

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

IN THE MATTER OF:

TGR, Inc.	Fact-
t/a Look	Finding
1909 K Street, NW	Hearing
Retailer CR - ANC-2B	
License No. 77812	
Case #14-251-00129	

(Multiple Assaults Outside
of the Establishment)

July 9, 2014

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
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

JASON PERU, ABRA Investigator

T-A-B-L-E O-F C-O-N-T-E-N-T-S

WITNESS

Jason Peru 6
Lieutenant Donald Craig21

APPLICANT STATEMENTS:

Andrew Kline, attorney.41
Carlos Loreda, manager46
Jennifer Mertz, NW director.49

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

2 (11:07 a.m.)

3 CHAIRPERSON MILLER: Okay. Good
4 morning.

5 MR. KLINE: Good morning.

6 CHAIRPERSON MILLER: The Board is
7 back on the record for a Fact-Finding Hearing
8 involving an establishment known as Look
9 located at 1909 K Street, N.W., License No.
10 77812, in ANC-2B. And this is Case No. 14-
11 251-00129.

12 Would you identify yourselves for
13 the record, please?

14 MR. KLINE: Yes, good morning.
15 Andrew Kline. I'm here on behalf of the
16 licensee. State your name for the record.

17 MR. LOREDO: Carlos Loreda.

18 CHAIRPERSON MILLER: Could you say
19 that again, please?

20 MR. KLINE: Identify yourself for
21 the record.

22 MR. LOREDO: Yes. My name is

1 Carlos Loredo. It's actually -- it was a
2 mistake on the paper.

3 CHAIRPERSON MILLER: Okay.

4 MR. LOREDO: They put -- I'm
5 sorry, but it's Loredo, L-O-R-E-D-O.

6 CHAIRPERSON MILLER: Okay.

7 MR. KLINE: Just to be clear, I
8 think his identification reads Carlos Loredo
9 Lowazari, but he goes by Carlos Loredo,
10 because he is referenced in the report, that's
11 why I wanted to make sure that it was clear.

12 CHAIRPERSON MILLER: Okay. Thank
13 you.

14 MS. MERTZ: Jennifer Mertz.

15 CHAIRPERSON MILLER: Jennifer who?

16 MS. MERTZ: Mertz, M-E-R-T-Z.

17 CHAIRPERSON MILLER: And what's
18 your relation to the establishment?

19 MS. MERTZ: I oversee the District
20 Northwest Group.

21 MR. KLINE: She is the Director of
22 Operations for this and another establishment.

1 CHAIRPERSON MILLER: It's Mertz?

2 Was it Mertz? Can you spell it?

3 MS. MERTZ: Mertz, M-E-R-T-Z.

4 CHAIRPERSON MILLER: M-E-R-T?

5 MS. MERTZ: M-E-R-T-Z.

6 CHAIRPERSON MILLER: Z, okay.

7 Thank you. All right. Over here?

8 INVESTIGATOR PERU: Investigator

9 Jason Peru with ABRA.

10 CHAIRPERSON MILLER: Okay.

11 LIEUTENANT CRAIG: Lieutenant

12 Donald Craig, MPD.

13 CHAIRPERSON MILLER: Okay. Thank
14 you. So this is a Fact-Finding Hearing. It's
15 not a hearing in which anybody is put under
16 oath. We just want to gather more facts and
17 have more of a dialogue about it.

18 In this case, I understand there
19 has been some assaults at the establishment or
20 outside the establishment that has been a
21 concern to ABRA and, I think, MPD.

22 So I'm going to let Mr. Peru more

1 specifically, you know, address the concerns,
2 if you are ready to do that?

3 INVESTIGATOR PERU: Sure.

4 CHAIRPERSON MILLER: Okay.

5 INVESTIGATOR PERU: Sure.

6 CHAIRPERSON MILLER: Thank you.

7 INVESTIGATOR PERU: Well, to
8 start, I received the report, the MPD reports
9 on Monday, April 8th. There was two MPD
10 reports that ABRA received. One was an
11 assault with significant bodily injury, also
12 listed as ABC violation or incident.

13 CHAIRPERSON MILLER: Wait a
14 second. I'm sorry, Mr. Peru. I'm sorry. We
15 often -- Lieutenant Craig I wanted to -- I
16 meant to say to you if you are under a time
17 pressure or you needed to go first, let us
18 know.

19 LIEUTENANT CRAIG: No, I'm fine.

20 CHAIRPERSON MILLER: Okay. You're
21 fine then.

22 LIEUTENANT CRAIG: Yes, ma'am.

1 CHAIRPERSON MILLER: Okay. Thank
2 you. I'm sorry, Mr. Peru.

3 INVESTIGATOR PERU: No, that's
4 fine.

5 CHAIRPERSON MILLER: Okay.

6 INVESTIGATOR PERU: So I once
7 again received two MPD reports. One was an
8 assault with significant bodily injury, that
9 listed as a club bouncer was hit by an unknown
10 suspect while breaking up a fight. And he
11 sustained a laceration to his eye.

12 The other report was in reference
13 to an assault on a police officer and
14 possession of marijuana. That report states
15 that Sergeant Mason and Officer Glen were in
16 full uniform working the club detail. They
17 stated that Officer Glen and Mason were
18 escorting out disruptive individuals off the
19 premises.

20 Sergeant Mason made contact with a
21 black male wearing a gray jacket. Said
22 Sergeant Mason and Mr. Brown cleared from of

1 the northwest due to the fighting inside of
2 the location. The -- Mr. Brown became irate
3 and refused.

4 Sergeant Mason asked Mr. Brown to
5 exit. Mr. Brown replied "F U," I'm not going
6 anywhere. I'm waiting on my brother.

7 Sergeant Mason asked Mr. Brown to leave the
8 location. Mr. Brown became even more hostile,
9 grabbed Sergeant Mason around the outside of
10 the vest.

11 Sergeant Mason responded by
12 executing a tactical takedown and straight
13 strikes to Mr. Brown's body. Mr. Brown
14 continued to actively resist by taking and
15 swinging his arms, refusing to place his hands
16 behind his back.

17 Sergeant Mason yelled verbal
18 commands and Mr. Brown stopped resisting.
19 After a brief struggle, Mr. Brown was placed
20 under arrest for assault on a police officer,
21 misdemeanor, without further incident. And he
22 was then transported to 2D.

1 I went to -- I visited Look on
2 April -- actually, on April 29th Investigator
3 Suero visited Look and did a regulatory
4 inspection in reference to a separate 251 that
5 he had received.

6 And on that day, there was no ABC
7 manager on duty when he was there. So I used
8 his regulatory inspection because I visited
9 the next day on April 30th and I met with Mr.
10 Lowazari.

11 MR. LOREDO: Lowazari.

12 INVESTIGATOR PERU: He stated that
13 he was working the night of the incident.

14 He stated that he was aware that a
15 fight broke out in the main area between two
16 patrons. He stated that security responded to
17 the fight to break it up. He stated that
18 security staff notified the MPD Detail outside
19 of the establishment. He stated that MPD
20 immediately responded to the incident.

21 He stated that during the
22 altercation, an MPD officer and a security

1 officer were both assaulted. He stated the
2 establishment uses a contract security
3 company. He stated that security officer who
4 was assaulted had not been back to work at the
5 establishment since the incident.

6 He stated that there was no video
7 surveillance coverage of the incident. He did
8 give me a CD copy of the night in question,
9 but there was nothing of any incident on
10 camera.

11 I did observe, however, during
12 video the front door. I saw that they were
13 doing pat-downs at the entrance, security was.

14 I was able to finally get in
15 contact with the security officer who was
16 assaulted on May 5th and he stated that on the
17 date of the incident, it was his first night
18 working at Look as a security officer. He
19 stated that the altercation broke out between
20 patrons inside of the establishment and he
21 attempted to break it up and he was hit in the
22 face.

