

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :

Temporary License Application :

Date of Event: May 18, 2013 : Fact-

Applicant: James S. Martens, : Finding

on Behalf of Drink the : Hearing

District, LLC :

Neighborhood: 300 Water St.,SE:

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May 8, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

- RUTHANNE MILLER, Chairperson
- NICK ALBERTI, Member
- DONALD BROOKS, Member
- HERMAN JONES, Member
- MIKE SILVERSTEIN, Member

ALSO PRESENT:

- BRIAN MOLLOY, ABRA Investigator

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P-R-O-C-E-E-D-I-N-G-S

(10:02 a.m.)

CHAIRPERSON MILLER: Okay. Then we have some Fact-Finding Hearings on our calendar.

The first one on the calendar is Drink the District, LLC.

MR. MARTENS: Good morning.

INVESTIGATOR MOLLOY: Good morning.

CHAIRPERSON MILLER: Good morning. So when you are ready, if you all could introduce yourself for the record?

MR. MARTENS: I'm Stewart Martens from Drink the District.

INVESTIGATOR MOLLOY: Investigator Brian Molloy, ABRA.

CHAIRPERSON MILLER: Okay. So this is a Fact-Finding Hearing. We don't take testimony. We are just trying to gather information and possibly give you some feedback as well for the conduct of your event

1 and determine whether we will approve it.

2 So if you could just give a brief  
3 summary of the overview of your event, that  
4 would be good way to start.

5 MR. MARTENS: Sure. That's called  
6 Bite of D.C., so we basically pair five dishes  
7 from five local restaurants and we have some  
8 wine and beer tastings. We bring in a lot of  
9 local vendors from artists to different  
10 community partners to -- for three hour  
11 sessions, so it's a food-centric event that  
12 is, you know, showcasing five local  
13 restaurants, five chefs. And we try to pair  
14 each dish with a local peer and a local wine.

15 CHAIRPERSON MILLER: Okay. Have  
16 you done this before?

17 MR. MARTENS: This is our first  
18 time doing this, but we operate Taste of D.C.  
19 and we also operate Drink the District so.

20 CHAIRPERSON MILLER: Okay. So am  
21 I correct, you expect about 1,000 persons for  
22 each session?

1 MR. MARTENS: That would be nice.

2 CHAIRPERSON MILLER: Okay.

3 MR. MARTENS: Not quite that yet,  
4 but we will see.

5 CHAIRPERSON MILLER: So that would  
6 be a high number?

7 MR. MARTENS: Yes.

8 CHAIRPERSON MILLER: Okay. And  
9 where is it going to be?

10 MR. MARTENS: Yards Park. So just  
11 north of or actually it used to be Yards Park  
12 in the east lawn of the park.

13 CHAIRPERSON MILLER: And do you  
14 have security?

15 MR. MARTENS: We do.

16 CHAIRPERSON MILLER: What is that?

17 MR. MARTENS: We have notified  
18 Yards Park. Actually, the BID notifies the  
19 patrols, so they kind of -- they do that for  
20 us, but we have also reached out to MPD. We  
21 have reached out to EMS. We have talked to  
22 pretty much everybody that we need to talk to,

1 at this point. So they are aware of the  
2 event.

3 CHAIRPERSON MILLER: Okay. You  
4 don't have your own security? You just have--

5 MR. MARTENS: We hire Massive  
6 Entertainment or CSC, depending on the event  
7 and the size of the event. For this event,  
8 it's a smaller-scale event, so we are working  
9 with Massive.

