

**In the Matter of Class E
On-Sale Liquor
License Held by Full & Content, Inc.
d/b/a: Black Bamboo
333 7th Street South, Suite 190
Minneapolis, MN 55402**

**Findings of Fact,
Conclusions and
Recommendations**

License Number: L196-50082

This matter came before the Department at a License Settlement Conference on Tuesday, November 18, 2008 at 10:15 a.m. in Room 1-C, Minneapolis City Hall. Appearing on behalf of the licensee was Stanley Won, owner. Appearing on behalf of the City: Craig Eliason and Phil Schliesman, License Inspectors; Linda Roberts, Licensing Supervisor; and Mike Rumppe, Minneapolis Fire Department. Based on information presented at the hearing, the Department makes the following findings of fact, conclusions, and recommendations:

FINDINGS OF FACT

1. On July 26th, 2007, Stanley Won was approved by the Minneapolis City Council as the new shareholder/officer of Full & Content, Inc., the holder of a class E on sale liquor license. Class E entitles the licensee to provide entertainment as stated in Minneapolis City Ordinance 362.30 "Class E. A Class E "on sale" liquor license shall permit the "on sale" of liquor and "on sale" of three and two-tenths (3.2) beer and in addition thereto shall permit, as defined and when carried on in conformity with the ordinances of the city, the sale of food as a restaurant, and the use of radio, television, electronically reproduced music, karaoke and jukebox. All other devices producing musical sound or the use of a disc jockey are prohibited. No live entertainment or dancing shall be allowed."
2. On or about Friday, October 10th, 2008, the licensee was involved in hosting an after-hours party promoted as the "transit 3...THE JOURNEY." The party was held in the atrium of the building housing the licensed premises. The hours of the party were from 2 am to 6 am. The licensee did not file for a temporary expansion of premises License Department application or for a temporary assembly Fire Department application. Live entertainment was offered at the after-party in the form of a DJ.
3. The licensee has admitted to have been involved in hosting after-hours parties in the atrium of the building housing the licensed premises prior to October 10, 2008 without proper Licensing or Fire Department approvals.
4. The atrium of the building housing the licensed premises is not rated for assembly occupancy with the Minneapolis Fire Department.

CONCLUSIONS

1. The licensee allowed entertainment above the approved entertainment class of license in violation of Minneapolis Code of Ordinances 362.30.
2. The licensee did not apply for or receive the proper licensing or permitting for the event held on October 10th, 2008, nor for any of the previous events that were held in the atrium of the building housing the licensed premises.
3. The licensee operated outside of the allowed hours of operation for an establishment holding a liquor license.

RECOMMENDATIONS

The Department acknowledges the licensee's interest in resolving the issues at its licensed establishment. Due to the expressed willingness of all parties to bring the property into compliance with all applicable ordinances, statutes and regulations the Department makes the following recommendations:

1. The owner shall reimburse the City of Minneapolis a total of \$500.00, reflective of actual staff costs expended on the inspection as well as cost recovery pertaining to this agreement. This amount is due upon the signing of this agreement.
2. A \$1500.00 administrative fine be imposed and stayed for two years as long as the licensee does not engage in offering entertainment outside of their approved license class, host events without first obtaining City of Minneapolis approval, or operate outside of the legal hours of operation. Should the licensee be found violating any terms or conditions of this agreement by city staff, the stay will be immediately lifted and the fine amount will be due immediately.
3. That the licensee shall submit an amended business plan addressing how future events will be hosted in the atrium of the building, including types of entertainment and hours of operation.
4. The licensee shall complete all of the requirements as set forth by the Fire Department in order to obtain authorization to use the atrium as an A-2 occupancy.
5. The licensee may only expand the premises (indoor or outdoors) 12 days per calendar year.
6. The licensee shall apply with the Licensing and Consumer Services office at least 5 work days prior to any temporary expansion of premises. Applications made less than 5 work days prior will not be accepted and expansions may not occur.

Full & Content, Inc. understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility, and, as such, it is understood that there is a minimum standard that shall be met in order to hold such a license. Furthermore, it is understood that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances and regulations. As such, it is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any agreed upon or stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

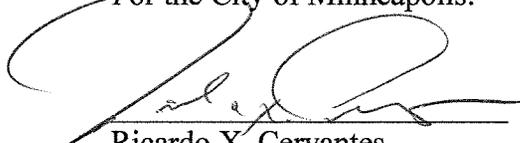
For Full & Content, Inc

By: 
(signature)

Its: owner
(title)

Dated: 11/20, 2008

For the City of Minneapolis:


Ricardo X. Cervantes
Deputy Director, Licenses and
Consumer Services

Dated: Nov 21, 2008