1 Mr. Woods stated that he was
2 working inside the establishment the entire
3 night. He stated that he did not know who had
4 hit him. Mr. Woods stated that he sustained
5 a cut above his right eye. Mr. Woods stated
6 that he received verbal instructions and
7 training regarding the establishment's
8 security procedures two hours before shift
9 began.

10 I did attempt to identifiably
11 contact and email contact reporting officers,
12 but by the time the report was submitted I had
13 not heard from them.

14 ABRA records the that
15 establishment does not have a settlement
16 agreement -- does have a settlement agreement,
17 but does not have a security plan. I did not
18 find any SA violations after reviewing it.

19 And that's all the information
20 that I was able to obtain.

21 CHAIRPERSON MILLER: Okay. Do you
22 want to make any other comments at this time

1 or do you want to wait as far as, you know,
2 general concerns?

3 INVESTIGATOR PERU: Well, I think
4 the general concern and consensus from the
5 reports that we have been getting and working
6 on night shift is that in the past, you know,
7 year that I have been at ABRA is that Look has
8 a restaurant license.

9 However, it seems to operate more
10 as a nightclub than an actual restaurant with
11 the promoting, the late night clubs, the crowd
12 that is being brought in, the promotions. I
13 think that that's what we have seen.

14 There was a concern in the past
15 regarding if they were operating their kitchen
16 two hours, you know, before their alcohol
17 time. I can't recall if there were violations
18 or whatnot in reference to that case. It
19 wasn't my investigation, but I do know that
20 that has been a constant ongoing concern.

21 MPD officers that work the detail
22 there are always voicing concerns to us about

1 the crowd that is being brought in and the
2 constant incidents that are occurring, even
3 though they have an RDO out front. It really
4 doesn't 100 percent prevent these things from
5 happening inside.

6 CHAIRPERSON MILLER: I just want
7 to follow-up with one thing, because we heard
8 that expression with respect to the Moratorium
9 in Adams Morgan, this concern about
10 restaurants or taverns morphing into
11 nightclubs. So when you use that -- an
12 indication that you cite is a lot of people
13 coming in late at night or when the kitchen
14 closes or what is happening in there such as
15 fights or what are those signs?

16 INVESTIGATOR PERU: Yes. No, I
17 think the -- when you are looking at -- when
18 you consider it to be a restaurant, a place
19 you go to sit down to have a meal, as opposed
20 to a nightclub where you go to party, listen
21 to music and drink, that, to me, is the two
22 distinctive definitions.

1 CHAIRPERSON MILLER: Okay.

2 INVESTIGATOR PERU: And I think --
3 and my experience with Look has been I was
4 surprised to find out that it was a restaurant
5 when I first started getting calls there,
6 because it looked like a nightclub to me. A
7 nightclub environment, dancing, table service,
8 alcohol. You know, I didn't see a restaurant
9 environment.

10 And that -- also I'm referring to,
11 I think that under that clause and even the
12 fact that they don't have a security plan on
13 file with us, but they have entertainment
14 endorsements and endorsements to therefore act
15 as an entertainment venue/nightclub if they
16 choose to do so, so I think that's kind of the
17 concerns that pop up.

18 CHAIRPERSON MILLER: Okay. Thank
19 you. Any questions now for Mr. Peru?
20 Otherwise, we can go to Lieutenant Craig and
21 we can always ask him later. Yes, go ahead,
22 Mr. Short.

1 MEMBER SHORT: Again, thank you
2 again, Investigator Peru, for you hard work
3 out there. In your professional opinion, this
4 is really not a restaurant?

5 INVESTIGATOR PERU: Correct, sir.

6 MEMBER SHORT: It's a nightclub?

7 INVESTIGATOR PERU: Correct, sir.

8 MEMBER SHORT: But the ABC License
9 is for a restaurant?

10 INVESTIGATOR PERU: Yes, sir.

11 MEMBER SHORT: Thank you.

12 MR. KLINE: I have questions I can
13 defer until Lieutenant Craig goes, but I want
14 to clear this issue up --

15 CHAIRPERSON MILLER: Right.

16 MR. KLINE: -- right away if we
17 can in terms of the difference between a
18 restaurant and a nightclub and what the law
19 is. That's what we are here to deal with, but
20 the law is and, of course, the various serious
21 concerns that I'm sure the Board has and this
22 establishment has developed the conduct here,

1 but I mean, I just want to make clear that --

2 CHAIRPERSON MILLER: Okay.

3 MR. KLINE: -- there is no
4 "definition" of a restaurant. Well, there is
5 a definition of a restaurant and definition of
6 a nightclub. And they are very specific and
7 they are very narrow, but I hope, I hope the
8 Board and the investigative staff are not
9 going to buy into the common perception of
10 some members of the public that the way a
11 place looks or feels is supposed to determine
12 whether they are in compliance in law -- with
13 law.

14 This establishment needs to comply
15 with the requirements of its license, that's
16 the law. In terms of what it looks like or
17 how it feels, I think that's an issue for
18 others to discuss. I hope it wouldn't be an
19 issue for the Board to consider, because there
20 is nothing in the law about how the place
21 looks or feels. There are specific
22 requirements that have to be met.

1 And if this place isn't meeting
2 them, then that's a problem and they need to
3 do that.

4 But I just want to clarify that I
5 hope we are not going to get off on a tangent
6 as to whether it looks -- what it looks and
7 feels like, because the law doesn't really
8 address that. The law has specific
9 requirements for a restaurant, which this
10 establishment, as a CR licensee, must comply
11 with.

12 CHAIRPERSON MILLER: Okay.

13 MEMBER ALBERTI: May I?

14 CHAIRPERSON MILLER: Sure.

15 MEMBER ALBERTI: Mr. Kline, I'm
16 glad you brought that up. And you are
17 absolutely right. How it feels, how it looks
18 to the public is irrelevant absolutely. But
19 since we are on the subject, I will point out
20 in 2013, they did not meet their restaurant
21 requirements and so far for the first two
22 quarters of 2014, they haven't even come close

1 to meeting the restaurant requirements.

2 And you know, and you can explain
3 to your client, what the restaurant
4 requirements are.

5 MR. KLINE: Mr. Alberti?

6 MEMBER ALBERTI: They are not even
7 close, so I can't ignore that in this
8 discussion, because I do have the relevant
9 information, not the look and feel. I have
10 the facts that tell me whether they are
11 operating as a restaurant.

12 Now, that -- there are charges
13 that have been brought on, but I --

14 CHAIRPERSON MILLER: I didn't get
15 that.

16 MEMBER ALBERTI: -- they are self-
17 reported figures before me.

18 MR. KLINE: I believe that there
19 are charges that have been brought and I don't
20 think you have all the facts, because there is
21 another side to that and that would be
22 appropriate to be discussed at a hearing on

1 those charges. We can certainly get into it
2 today, but in terms of what the numbers are,
3 the fact of the matter is the establishment
4 was closed for a certain period of time.

5 So, obviously, in terms of the
6 minimum food sales, they wouldn't be there
7 during that period of closure. But it seems
8 to me that that is a subject for another day,
9 but I'm glad we would agree that the statutory
10 requirements are what govern.

11 And I can see if they are not
12 meeting their food requirements and they are
13 not meeting the two hours that they stay open,
14 their kitchen be open at least two hours
15 before closing and the other requirements of
16 a restaurant, that's a problem.

17 But I just want to make sure we
18 are not sidetracked on gee, it looks like --

19 MEMBER ALBERTI: I assure you I'm
20 not sidetracked.

21 MR. KLINE: I understand.

22 MEMBER ALBERTI: I am only looking

1 at the facts.

2 MR. KLINE: I understand that, but
3 I want to just be clear that you don't
4 necessarily have the complete facts. You have
5 a report on an issue that has not yet been
6 adjudicated and the full facts won't come out.