10 CHAIRPERSON MILLER: I'm sorry, I  
11 missed what --

12 MR. MARTENS: Massive  
13 Entertainment, they are a third-party security  
14 contractor.

15 CHAIRPERSON MILLER: Oh, you have  
16 them. So what's the plan with them? How many  
17 personnel or just as needed?

18 MR. MARTENS: I don't know the  
19 exact number. I can probably look it up. It  
20 is 15 total security guards.

21 CHAIRPERSON MILLER: Okay.

22 MR. MARTENS: And we also have

1 several supervisors. I can give you guys --  
2 I have copies for everybody here, which  
3 outlines the whole plan. But being that this  
4 is not a drink-heavy event, we are food-  
5 oriented --

6 CHAIRPERSON MILLER: Okay.

7 MR. MARTENS: -- event  
8 necessarily, but they are at all the entrances  
9 and exits. They are more or less controlling  
10 some of the points where our vendors are  
11 coming in and out to make sure that people  
12 aren't sneaking into the event and at the  
13 exits making sure people don't leave with any  
14 alcoholic beverages and/or anything else.

15 CHAIRPERSON MILLER: So you have  
16 security at the exits to make sure that people  
17 aren't leaving with drinks, correct?

18 MR. MARTENS: Absolutely.

19 CHAIRPERSON MILLER: What other  
20 kind of arrangements do you have with respect  
21 to making sure that they are only sold to, you  
22 know, people of age? You know, 21 and over.

1                   MR. MARTENS: Well, you have to be  
2                   21 plus to buy a ticket, so we have a three-  
3                   tier ID check system that we have done that  
4                   Massive and CSC executes on our behalf. They  
5                   are all TIPS trained, so they ID check, then  
6                   we stamp their hands.

7                   We have three separate stamps for  
8                   three separate sessions, so that way we know  
9                   no one leaves and they can't duplicate the  
10                  stamp anyway, it's a customized stamp that we  
11                  have with our logo on it and we switch that  
12                  stamp up from event to event, so that way if  
13                  somebody did somehow track that down and get  
14                  one made, we would be able to catch on to  
15                  that.

16                  So we do a red stamp, a blue stamp  
17                  and then the -- a yellow stamp for the third  
18                  session. And again, we have roaming security  
19                  guards as well who are walking around just  
20                  spot-checking. We have all of our managers.  
21                  All of our managers are TIPS-certified and  
22                  trained. And they will clearly be looking for

1 anyone who might have gotten past the first  
2 tier.

3 And then all the people serving  
4 are also the third-tier. If they feel at any  
5 given time that somebody might not be 21,  
6 there is a manager at each alcohol station  
7 that can come over and do an ID verification.

8 CHAIRPERSON MILLER: Okay. So  
9 it's only open -- the event is only open to 21  
10 and over?

11 MR. MARTENS: Yes.

12 CHAIRPERSON MILLER: Okay. And so  
13 this is, I gather, a much smaller event than  
14 Taste of D.C.?

15 MR. MARTENS: Right.

16 CHAIRPERSON MILLER: Okay. And  
17 you didn't have any problems with that or did  
18 you?

19 MR. MARTENS: At Taste? No.

20 CHAIRPERSON MILLER: Okay. I'm  
21 going to let other Board Members go forward  
22 with questions if they would like. Anybody

1 have any other questions? Okay. Mr. Molloy,  
2 do you?

3 INVESTIGATOR MOLLOY: Yes.

4 CHAIRPERSON MILLER: Okay.

5 INVESTIGATOR MOLLOY: So I had  
6 access to their packet ahead of time and just  
7 a couple discrepancies, not so much concerns,  
8 but on the one page which you read you said 15  
9 security guards, but earlier in the packet, I  
10 think, you list 20 security guards.

11 Do you know which one is accurate?

12 MR. MARTENS: I think the extra  
13 five are probably the supervisors that rotate  
14 in and out.

15 INVESTIGATOR MOLLOY: Okay.

16 MR. MARTENS: So I can double  
17 check.

18 INVESTIGATOR MOLLOY: All Right.  
19 And then the 20 is what matches with your map  
20 for -- as far as the stars. There were 20  
21 stars and they represent where the security  
22 guards will sort of be roaming in their zones.

