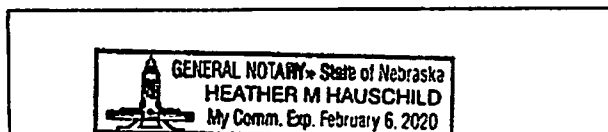
Desiree R Ramirez
Signature of APPLICANT
Desiree R Ramirez
Print Name

State of Nebraska, County of Scottsbluff

The foregoing instrument was acknowledged before me
this 26th of August, 2019 (date)

by Jesse R Ramirez
Name of person acknowledged
(Individual signing document)

Heather M Hauschild
Notary Public Signature

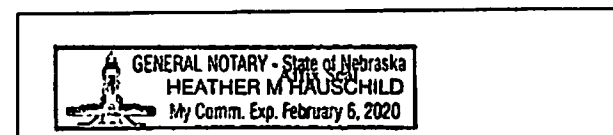


State of Nebraska, County of Scottsbluff

The foregoing instrument was acknowledged before me
this 26th of August, 2019 (date)

by Desiree R Ramirez
Name of person acknowledged
(Individual signing document)

Heather M Hauschild
Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

FORM 116
REV NOV 2016
Page 1

Memo

To: Nathan Johnson, City Manager
From: Kevin E Spencer, Chief of Police
CC: liquor file
Date: October 3, 2019
Re: Desiree Ramirez manager application Class C Liquor License number C-123062, B49 Operating, LLC dba The Tangled Tumbleweed, 1823 Ave A Scottsbluff, NE

The applicant, Desiree Ramirez, was investigated for suitability as the manager of The Tangled Tumbleweed liquor license. Nothing was discovered that would prohibit her from holding a manager's position under the license. Desiree disclosed no criminal history, nor did I find any during this investigation.

On October 3, 2019 Desiree appeared before the Liquor License Holders Investigatory Board to discuss her application. Desiree explained that she has worked at the Tangled Tumbleweed for the past year adding this is her only experience in the alcohol business. Desiree told us that she does all of the ordering and inventory adding that they only sell wine and beer. Desiree told us that they card anyone that looks younger than 30 years of age. Desiree explained that they have a "born on calendar" to assist employees in determining age. Desiree told us that all of the employees except kitchen staff have to attend alcohol server training and anyone caught selling alcohol to a minor would be terminated.

The Liquor License Holders Investigatory Board is recommending a positive recommendation to the Nebraska Liquor Commission.

Respectfully,



Kevin E Spencer, Chief of Police
City of Scottsbluff