7 MEMBER SILVERSTEIN: This is, Mr.
8 Kline, a Fact-Finding Hearing.

9 CHAIRPERSON MILLER: Yes, but it's
10 not a Show Cause Hearing for violations.

11 MEMBER ALBERTI: No, but it is a
12 Fact-Finding Hearing.

13 CHAIRPERSON MILLER: Yes.

14 MR. KLINE: Right. But as I
15 understand it, the fact -- well, what we are
16 here to fact find about is the report that we
17 were given a copy of, obviously, the Board is
18 free to explore whatever they want, but I mean
19 in terms of process, we are here to talk about
20 the report and talk about the issues that we
21 think are raised by this report and concerns
22 that we suspect the Board has and that we have

1 and that's what we hope to address today.

2 MEMBER ALBERTI: I will tell you
3 that report has raised a lot of concerns.

4 MR. KLINE: We agree.

5 CHAIRPERSON MILLER: Okay.

6 MEMBER ALBERTI: Not just the one
7 incident.

8 MR. KLINE: We agree. We agree.
9 We agree. Absolutely agree.

10 CHAIRPERSON MILLER: That's why we
11 are here. That's why we are here. Okay. So
12 Lieutenant Craig.

13 LIEUTENANT CRAIG: Yes. I really
14 don't have too much to add --

15 CHAIRPERSON MILLER: Okay.

16 LIEUTENANT CRAIG: -- to the
17 Investigator. It was very thorough. A couple
18 of things I picked up from our reports really
19 kind of go to the atmosphere that night when
20 all this occurred. And the report talks about
21 how the detail outside reported that they were
22 called inside for several fights that were

1 occurring inside.

2 So we have several fights
3 occurring inside of the club. They go in to
4 help break that up. And then we have the
5 detective's supplemental report which she
6 indicates that she was going to an unrelated
7 call and then heard the call for the 10-33,
8 which is our code for an officer in trouble at
9 Look Nightclub and she diverted and went to
10 the club.

11 And she also describes the scene
12 outside as officers trying to contain a large
13 crowd and that they were breaking up several
14 fights on the street and that she heard --
15 three of the officers said there was an
16 assault victim inside.

17 So if you think about the scene
18 that night, several fights inside that these
19 officers had broken up, escorted out and then
20 the fights continue on the street in front.
21 It really creates an issue of public safety,
22 you know, for people who are just there to

1 have a good time inside and then for the
2 public who are just walking by minding their
3 own business outside.

4 You really have to kind of think
5 what kind of a place -- you know, because
6 like, you know, I have been here before for
7 other nightclubs and things, and it would be
8 a rare occasion that something like this would
9 happen. But for Look, you know, as I told Mr.
10 Kline, I can't speak for the last month, month
11 and a half because I have been on limited duty
12 for injuries and things and I have been
13 working day work, but prior to that time,
14 routinely we would get calls send us help,
15 send us help, we have got a large crowd. We
16 have got fights. We need help down here.
17 That's from the detail.

18 It has gotten better with the
19 police detail there, but even with that there,
20 there are still routinely calls for help, come
21 help us, assist us, 10-33. I think I counted
22 seven, I think it was between seven and nine,

1 reports since the beginning of the year of
2 assaults, destruction of property, you know,
3 were directly related to the nightclub.

4 MEMBER SILVERSTEIN: Please, could
5 you repeat that?

6 LIEUTENANT CRAIG: From the
7 beginning of the year when I ran the reports
8 on our system, I came up with between seven
9 and nine that had assaults, simple assault
10 which is a misdemeanor assault, but also
11 felony assaults, assault on police officers
12 that were all either in front of the club or
13 inside the club or they could be directly
14 related to the club.

15 CHAIRPERSON MILLER: Okay. Seven
16 to nine in a year or seven to nine --

17 LIEUTENANT CRAIG: Since the
18 beginning of this year.

19 CHAIRPERSON MILLER: Since the
20 beginning of this year, since January, okay.
21 Okay. I guess I'll ask if there are Board
22 questions for Lieutenant Craig first and then

1 we can go to Mr. Kline. Yes, Mr. Short?

2 MEMBER SHORT: Thank you very
3 much, Lieutenant Kline for your service. And
4 I --

5 CHAIRPERSON MILLER: Lieutenant
6 Craig.

7 MEMBER SHORT: Lieutenant Craig.
8 Please, forgive me.

9 LIEUTENANT CRAIG: We're okay.

10 MEMBER SHORT: All right. I'll
11 just say this. Probably safety-wise, you made
12 the statement that it has really become an
13 issue for the citizens who are just walking by
14 on the street, on K Street, which is the
15 Downtown Business District?

16 LIEUTENANT CRAIG: It is.

17 MEMBER SHORT: And so how many
18 people would you say walk by on a regular
19 basis between 12:00 and closing time?

20 LIEUTENANT CRAIG: You know, it
21 depends on the night. On a weekend night, I
22 don't know, you could have 100 people walk by

1 there in an hour. On a weeknight, you may
2 have two or three.

3 You know, it's just it depends on
4 which clubs are open, which restaurants are
5 open late, the hours of the businesses around
6 there. So you really can't give a specific
7 number, but, you know, it could be anything.

8 MEMBER SHORT: Actually, I guess
9 the point I'm trying to get to is it creates
10 for the citizens who aren't even a part of
11 this restaurant --

12 LIEUTENANT CRAIG: Right. It
13 creates a hazard for them.

14 MEMBER SHORT: Also, we have
15 George Washington University Hospital several
16 blocks from there, I understand.

17 LIEUTENANT CRAIG: We do.

18 MEMBER SHORT: And so you have a
19 problem with K Street, then the public safety
20 traffic is also compromised. Am I right or
21 wrong?

22 LIEUTENANT CRAIG: Yes.

1 MEMBER SHORT: Thank you. That's
2 all I have.

3 CHAIRPERSON MILLER: Yes, Mr.
4 Alberti?

5 MEMBER ALBERTI: Officer, how many
6 additional officers would you say on a
7 weeknight, typical weekend do you have to have
8 focus on this neighborhood?

9 LIEUTENANT CRAIG: On this
10 neighborhood --

11 MEMBER ALBERTI: Or this --

12 LIEUTENANT CRAIG: This nightclub?

13 MEMBER ALBERTI: The vicinity of
14 this restaurant.

15 LIEUTENANT CRAIG: Well, since
16 they have the reimbursable there, we count on
17 them as being our eyes and ears and so we have
18 several nightclubs to the west and south in
19 the same area and the officers rove. They do
20 a rove -- rolling patrol through those areas
21 consistently until these clubs are closed
22 down.

1 And we really don't concentrate on
2 any specific club itself until assistance is
3 asked for in some way. Either with shutting
4 down for traffic or breaking up a fight or
5 something like that.

6 MEMBER ALBERTI: And you mentioned
7 reimbursable detail. They have reimbursable
8 detail?

9 LIEUTENANT CRAIG: Yes.

10 MEMBER ALBERTI: How many officers
11 have they been requesting? Typically, how
12 many officers do they request?

13 LIEUTENANT CRAIG: The last time I
14 did the report it was just two.

15 MEMBER ALBERTI: Two?

16 LIEUTENANT CRAIG: Two.

17 MEMBER ALBERTI: And how often do
18 they request them for?

19 LIEUTENANT CRAIG: I have no idea
20 how often the request is.

21 MEMBER ALBERTI: Okay. I mean, do
22 you know if it's every weekend?

1 LIEUTENANT CRAIG: It has been
2 every weekend that I have been reviewing the
3 reports, yes.

4 MEMBER ALBERTI: When do --

5 LIEUTENANT CRAIG: The last two or
6 three months.

7 MEMBER ALBERTI: Last two or three
8 months. Do you know when that started?

9 LIEUTENANT CRAIG: No.

10 MEMBER ALBERTI: Okay. Thank you.
11 That's helpful.

12 CHAIRPERSON MILLER: Mr.
13 Silverstein?

14 MEMBER SILVERSTEIN: Thank you,
15 Lieutenant. Thank you, Investigator. As far
16 as the RDOs, they are on weekends. Are they
17 on any other nights? Is it just Friday and
18 Saturday or --

19 LIEUTENANT CRAIG: I'm trying to
20 recall from the reports I did a few weeks ago,
21 it was just on the weekend.

22 MEMBER SILVERSTEIN: And do you

1 have problems any other nights?