1 MR. MARTENS: Yes. I need to  
2 track with the team that actually put this all  
3 together, so I'm going to get back to you on  
4 that and what they --

5 INVESTIGATOR MOLLOY: Okay.

6 MR. MARTENS: -- where the  
7 discrepancy might lie.

8 INVESTIGATOR MOLLOY: And then as  
9 far as the managers, which are going to be the  
10 ones who are all TIPS-certified, how many in  
11 total are going to be there?

12 MR. MARTENS: From the security  
13 company, I know that all of their managers are  
14 TIPS-certified and everyone they have doing ID  
15 checks are TIPS-certified.

16 INVESTIGATOR MOLLOY: All Right.

17 MR. MARTENS: And then our four  
18 managers who are outside are all TIPS-  
19 certified as well.

20 INVESTIGATOR MOLLOY: So minimum  
21 four with you and then how many more do you  
22 think are coming?

1                   MR. MARTENS: I would have to  
2 check on there. I don't know how many they  
3 have right now out front for ID checkers.

4                   INVESTIGATOR MOLLOY: Okay. And  
5 then --

6                   MR. MARTENS: Most of their staff  
7 is all TIPS trained.

8                   INVESTIGATOR MOLLOY: All Right.  
9 And then as far as the map that you gave me,  
10 I see there is the two wine tasting tables and  
11 each one of those will have a TIPS-certified  
12 person?

13                   MR. MARTENS: Um-hum.

14                   INVESTIGATOR MOLLOY: And then  
15 where else are your TIPS-certified people  
16 going to be?

17                   MR. MARTENS: In the tents and  
18 then we have got probably some of ours will be  
19 in the staff tent that will just be able to --  
20 we're going to use radio, so they can radio  
21 over.

22                   INVESTIGATOR MOLLOY: Okay. And

1 then the last thing I noticed you said it's a  
2 21 and up event exclusively. And then at some  
3 point in your packet you discuss when there is  
4 a security issue, what could cause people to  
5 get kicked out and one of them is not having  
6 a wristband.

7 But everyone, in theory, should  
8 have a wristband who walks through the door.

9 MR. MARTENS: Um-hum.

10 INVESTIGATOR MOLLOY: So it's only  
11 if you took your wristband off, is that the  
12 only way someone could not have a wristband?

13 MR. MARTENS: Pretty much.

14 INVESTIGATOR MOLLOY: Okay.

15 MR. MARTENS: Or they snuck into  
16 the event.

17 INVESTIGATOR MOLLOY: Okay.

18 MR. MARTENS: Yes, they --  
19 actually, the wristbands work -- that's their  
20 meal ticket. So on each Tyvec wristband it's  
21 not the like little chintzy ones. It's the  
22 actual plastic ones that snap. On each one,

1       there is five tabs that list each restaurant's  
2       name, so when they get to that restaurant,  
3       they are going to have to actually tear that  
4       tab off and turn that in to get their plate of  
5       food.

6                   INVESTIGATOR MOLLOY:   Okay.

7                   MR. MARTENS:   So they -- if they  
8       take that off, they are not eating or  
9       drinking.

10                  INVESTIGATOR MOLLOY:   And you said  
11       you are hiring Massive?

12                  MR. MARTENS:   Um-hum.

13                  INVESTIGATOR MOLLOY:   What does  
14       their security uniform look like or their  
15       personnel manager?

16                  MR. MARTENS:   Yellow jackets and  
17       black pants.

18                  INVESTIGATOR MOLLOY:   Okay.  
19       That's all my questions.

20                  CHAIRPERSON MILLER:   Okay.   What  
21       are the restaurants that are participating?

22                  MR. MARTENS:   Paleo, Road 24,

1 Cedar Restaurant, Luke's Lobster and Windows  
2 Catering.

3 CHAIRPERSON MILLER: And what's  
4 the last one?

5 MR. MARTENS: Windows Catering.

6 CHAIRPERSON MILLER: Oh, Windows  
7 Catering. Okay. And so if an adult showed up  
8 with a child, would they be turned away?

