

### **Good Neighbors Report**

To: PS&L Committee

From: Attorney Nhu H. Arn

RE: **Picos Tacos & Beer II, LLC., Angela Espinoza, Owner and Agent**

Meeting date: Monday, May 23, 2022

PS&L agenda date: Monday, July 11, 2022

Departments attended: Attorney, Building, and Health

License(s) requested: Class “B” and “Class B” (beer and liquor)

#### **Topics Discussed:**

- Liquor sales via the drive-through. Ms. Espinoza intends to serve alcohol (along with food) via the building’s drive-through. Attorney Arn discussed certain legal requirements for the sale of alcohol in the drive-through, including that:
  - 1) All alcohol sales must be conducted by a licensed operator or under the immediate supervision of a licensed operator;
  - 2) All alcohol sales must be conducted face-to-face; and
  - 3) Any alcohol sold for off-premises consumption must be in original containers or securely closed with a tamper-evident seal (no open containers).

Currently, there are no licensed premises within the City authorized to sell alcohol through the drive-through. Attorney Arn raised concerns associated with drinking and driving, as well as underage consumption. Ms. Espinoza states she will only serve pre-packaged margaritas and tequila bottles in the drive-through and that there will be a limit of three alcohol purchases per vehicle. She has submitted a supplemental amendment to her license application packet detailing her plans for the drive-through sale of alcohol.

- Premises description changed. Ms. Espinoza has amended her premises description to include the building, drive-through area, designated parking spaces for pick-up, and outdoor covered patio. If the committee approves the application, it would be with these amendments.
- Conditional grant of a license. Ms. Espinoza is making minor improvements to the interior of the building, which are mostly cosmetic. She plans to start operating sometime in June. She understands that if the committee approves a conditional grant of a license, she must operate within six months of council approval.
- Police issues. Sgt. Ortiz will highlight police issues, if any, at the meeting.

**Overall summary:**

Ms. Espinoza has extensive experience in the alcohol industry as the owner and operator of Los Mariachis and Pico's Taco and Cerveza. She intends to spend the majority of her time at this location at least for the first three years, until the business is up and running. Despite Ms. Espinoza's experience, staff has some concerns surrounding the drive-through sale of alcohol (i.e. drinking and driving, underage consumption, etc.).