2 LIEUTENANT CRAIG: No.

3 MEMBER SILVERSTEIN: Sunday or is
4 it just Friday and Saturday?

5 LIEUTENANT CRAIG: I don't believe
6 they are open late on those other nights, but
7 I could be wrong.

8 MEMBER SILVERSTEIN: And there are
9 what about four or five major clubs including
10 Look within a three block area there with
11 Shadow Room a block away to the west.

12 LIEUTENANT CRAIG: Shadow Room is
13 about two blocks away to the west.

14 MEMBER SILVERSTEIN: And you have
15 Cities and Heritage India --

16 LIEUTENANT CRAIG: Right.

17 MEMBER SILVERSTEIN: -- to the
18 south. And then over at --

19 LIEUTENANT CRAIG: Lotus.

20 MEMBER SILVERSTEIN: -- Eyebars and
21 all that.

22 LIEUTENANT CRAIG: You have Lotus,

1 Eyebar and then a couple of blocks over you
2 have Asia and those down in the 1700 Block of
3 I.

4 MEMBER SILVERSTEIN: And if you
5 were to make recommendation to us, what we
6 could do to be of help, I think the -- my
7 concern and I assume everyone's here is that
8 we not have -- that we not fail to act and
9 something bad happens.

10 And our concern is what can we do
11 based on your personal experience to make the
12 situation safer and better?

13 LIEUTENANT CRAIG: You know, we
14 are asked this question a lot and it's
15 difficult to answer.

16 MEMBER SILVERSTEIN: It's not
17 easy.

18 LIEUTENANT CRAIG: We're not used
19 to getting our way. No. But, you know, the
20 thing is is that -- you know, and it was
21 brought up, you know, the atmosphere, the feel
22 of it being a nightclub or restaurant and the

1 fact that they must obey certain laws to be a
2 restaurant and that kind of thing.

3 But the fact of the matter is, we
4 don't get called to The Palm for things like
5 this.

6 MEMBER SILVERSTEIN: Yes.

7 LIEUTENANT CRAIG: And even other
8 nightclubs in the area, we don't get called to
9 those nightclubs for things like this,
10 especially if we have a detail there. It
11 really curtails these kinds of incidents from
12 happening, but it didn't seem to curtail them
13 at Look. They just seemed to continue. It
14 lessened some, but not to the degree you would
15 expect.

16 I would think, you know, less
17 hours that they are open would help, because
18 it's that late night crowd that is coming in
19 there. You know, we have already put the
20 detail in. It helped a little bit, but not
21 much. You know, so who is coming in, what
22 promoters are coming in, what kind of events

1 are you having there that is causing this
2 crowd to come in?

3 I mean, we can't get into, as
4 police, what kind of functions you are setting
5 up there, you know, that kind of thing. But
6 those do have a factor in the kind of crowd
7 that you draw and the incidents that occur
8 afterwards.

9 MEMBER SILVERSTEIN: Would it be
10 helpful if they had additional RDO or RDO on
11 other nights?

12 LIEUTENANT CRAIG: You know --

13 MEMBER SILVERSTEIN: Or is that
14 simply -- at this point, is that something we
15 should look at, but not necessarily jump for?

16 LIEUTENANT CRAIG: It could be
17 something you look at. You know, it's funny
18 because, you know, two to four officers don't
19 really make that much of a difference. Two to
20 20, that will make a difference, but two to
21 four what kind of difference is that really
22 going to make when you've got a bunch of, you

1 know, folks out there who are rowdy and
2 drinking and just want to cause some problems.
3 It's just not going to make that much of a
4 difference.

5 MEMBER SILVERSTEIN: Oh.

6 LIEUTENANT CRAIG: You know, when
7 two to four -- when two are trying to control
8 a crowd of 50, you add two more, it's not
9 going to be any different. It really isn't.

10 MEMBER SILVERSTEIN: I have a
11 personal stake in this, because it's the PSA
12 that I live in. And when you have to take a
13 large number of your people and deploy them
14 there, then there is no one watching my place.

15 LIEUTENANT CRAIG: Yes, yes.

16 MEMBER SILVERSTEIN: And there is
17 no one watching any of the residential areas
18 if you have to go down there. So if we can
19 find a way to help you there.

20 Would a -- I mean, what I hear is
21 that this place is a de facto nightclub,
22 although it may be -- it is a restaurant. And

1 would it help if they had a strong security
2 plan?

3 LIEUTENANT CRAIG: It would help,
4 yes. You know, in these instances,
5 consistency is good if you have a security
6 company that is established and used to
7 dealing with these kinds of businesses,
8 situations. If you have a good security plan
9 in place that your folks are trained on, that
10 will help. If you have protocols in place
11 that if this happens, this is what we are
12 going to do.

13 And you can't cover everything,
14 but if this happens, this is what we are going
15 to do. And your staff is trained to handle
16 these kinds of situations, it helps.

17 MEMBER SILVERSTEIN: And it seems
18 to me that some of these problems are just --
19 you know, there was one case of a shooting
20 that was indirectly involved, I believe, with
21 Look within these past several months, which
22 is the type of thing that the establishment

1 may be totally innocent.

2 Somebody went into the club, left
3 the club a block away. This person was with
4 a female. The female's former boyfriend saw
5 them and shot him. This is -- you know, there
6 will be situations that are totally beyond the
7 control of the club, but it's simply a matter
8 of who comes there, which they don't have a
9 choice in.

10 But those of us in the
11 neighborhood are now become accustomed to
12 seeing a lot of police lights on K Street and
13 this is a regular thing seeing a block shut
14 down on a weekend night because there is a
15 crime scene.

16 And the concern is always we have
17 to do something. We have to do everything we
18 can ahead of time to try to make these places
19 safer rather than look back later and say
20 gosh, I wish I would have done something.

21 Thank you all for being here.
22 Let's work on this.

1 CHAIRPERSON MILLER: Okay. Mr.
2 Rodriguez? Thank you.

3 MEMBER RODRIGUEZ: Yes, Lieutenant
4 Craig, thank you for coming in. My question
5 is dealing with weapons. In your experience
6 in the area, have any weapons been detected or
7 used in any of those situations?

8 LIEUTENANT CRAIG: Now, the only
9 thing, sometimes report classifications are a
10 little misleading in our system, because we
11 don't have -- it hasn't been updated with
12 certain classifications like a felony assault
13 or -- so we have to substitute.

14 So sometimes you will see a report
15 for assault with a dangerous weapon when it's
16 really just a felony assault. So that being
17 said, all the reports I reviewed, I haven't
18 seen anything about a weapon. And I'm not
19 talking about using a bottle or a glass. I'm
20 talking about somebody having a knife or a
21 gun.

22 MEMBER RODRIGUEZ: Right.

1 LIEUTENANT CRAIG: Or something
2 like that. I haven't seen any indication of
3 that in any of the reports I reviewed this
4 year.

5 MEMBER RODRIGUEZ: Thank you, sir.

6 LIEUTENANT CRAIG: Sure.

7 CHAIRPERSON MILLER: Let me just
8 follow-up. I think you said that you had
9 seven to nine reports of assaults since
10 January, but none of them involved weapons,
11 like guns or knives, that they are --

12 LIEUTENANT CRAIG: No. They have
13 been the type where somebody had to get
14 medical treatment, so that makes it a felony
15 assault.