9 MR. MARTENS: What we have  
10 identified is if somebody is like -- if a kid  
11 is in a stroller, that's probably a different  
12 situation that we would address on a one-off.  
13 We have included in our FAQ on our website, we  
14 say, basically, anybody who is under 21 don't  
15 come.

16 If a parent brought a 13 year-old,  
17 then it would probably be a different story.  
18 We would probably turn them away, yes. So we  
19 are kind of taking it on a case-by-case basis.  
20 It really doesn't happen.

21 CHAIRPERSON MILLER: Yes.

22 MR. MARTENS: I don't think

1 parents are -- we are not targeting young  
2 families. We are targeting the kind of 25 to  
3 35 demographic.

4 CHAIRPERSON MILLER: Okay. Any  
5 other Board questions? Mr. Jones?

6 MEMBER JONES: Just a quick  
7 follow-up. So you're saying you take it on a  
8 case-by-case basis, but I'm assuming there is  
9 not going to be one single person that is  
10 going to be making the assessment and  
11 evaluation throughout the course of the three  
12 days, throughout the course of the entire  
13 period spanning there.

14 So what guidelines are you -- what  
15 firm guidelines are you providing to those  
16 individuals that you are holding accountable  
17 and responsible for ensuring that your will is  
18 understood?

19 MR. MARTENS: Yes, we have  
20 identified it is basically 12 and under.

21 MEMBER JONES: 12 and under?

22 MR. MARTENS: At that point, yes.

1                   MEMBER JONES: Okay. So 12 and  
2 under. Anyone 12 and under, if they are  
3 accompanied by an adult, they can come into  
4 the event. Anyone 12 and over, the whole  
5 caboodle gets turned away?

6                   MR. MARTENS: Yep.

7                   MEMBER JONES: Even if they bought  
8 a ticket or whatever?

9                   MR. MARTENS: Yes, and we would  
10 actually -- we actually had this happen at one  
11 of our past events three weeks ago and we just  
12 said, you know, look we will refund your  
13 money.

14                  MEMBER JONES: All Right. Thank  
15 you.

16                  CHAIRPERSON MILLER: Okay. Any  
17 other questions? Do you have any questions  
18 for us?

19                  MR. MARTENS: No. I have some  
20 packets here for you guys if you want to keep  
21 them, which outlines the event. It has a map  
22 and so forth and so on.

1 CHAIRPERSON MILLER: Okay.

2 INVESTIGATOR MOLLOY: Oh, I just  
3 have one last one. So do you know what kind  
4 of training Massive security guards go through  
5 as far as ID checks or that your managers will  
6 follow?

7 MR. MARTENS: Well, I know all of  
8 our managers are TIPS-certified, so what they  
9 do in that TIPS-certification class, I have no  
10 idea.

11 INVESTIGATOR MOLLOY: All Right.

12 MR. MARTENS: I am not TIPS-  
13 certified, so I couldn't tell you.

14 INVESTIGATOR MOLLOY: All Right.  
15 But then --

16 MR. MARTENS: I would imagine  
17 that's a pretty standardized course. Even I  
18 think they come here to be ABRA -- two of our  
19 employees are ABRA managers.

20 INVESTIGATOR MOLLOY: All Right.

21 MR. MARTENS: So I guess they do  
22 that here.

1                   INVESTIGATOR MOLLOY: Well, there  
2                   is a couple on-line programs that they go  
3                   through and then -- that we accept. We don't  
4                   do the training.

5                   MR. MARTENS: I wouldn't deal with  
6                   that.

7                   INVESTIGATOR MOLLOY: Oh, but as  
8                   far as Massive has give you assurances that  
9                   their people are TIPS --

10                  MR. MARTENS: Yes.

11                  INVESTIGATOR MOLLOY: -- trained?

12                  MR. MARTENS: I mean, outside of  
13                  CSC, Massive is the second largest security  
14                  firm in the District of Columbia. They  
15                  operate several large-scale facilities. This  
16                  is what they do. They come out to most  
17                  events. They worked Taste of D.C. for three  
18                  years. We have never had an issue with them.  
19                  We have never been -- had any issues. And  
20                  Massive has checked, you know, for our company  
21                  at Taste of D.C. over 400,000 IDs and we have  
22                  not had an issue.

