

ITEM #:	<u>31</u>
DATE:	<u>07-08-25</u>
DEPT:	<u>POLICE</u>

COUNCIL ACTION FORM

SUBJECT: MOTION APPROVING/DENYING A CLASS C RETAIL LICENSE - LA CASA MAYA, 631 LINCOLN WAY, CLASS C RETAIL ALCOHOL LICENSE WITH OUTDOOR SERVICE

BACKGROUND:

State alcoholic beverage licenses and permits must receive approval by the local authority (City Council), before they can be issued by the State. La Casa Maya, 631 Lincoln Way, is currently up for renewal.

The Police Department conducts compliance checks on establishments that hold liquor licenses in the City of Ames. These compliance checks are completed by taking an underage person to liquor licenses establishments who then attempts to purchase alcohol. A business passes the check if the employee asks for identification and rightly refuses the purchase. An establishment fails the compliance check if the employee sells to the underage person. **In the past 12 months, La Casa Maya has failed two out of three compliance checks.**

The first failed compliance check occurred on 11/22/2024 . A minor (20 years old) was served an alcoholic beverage. The minor ordered an alcoholic drink and the employee asked for identification. The employee was handed the minor's genuine ID showing them to be 20 years of age. The employee failed to recognize the individual was under the age of 21. The restaurant co-owner was encouraged to attend the Police Department's ID training, download the Iowa Age to Purchase app, and to take the I-PACT (Iowa Program for Alcohol Compliance Training) online training.

The second failed compliance check occurred on 5/2/2025 . Again, a minor (20 years old) ordered an alcoholic drink and the employee asked for identification. The employee was handed the minor's genuine ID showing them to be 20 years of age. The employee failed to recognize the individual was under the age of 21 and served an alcoholic drink. The establishment was again encouraged to attend bar meetings, trainings, and utilize other tools.

After both failures, a letter was sent to the establishment to ensure they were aware of the failures. On June 26, 2025, a follow up compliance check was conducted and La Casa Maya passed this check.

Since the first failed compliance check, the Police Department has held two ID training sessions, one in February and one in May. **No employees from La Casa Maya have attended the trainings.** In preparation for the report to Council, the manager, Felipe, was contacted about the performance of the establishment. He confirmed that he knew about the failed compliance check failures and that the department had offered ID training and Quarterly meetings. **Felipe said no training has been provided to the employees beyond managers telling employees to check IDs.**

The Police Chief has serious concerns about a business who has failed two out of three compliance checks in the previous 12-months and has also failed to attend any trainings offered by the Police Department to improve their performance. In addition, it appears as though no staff is trained in checking IDs after being offered both department offered ID training and the State of Iowa I-PACT training. Therefore, the Police Chief is recommending denial of the application.

The manager was advised to ensure someone from the establishment was available to attend the City Council meeting to speak to their efforts.

ALTERNATIVES:

1. Deny the renewal application of La Casa Maya.
2. Approve the renewal application of La Casa Maya.

CITY MANAGER'S RECOMMENDED ACTION:

The Police Department conducts compliance checks to ensure liquor license holders are complying with their obligation to not sell alcohol to underage individuals. La Casa Maya has failed two of three compliance checks in the last year. The staff has also failed to attend any ID trainings offered by the Police Department after being encouraged to do so. The manager also told the Chief of Police that no staff has received any training at all in checking IDs beyond managers telling staff to check IDs. Therefore, it is the recommendation of the City Manager that the City Council support the recommendation of the Chief of Police to approve Alternative No. 1, as noted above.