16 CHAIRPERSON MILLER: Okay.

17 LIEUTENANT CRAIG: I don't recall
18 seeing any of them in there that had a weapon
19 involved.

20 CHAIRPERSON MILLER: And are these
21 reports for assaults inside the establishment
22 or outside or both?

1 LIEUTENANT CRAIG: It's for both.

2 I ran the address of 1909 K Street and then I
3 went through and filtered out those that
4 happened during the day and the evening shift
5 and concentrated on the ones that happened at
6 midnight. And then I even went further and
7 read the narrative to see if it was tied to
8 the nightclub inside/outside, that kind of
9 thing.

10 CHAIRPERSON MILLER: So most of
11 them at late hours?

12 LIEUTENANT CRAIG: Most of them
13 were 2:00, 3:00 in the morning.

14 CHAIRPERSON MILLER: Okay. I
15 think you also said that -- I don't know if it
16 was the number of assaults or violent
17 incidents is worse at Look than at the
18 nightclubs in the area, the "other
19 nightclubs," which we are not calling this
20 necessarily a nightclub, but is that right?

21 LIEUTENANT CRAIG: I'm sorry, can
22 you repeat that?

1 CHAIRPERSON MILLER: Is it right
2 that these types of incidents are worse at
3 Look than the nightclubs that are around,
4 Shadow Room or, you know --

5 LIEUTENANT CRAIG: From my
6 experience working midnights --

7 CHAIRPERSON MILLER: Yes.

8 LIEUTENANT CRAIG: -- previously,
9 yes, it was worse.

10 CHAIRPERSON MILLER: Okay. Do you
11 have any theory as to why there?

12 LIEUTENANT CRAIG: No. And I will
13 say usually when -- because this is in my PSA
14 and usually what I will do is I'll go by and
15 check it out personally to see if I can see
16 anything. Because of the health problems I
17 have had this year and being on limited duty
18 and not working midnights, I have only been
19 able to go off administrative records and
20 things like that. I haven't been able to
21 actually personally go there to check it out.

22 So I wish I could give you more,

1 but I really can't.

2 CHAIRPERSON MILLER: Okay. That's
3 okay, just whatever you know. And then I know
4 Mr. Kline and the licensee I'm sure will
5 answer a lot of questions, but is the crowd
6 any different at look than it is at the
7 surrounding nightclubs? Do you have any idea?

8 LIEUTENANT CRAIG: I have no idea.

9 CHAIRPERSON MILLER: Okay.

10 LIEUTENANT CRAIG: I'm sorry.

11 CHAIRPERSON MILLER: Okay. No,
12 that's fine. All right. Mr. Kline?

13 MR. KLINE: Yes, a few things.

14 CHAIRPERSON MILLER: Okay.

15 MR. KLINE: First of all, we don't
16 disagree with anything that has been said. We
17 concur that there are legitimate concerns and
18 have been legitimate concerns. There have,
19 however, since this incident occurred been --
20 several changes have been made and are
21 continuing to be made, so let me review those
22 with the Board and tell you where I hope and

1 think we should go from here.

2 First is they have changed
3 promoters in terms of who -- the promoter that
4 was working this particular evening, they have
5 not used since then.

6 We believe that the incidents that
7 have been described occurred prior to or the
8 vast majority of them occurred prior to April
9 6 when changes have been instituted, including
10 changing promoters which has attracted a
11 different crowd, at this point, a crowd that
12 does not seem to be as boisterous or likely to
13 get into these incidents.

14 In addition to that, they had a
15 dress code before, but they have been more
16 strictly enforcing that dress code,
17 specifically no baggy pants, no T-shirts, no
18 hats, which is very important because we worry
19 about, you know, what gets smuggled in in
20 hats, no tennis shoes, no hoodies and they
21 will continue to enforce that.

22 I mean, I think that the questions

1 and the Lieutenant's comments about who is in
2 a place can be as important as what you do.
3 It's certainly a relevant observation. I
4 don't think anyone is pointing to this
5 incident and saying well, gee, you didn't do
6 this, you didn't do that. You did this wrong.
7 You did that wrong.

8 That's not what is going on here.
9 But I agree with the observations and
10 suggestions of Board Members that that doesn't
11 mean that there isn't more that needs to be
12 done and should be done, just because there
13 isn't something specifically that they did
14 wrong here.

15 So, I mean, I want the Board to
16 make sure that -- we appreciate that and the
17 Board knows that we appreciate that.

18 They have hired a new security
19 company. We are in the process of formulating
20 a security plan. I have a draft. We are
21 going through it. We are working through the
22 security company with it. We offer that to

1 the Board. We would request that we be given
2 30 days to finalize it and file it and we will
3 do that. We commit to doing that in terms of
4 moving forward.

5 They will continue the police
6 detail. They have been using the police
7 detail on Saturday nights. We are not aware
8 that Friday nights has been an issue. We are
9 certainly happy to revisit it, if there is a
10 determination made that more needs to be done
11 and this isn't just an occurrence or a problem
12 that has occurred on Saturday nights.

13 But I wanted to -- the question
14 was raised as to when RDO is used. It has
15 been used on Saturday nights, we think at
16 least since about October. But what we would
17 like to do is continue to institute these
18 changes, memorialize them in a security plan
19 for the Board's review and we would ask that
20 we be given 30 days to finalize that and do
21 that.

22 And we are happy to work with

1 Lieutenant Craig as well as the commander
2 there to see that this place can be operated
3 in accordance with the law. We recognize at
4 the outset about the restaurant requirements.
5 They have to comply with their licensing
6 requirement.

7 But we recognize that it needs to
8 be a place for people who are coming to it
9 feel safe and that the Board can be
10 comfortable that there is not going to be an
11 escalation or a continuance of the type of
12 incident that we see in this report and we are
13 happy to answer any questions that you have.

14 And also, if there are further
15 suggestions beyond what I have described,
16 which is just sort of a thumbnail of what they
17 are instituting, we are happy to entertain
18 those as well.

19 CHAIRPERSON MILLER: Great. Okay.
20 Mr. Brooks?

21 MEMBER BROOKS: Thank you, Madam
22 Chair.

1 CHAIRPERSON MILLER: Yes.

2 MEMBER BROOKS: Mr. Kline, do you
3 know how long they had used the promoter
4 before they made a change?

5 MR. KLINE: Carlos?

6 MR. LOREDO: The change has been
7 for the last --

8 MR. KLINE: No, how long you used
9 the promoter that was being used the night of
10 April 6th when this incident occurred.

11 MR. LOREDO: That was for like
12 eight months, about eight months.

13 MEMBER BROOKS: So eight months
14 you used this promoter. Okay. And in
15 general, how frequently do you promoters?

16 MR. LOREDO: Once a week or twice
17 a week. It varies, but whenever we do, it's
18 over the weekend.

19 MEMBER BROOKS: Weekends.

20 MR. LOREDO: So we --

21 MEMBER BROOKS: Fridays and
22 Saturdays?

1 MR. LOREDO: Friday and Saturday
2 nights, yes.

3 MEMBER BROOKS: Okay. Thank you,
4 Madam Chair.

5 CHAIRPERSON MILLER: Thank you.
6 Mr. Silverstein?

7 MEMBER SILVERSTEIN: Tell me a
8 little bit about your hours and when you
9 operate more as -- and I don't know how to say
10 this, but you operate more as a club and when
11 you operate more as a restaurant and really
12 don't provide entertainment. What are your
13 hours day-by-day?

14 MR. LOREDO: Monday through
15 Thursday we do lunch business and we do happy
16 hour business. We serve from 11:30 a.m. until
17 10:00 p.m. And then Fridays we do lunch
18 business, happy hour and then we do events at
19 night and we keep the kitchen open usually
20 until 1:00, 1:30 a.m. On Saturday we open
21 just for nighttime until 3:00 a.m. and kitchen
22 is still open until 1:00 a.m., 1:00, 1:30,

1 that's Monday through Saturday our hours of
2 business.