1                   So I would say that they --  
2                   whatever they have done, they have figured it  
3                   out.

4                   INVESTIGATOR MOLLOY:   Okay.

5                   CHAIRPERSON MILLER:   Okay.   Good.  
6                   All Right.   Anything else?   Okay.   Then I  
7                   would move that we approve this temporary  
8                   license application for May 18, 2013 on behalf  
9                   of Drink the District, LLC.

10                  Do I have a second?

11                  MEMBER BROOKS:   Second.

12                  CHAIRPERSON MILLER:   Mr. Brooks  
13                  has seconded the motion.

14                  All those in favor say aye.

15                  ALL:   Aye.

16                  CHAIRPERSON MILLER:   All those  
17                  opposed?   All those abstaining?   Then the  
18                  motion passes 4-0-0 to approve.

19                  So thank you very much.   Have a  
20                  great event.

21                  MR. MARTENS:   Thank you.   You guys  
22                  want to keep some of these just for your own

1 records?

2 CHAIRPERSON MILLER: Do we have --  
3 we may have --

4 MEMBER ALBERTI: I think Mr.  
5 Molloy would probably -- yes, he has one.

6 CHAIRPERSON MILLER: Okay.

7 MEMBER ALBERTI: Great. Thank  
8 you.

9 MR. MARTENS: Thank you. Have a  
10 good one.

11 CHAIRPERSON MILLER: Thank you.

12 (Whereupon, the Fact-Finding  
13 Hearing in the above-entitled matter was  
14 concluded at 10:15 a.m.)

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<b>A</b>	<b>beer</b> 3:8 <b>behalf</b> 1:8 7:4 19:8 <b>Beverage</b> 1:2,12,13 <b>beverages</b> 6:14 <b>BID</b> 4:18 <b>Bite</b> 3:6 <b>black</b> 13:17 <b>blue</b> 7:16 <b>Board</b> 1:2,13 8:21 15:5 <b>bought</b> 16:7 <b>Brian</b> 1:22 2:17 <b>brief</b> 3:2 <b>bring</b> 3:8 <b>Brooks</b> 1:18 19:11 19:12 <b>brought</b> 14:16 <b>Building</b> 1:13 <b>buy</b> 7:2	<b>chefs</b> 3:13 <b>child</b> 14:8 <b>chintzy</b> 12:21 <b>class</b> 17:9 <b>clearly</b> 7:22 <b>Columbia</b> 1:1 18:14 <b>come</b> 8:7 14:15 16:3 17:18 18:16 <b>coming</b> 6:11 10:22 <b>community</b> 3:10 <b>company</b> 10:13 18:20 <b>concerns</b> 9:7 <b>concluded</b> 20:14 <b>conduct</b> 2:22 <b>contractor</b> 5:14 <b>Control</b> 1:2,12,13 <b>controlling</b> 6:9 <b>copies</b> 6:2 <b>correct</b> 3:21 6:17 <b>couple</b> 9:7 18:2 <b>course</b> 15:11,12 17:17 <b>CSC</b> 5:6 7:4 18:13 <b>customized</b> 7:10	<b>double</b> 9:16 <b>Drink</b> 1:8 2:7,15 3:19 19:9 <b>drinking</b> 13:9 <b>drinks</b> 6:17 <b>drink-heavy</b> 6:4 <b>duplicate</b> 7:9 <b>D.C</b> 1:14 3:6,18 8:14 18:17,21	<b>figured</b> 19:2 <b>Finding</b> 1:7 <b>firm</b> 15:15 18:14 <b>first</b> 2:6 3:17 8:1 <b>five</b> 3:6,7,12,13 9:13 13:1 <b>follow</b> 17:6 <b>follow-up</b> 15:7 <b>food</b> 6:4 13:5 <b>food-centric</b> 3:11 <b>forth</b> 16:22 <b>forward</b> 8:21 <b>four</b> 10:17,21 <b>front</b> 11:3
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<b>able</b> 7:14 11:19 <b>above-entitled</b> 20:13 <b>ABRA</b> 1:22 2:17 17:18,19 <b>Absolutely</b> 6:18 <b>abstaining</b> 19:17 <b>accept</b> 18:3 <b>access</b> 9:6 <b>accompanied</b> 16:3 <b>accountable</b> 15:16 <b>accurate</b> 9:11 <b>actual</b> 12:22 <b>address</b> 14:12 <b>adult</b> 14:7 16:3 <b>age</b> 6:22 <b>ago</b> 16:11 <b>ahead</b> 9:6 <b>ALBERTI</b> 1:18 20:4,7 <b>alcohol</b> 8:6 <b>alcoholic</b> 1:2,12,13 6:14 <b>and/or</b> 6:14 <b>anybody</b> 8:22 14:14 <b>anyway</b> 7:10 <b>Applicant</b> 1:7 <b>application</b> 1:6 19:8 <b>approve</b> 3:1 19:7 19:18 <b>arrangements</b> 6:20 <b>artists</b> 3:9 <b>assessment</b> 15:10 <b>assuming</b> 15:8 <b>assurances</b> 18:8 <b>aware</b> 5:1 <b>aye</b> 19:14,15 <b>a.m</b> 2:2 20:14	<b>caboodle</b> 16:5 <b>calendar</b> 2:5,6 <b>called</b> 3:5 <b>case-by-case</b> 14:19 15:8 <b>catch</b> 7:14 <b>Catering</b> 14:2,5,7 <b>cause</b> 12:4 <b>Cedar</b> 14:1 <b>certified</b> 10:19 17:13 <b>Chairperson</b> 1:14 1:17 2:3,11,18 3:15,20 4:2,5,8,13 4:16 5:3,10,15,21 6:6,15,19 8:8,12 8:16,20 9:4 13:20 14:3,6,21 15:4 16:16 17:1 19:5 19:12,16 20:2,6 20:11 <b>check</b> 7:3,5 9:17 11:2 <b>checked</b> 18:20 <b>checkers</b> 11:3 <b>checks</b> 10:15 17:5	<b>Date</b> 1:6 <b>days</b> 15:12 <b>deal</b> 18:5 <b>demographic</b> 15:3 <b>depending</b> 5:6 <b>determine</b> 3:1 <b>different</b> 3:9 14:11 14:17 <b>discrepancies</b> 9:7 <b>discrepancy</b> 10:7 <b>discuss</b> 12:3 <b>dish</b> 3:14 <b>dishes</b> 3:6 <b>District</b> 1:1,8 2:7 2:15 3:19 18:14 19:9 <b>doing</b> 3:18 10:14 <b>DONALD</b> 1:18 <b>door</b> 12:8	<b>earlier</b> 9:9 <b>east</b> 4:12 <b>eating</b> 13:8 <b>employees</b> 17:19 <b>EMS</b> 4:21 <b>ensuring</b> 15:17 <b>Entertainment</b> 5:6 5:13 <b>entire</b> 15:12 <b>entrances</b> 6:8 <b>evaluation</b> 15:11 <b>event</b> 1:6 2:22 3:3 3:11 5:2,6,7,7,8 6:4,7,12 7:12,12 8:9,13 12:2,16 16:4,21 19:20 <b>events</b> 16:11 18:17 <b>everybody</b> 4:22 6:2 <b>exact</b> 5:19 <b>exclusively</b> 12:2 <b>executes</b> 7:4 <b>exits</b> 6:9,13,16 <b>expect</b> 3:21 <b>extra</b> 9:12	<b>G</b>
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