3 MEMBER SILVERSTEIN: And Sunday?

4 MR. LOREDO: Sunday we don't have,
5 we don't operate.

6 MEMBER SILVERSTEIN: Don't operate
7 at all. Okay. That's very helpful. Thank
8 you.

9 MR. LOREDO: You're welcome.

10 CHAIRPERSON MILLER: Mr. Short?

11 MEMBER SHORT: Okay. Again, I
12 would just like to ask a two-part question.
13 How is your association, your business with
14 the community around you, residential types
15 and also the business types? What is your
16 relationship with the public?

17 MR. LOREDO: What is my
18 relationship?

19 MEMBER SHORT: With the other
20 businesses adjacent to your business and the
21 community adjacent to your business, the
22 residents.

1 MR. LOREDO: Oh, we have a little
2 relationship. We have never had problems with
3 the -- our community, I mean.

4 MS. MERTZ: If I could get -- add
5 something? I do events for Look Lounge, so,
6 you know, for example Autism Speaks is
7 directly across the street. We have them in
8 all the time. We do charity events,
9 fundraisers. We do a lot of the businesses
10 around the area. We have a lot of World Bank
11 people that come in, so a lot of the
12 businesses do come to our establishment for
13 their, you know, corporate events.

14 And then it's not just lunch or
15 dinner or late night, you know, it is an event
16 space, so, you know, we have Bar mitzvahs
17 there. We have holiday parties. You know,
18 it's a lot more than just the, you know,
19 Friday and Saturday, or even Saturday in this
20 case, venue.

21 MEMBER SHORT: Okay.

22 MS. MERTZ: I just wanted to add

1 that.

2 MEMBER SHORT: Thank you.

3 MS. MERTZ: Because I do the
4 events.

5 MEMBER SHORT: Thanks for that
6 answer.

7 MS. MERTZ: Yes.

8 MEMBER SHORT: Now, if that's
9 entirely true and I'm not questioning whether
10 it's true or not, then that means your food
11 sales should be off the charts.

12 MS. MERTZ: Well, it's both, you
13 know. It's both. For those certain events,
14 you know, yes, you know, for the late night,
15 obviously, we sell more liquor than food, but
16 for events like that, that's where we do
17 generate a lot of our food revenue is from
18 events. You know, sometimes, you know, it's
19 hors d'oeuvres and things like that. We do
20 have special menus for that that we do sell.

21 Like for example, the bar mitzvah
22 we have buffets option. You know, there is

1 definitely a lot of options that we offer,
2 because it is a big venue. It is an event
3 space. So that's what we do, you know, the
4 remaining six days of the week or we try.

5 MEMBER SHORT: Thank you very
6 much. Thank you.

7 CHAIRPERSON MILLER: Yes. Mr.
8 Rodriguez?

9 MEMBER RODRIGUEZ: Yes. Mr.
10 Loreda?

11 MR. LOREDO: Loreda.

12 MEMBER RODRIGUEZ: Loreda?

13 MR. LOREDO: Yes.

14 MEMBER RODRIGUEZ: Okay. It's
15 not Laredo, it's Loreda?

16 MR. LOREDO: With O, yes, Loreda.

17 MEMBER RODRIGUEZ: Okay. Loreda,
18 okay. As in Rodriguez. Okay. I used to play
19 in nightclubs when I was in college. And
20 there were different places that we played.
21 And you know, our band drew audiences, certain
22 audiences.

1 Now, do you have a band? Do you
2 have a band in your place?

3 MR. LOREDO: No, we don't.

4 MEMBER RODRIGUEZ: Do you have any
5 kind of music at all?

6 MR. LOREDO: Well, we do offer a
7 Jazz night every -- I think it is Thursdays.
8 There is a Jazz band, but it's only two-piece.

9 MEMBER RODRIGUEZ: Jazz?

10 MR. LOREDO: Yes.

11 MEMBER RODRIGUEZ: So sometimes,
12 you know, you bringing in a certain kind of
13 music and there is a change that draws certain
14 kind of people. Like when our group played,
15 certain people came in. But sometimes you
16 draw certain groups and there is a clash
17 inside the environment.

18 You know, there is a culture,
19 every club has a culture, every restaurant has
20 a culture. So I'm concerned about these
21 fights that are taking place in your
22 establishment. Why -- what kind of an

1 environment would induce those fights? You
2 seem to sell food. You have a regularly, you
3 say, Jazz and what is it that would
4 precipitate the fighting here?

5 Is it -- let's look at your -- at
6 the kind of people that come to your
7 establishment. Do you have a lot of people
8 that say come in from Virginia and Maryland
9 and D.C.? You have some cross-roots coming
10 in?

11 MR. LOREDO: Maybe like on this
12 kind of night like Saturday, promoters they
13 actually promote that night and that's one of
14 the things we change recently. We are going
15 to change the -- we enforce, we are very
16 strict on the dress code.

17 So, you know, by dress code, we
18 are just trying to filter our admission and
19 make it like more people just to, you know,
20 behave. Whatever they are drinking and this
21 and that.

22 Before, unfortunately, these

1 fights had been because of people drinking and
2 I mean, things happens sometimes, as you have
3 experienced. But now with this dress code
4 change and everything, we are just trying to
5 filter our admission and make it more safe.

6 MR. KLINE: Mr. Rodriguez, if I
7 may, I mean, I think that your observation is
8 a relevant one. And it's not only a
9 particular band that can draw crowds these
10 days. In the old days, it used to be a
11 bartender, but we don't see too many star
12 bartenders any more. That doesn't seem to be
13 the thing.

14 But it's the promoters who draw
15 different types of crowds and that's, I think,
16 exactly what they experienced here. I think
17 the Board knows and the Board has seen that
18 there are certain bands, just as in your day,
19 some of which draw crowds that can be
20 undesirable or can clash or tend to create
21 problems.

22 It's an issue that I know we have

1 all grappled with, because no one wants to
2 say, oh, you shouldn't be able to do a certain
3 type of music, but I think we all know it's
4 there and it's a very difficult issue.

5 The same thing is true with
6 promoters and a change in promoter can make
7 all the difference in the world. I don't know
8 how you legislate that, but I think it's an
9 establishment that certainly wants to see this
10 situation improve, because we take to hear the
11 comments that have been made by the
12 Investigator, Lieutenant Craig and the Board.

13 They recognize and then they have
14 already made a change and will maintain that
15 change.

16 MEMBER RODRIGUEZ: Well, also, you
17 know, you have -- what about if you have a
18 situation where you have people just drinking
19 and not eating, sometimes, you know, that can
20 impact the environment, too. If everybody is
21 drinking, there is not much consumption of
22 food to balance that out.

1 Sometimes more liquor than food
2 lubricates people a little too much, so I used
3 the word lubricate. So I was just curious
4 really, you know, to have that discussion with
5 you, Mr. Loredo, about, you know, the culture
6 inside your restaurant.

7 You know, and looking at, you
8 know, what do you think is causing the fights?

9 MR. LOREDO: Well, before the --
10 as I said, it was like the promoter is
11 probably bringing wrong people to the club.
12 Sometimes people that they -- they tend to
13 find are more aggressive. As I said, we
14 changed the promoters because definitely
15 wasn't working for us.

16 You know, we want to keep our
17 license hanging on the wall. We don't want
18 nothing to happen to us, so we actually
19 changed the promoter and we address what the
20 problem we were having all these months prior
21 and, you know, making sure these people they
22 focus on bringing people to the club like they

1 aren't going to cause problems. They know the
2 people. They have -- they know their
3 backgrounds probably from before from other
4 parties.

5 You know, it's just like knowing
6 who we bring to our establishment.

7 MEMBER RODRIGUEZ: Okay. So thank
8 you, sir.

9 MR. LOREDO: You're welcome.

10 MEMBER SHORT: Just real quick.
11 Did you just say when they come to your club?

12 MR. LOREDO: No, establishment.

13 MEMBER SHORT: Oh.

14 MR. LOREDO: Establishment.

15 MEMBER SHORT: Oh, I thought I
16 heard you say come to your club.

17 MR. KLINE: Just so I'm clear for
18 the record, I'm not uncomfortable and I know
19 Mr. Silverstein was looking at me kind of
20 sheepishly when he was asking his questions,
21 I'm uncomfortable with the term club or
22 restaurant, but I just, you know, want to make

1 sure that everybody is clear. The legal
2 definitions are very precise and very narrow
3 in what they may be referred to or may -- what
4 they may look like isn't necessarily relevant.

5 That is all, the only point I was
6 making.

7 CHAIRPERSON MILLER: Mr. Brooks?

8 MEMBER BROOKS: Yes. Just one
9 observation in my final comments. Are you the
10 VP of operations?

11 MR. KLINE: Correct, sir.

12 MS. MERTZ: Are you talking to me?

13 MEMBER BROOKS: Yes.

14 MS. MERTZ: We have a recent
15 change, so I will be the operations, yes, for
16 the two venues.

17 MEMBER BROOKS: Okay. And you
18 said that you were responsible for scheduling
19 the promoters?

20 MS. MERTZ: I originally did not
21 schedule the promoters that were on board on
22 this incident. I was responsible for -- when

1 I made the change recently.

2 MEMBER BROOKS: Okay. No, I'm
3 just curious. I understand you had promoters
4 for the owner eight, nine months and according
5 to the Metropolitan Police officer is that
6 incidents were occurring approximately once
7 every month, that's an average. And at what
8 point did you decide that you needed to make
9 a change after seeing all the fights and
10 determining that perhaps it was the promoter?

11 MS. MERTZ: I think that it was
12 around this time and, you know, that was when
13 it got to the point where we knew that we
14 needed to make a change. You know, I mean, it
15 just got to that point, so we realized,
16 obviously, that.

17 And then, you know, me and Carlos
18 actually talked and we became in a position to
19 where we could make that change.

20 MEMBER BROOKS: Okay. Well, I'm
21 just curious. You know, the number of fights
22 that I'm hearing, the number of incidents and

1 number of calls for emergency backup by the
2 police, that it seems to me, something should
3 have triggered that hey, look, we are doing
4 something wrong here.

5 MS. MERTZ: Yes. I mean, since we
6 did make the change, again, you know, when we
7 were in a position to do that, we haven't had
8 -- it has been -- it's a completely different
9 establishment on, you know, that night. You
10 know, it's -- I know he said he hasn't been --
11 or you have been in a different area for the
12 last, you know, couple of nights, but it has
13 been completely different since we did make
14 this change.

15 MEMBER BROOKS: And what is the
16 name of the new promoter?

17 MS. MERTZ: It's Charles. What's
18 his last name?

19 MR. LOREDO: Moonga.

20 MS. MERTZ: Charles Moonga.

21 MEMBER BROOKS: Charles who?

22 MS. MERTZ: Charles Moonga.

1 MEMBER BROOKS: Okay. Thank you,
2 Madam Chair.

3 CHAIRPERSON MILLER: Okay. Mr.
4 Alberti?

5 MEMBER ALBERTI: I just want to go
6 back to the security plan. Mr. Kline, I think
7 you said that your client is committed to
8 providing a security plan within 30 days. Is
9 that correct?

10 MR. KLINE: Yes, sir.

11 MEMBER ALBERTI: Will that
12 security plan be compliant with the statute
13 regulating security plans for nightclubs?

14 MR. KLINE: Yes, sir.

15 MEMBER ALBERTI: How --

16 MR. KLINE: Yes, sir. You have --

17 MEMBER ALBERTI: It will be fully
18 compliant with that nightclub security
19 statute?

20 MR. KLINE: Yes.

21 MEMBER ALBERTI: Okay.

22 MR. KLINE: You have one standard

1 for security plan and that's the standard that
2 we intend to follow, plus --

3 MEMBER ALBERTI: Okay. Great.

4 MR. KLINE: -- whatever other --

5 MEMBER ALBERTI: Great.

6 MR. KLINE: -- commandments and
7 conditions that we think would be helpful.

8 MEMBER ALBERTI: Excellent. Okay.

9 Thank you. I appreciate that.

10 Now, when is the reimbursable --

11 when do you employ reimbursable detail?

12 Currently, when do you employ reimbursable
13 detail?

14 MS. MERTZ: Saturdays.

15 MEMBER ALBERTI: Is it Mr. Lloyd?

16 MR. LOREDO: Loreda.

17 MEMBER ALBERTI: Loreda. I'm

18 sorry.

19 MR. LOREDO: Yes. We --

20 MEMBER ALBERTI: Mr. Loreda, when
21 do you currently employ reimbursable detail?

22 MR. LOREDO: Saturdays.

1 MEMBER ALBERTI: Saturdays. Why
2 only Saturdays?

3 MR. LOREDO: Because that's the
4 only night we are getting more patrons to our
5 venue.

6 MEMBER ALBERTI: Okay. So when do
7 you use this new promoter?

8 MR. LOREDO: On Saturdays.

9 MEMBER ALBERTI: Only on
10 Saturdays?

11 MR. LOREDO: Only on Saturdays.

12 MEMBER ALBERTI: So what is
13 happening on Fridays?

14 MR. LOREDO: Well, it's --

15 MEMBER ALBERTI: What is the --
16 what is going on with the club on Fridays?

17 MR. LOREDO: Well, it's a
18 different promoter than Saturday, but it's a
19 different crowd, too. So we never have
20 problems on Fridays. It's very calm night, no
21 issues, no fights, so that's why we don't use
22 detail on Fridays.

1 MEMBER ALBERTI: Can I return back
2 to Lieutenant Craig?

3 LIEUTENANT CRAIG: Yes, sir.

4 MEMBER ALBERTI: Do you have any
5 opinion about with Friday and Saturday nights?

6 LIEUTENANT CRAIG: I don't.
7 Actually, when I was on midnights, I was off
8 Friday nights, so I wouldn't be able to tell
9 you what was going on down there.

10 MEMBER ALBERTI: All right. And
11 your records don't -- you didn't see anything
12 in the record that triggered --

13 LIEUTENANT CRAIG: No, I didn't
14 see anything on Friday night.

15 MEMBER ALBERTI: -- anything on
16 Friday nights?

17 LIEUTENANT CRAIG: No. I do have
18 a question maybe somebody could clarify,
19 because I'm new at all this kind of thing, but
20 is it conceivable somebody could have a
21 restaurant license and divvy their food prices
22 and their liquor prices, so that they could

1 open during the day and serve lunch and dinner
2 as a restaurant and make enough food, shut
3 down, open up and just operate like a
4 nightclub and their food receipts from the day
5 make enough money to cover that nighttime?

6 MEMBER ALBERTI: In theory?

7 LIEUTENANT CRAIG: In theory.

8 MEMBER ALBERTI: In theory, yes.

9 LIEUTENANT CRAIG: Okay. All
10 right.

11 MEMBER ALBERTI: Because it goes
12 by total sales.

13 LIEUTENANT CRAIG: Got it. Okay.

14 MEMBER ALBERTI: And so we don't
15 look at -- our statute doesn't provide day --

16 LIEUTENANT CRAIG: Got it. Okay.

17 MEMBER ALBERTI: -- hours, evening
18 hours, just total sales.

19 LIEUTENANT CRAIG: All right.
20 Just so I understand, yes.

21 MEMBER ALBERTI: In theory, that's
22 possible and, in fact, my -- if you're asking

1 my opinion, I have seen that.

2 MEMBER SILVERSTEIN: Yes.

3 MEMBER ALBERTI: All right.

4 MEMBER BROOKS: Well, just to add
5 to --

6 MEMBER ALBERTI: I'm not
7 attributing anything to this, just that's what
8 I have seen happen in other establishments.

9 LIEUTENANT CRAIG: Sure.

10 MEMBER ALBERTI: That's my
11 evaluation.

12 MEMBER BROOKS: Yes, but just to
13 add to that though, if you're a restaurant,
14 you've got to serve food two hours prior to
15 closing.

16 LIEUTENANT CRAIG: Right.

17 MEMBER BROOKS: All right.

18 MEMBER ALBERTI: Your kitchen has
19 to be open --

20 LIEUTENANT CRAIG: Has to be open.

21 MEMBER ALBERTI: -- two hours
22 before closing.

1 LIEUTENANT CRAIG: Right. Well, I
2 mean, you know, I don't know of any bar that
3 serves as much food as liquor after a certain
4 hour.

5 MEMBER ALBERTI: Right. So if you
6 have hot dogs available --

7 LIEUTENANT CRAIG: Right.

8 MEMBER ALBERTI: -- until 1:00 in
9 the morning --

10 LIEUTENANT CRAIG: Potato chips.

11 MEMBER ALBERTI: -- well, the
12 kitchen has to be open.

13 LIEUTENANT CRAIG: All right.

14 MEMBER ALBERTI: We're getting in
15 the weeds, but you get the idea, Lieutenant.

16 LIEUTENANT CRAIG: I do, yes.

17 MEMBER ALBERTI: Okay. There is a
18 lot of loopholes there, sir.

19 Oh, just as an aside and since we
20 are on an aside, I will mention for the
21 public, if you remember, the Board has
22 discussed in the past and hopefully we will

1 continue to discuss the possibility of
2 licensee promoters, so maybe that's a solution
3 coming in the future.

4 MR. KLINE: Yes, I think that's a
5 discussion probably you need to have with
6 Council rather than --

7 MEMBER ALBERTI: Well, it is. It
8 is. It's not a discussion for here, but it is
9 a discussion to --

10 MR. KLINE: Understood.

11 MEMBER ALBERTI: -- be had. And
12 so I just wanted to put that out there.

13 MR. KLINE: I will note --

14 MEMBER ALBERTI: Next in line
15 people --

16 MR. KLINE: I will note from the--
17 for the record that wearing my other hat as
18 Counsel of the Restaurant Association that I'm
19 the one that suggested that to Council Member
20 Evans Office when he decided that everyone
21 needed to have RD if they were doing
22 entertainment after midnight.

1 MEMBER ALBERTI: I'm glad to hear
2 that you are a promoter of this. So you and
3 I are on the same page on that one. So all
4 right. So are you going to continue to have
5 reimbursable detail, at least on Saturdays?

6 MR. LOREDO: Yes, sir.

7 MEMBER ALBERTI: All right. I
8 have one last area that I want to cover. All
9 right, because I am a little curious about
10 whether our records are correct here.

11 Mr. Loreda, are you -- you are the
12 owner, an owner?

13 MR. LOREDO: No, I'm the -- I'm a
14 licensed manager, ABC Manager.

15 MEMBER ALBERTI: You're a licensed
16 manager. So the owner is not here today?

17 MR. KLINE: That's correct.

18 MEMBER ALBERTI: May I ask why?

19 MR. KLINE: He was unavailable. I
20 don't have any information other than that.

21 MEMBER ALBERTI: What do you mean
22 he was unavailable?

1 CHAIRPERSON MILLER: That's all he
2 knows.

3 MEMBER ALBERTI: Can you be a
4 little bit more specific, Mr. Kline?

5 MR. KLINE: If I had more
6 information, I could be, but that's all I
7 have.

8 MEMBER ALBERTI: I'm concerned.
9 Just for the record, folks, my fellow Board
10 Members, I am extremely concerned that the
11 owner did not take this seriously enough to be
12 present at this hearing.

13 I missed that. I would have
14 brought this up earlier and I apologize for
15 having missed the fact that Mr. Loreda was
16 not.

17 CHAIRPERSON MILLER: Yes.

18 MEMBER ALBERTI: I am just -- I
19 don't know what to say. Anyway, I will leave
20 it at that.

21 CHAIRPERSON MILLER: Mr.
22 Rodriguez?

1 MEMBER RODRIGUEZ: Yes. Say what
2 kind of a menu do you serve? What kind of
3 food do you serve at the restaurant? We have
4 been talking about a restaurant, but nobody
5 has talked about the food.

6 MR. LOREDO: We have Italian
7 cuisine. We go with pastas, a homemade pasta,
8 risotto, chicken dishes, fish dishes, steaks,
9 salads, deserts, it's good, good food.

10 MEMBER RODRIGUEZ: Sounds good to
11 me as far as your menu. You know, I would be
12 willing to go there and eat, so you do have a
13 good menu and an opportunity for people to
14 enjoy, you know, the different food and get
15 dressed up. I know you are trying to raise
16 the dress code. If they dress like you, I'm
17 sure that, you know --

18 MR. LOREDO: Exactly.

19 MEMBER RODRIGUEZ: -- you are
20 making a good example. So I was just curious
21 to see, you know, you are trying to increase
22 the customers who come in and buy more food as

1 well.

2 MR. LOREDO: Thank you.

3 MEMBER RODRIGUEZ: Okay. Thank
4 you.

5 MR. LOREDO: Thank you.

6 MEMBER SHORT: Madam Chair?

7 CHAIRPERSON MILLER: Yes, Mr.
8 Short?

9 MEMBER SHORT: Speaking of the
10 owner, can you truthfully say today everything
11 you are saying, you can speak for the owner of
12 this establishment? You can --

13 MR. LOREDO: Yes.

14 MEMBER SHORT: -- anything you say
15 the owner would agree with 100 percent?

16 MR. LOREDO: Yes.

17 CHAIRPERSON MILLER: Okay.
18 Others?

19 MEMBER SHORT: Thank you. Thank
20 you, Madam Chair.

21 CHAIRPERSON MILLER: Do you have
22 other questions? Yes, Mr. Brooks?

1 MEMBER BROOKS: I have one.

2 CHAIRPERSON MILLER: Go ahead.

3 MEMBER BROOKS: Mr. Kline, did you
4 invite the owner to be here?

5 MR. KLINE: Did I invite the
6 owner?

7 MEMBER BROOKS: Yes.

8 MR. KLINE: The Board invited the
9 owner to be here.

10 MEMBER BROOKS: Yes. Okay. And
11 did you indicate to him that he needed to be
12 here?

13 MR. KLINE: Mr. Brooks, you are
14 getting into an area of what I think it
15 attorney/client privilege, in terms of what
16 discussions I had with the owner.

17 CHAIRPERSON MILLER: Yes.

18 MR. KLINE: So I will respectfully
19 decline to disclose to the Board my
20 communications with the ownership of the
21 establishment.

22 MEMBER BROOKS: Did you speak with

1 the owner?

2 MR. KLINE: I have spoken to the
3 owner, yes.

4 MEMBER BROOKS: Okay. But you
5 don't know from speaking with him without
6 getting into client relationships with
7 attorney, that he was supposed to be here?

8 MR. KLINE: The only information I
9 have is that he was unavailable for this
10 hearing, which is what I told you.

11 MEMBER BROOKS: Thank you, Madam
12 Chair.

13 CHAIRPERSON MILLER: Okay. Mr.
14 Rodriguez?

15 MEMBER RODRIGUEZ: Yes. I am new
16 on this Board, so my question is has that
17 owner ever appeared before this Board?

18 MR. KLINE: Yes, sir.

19 MEMBER RODRIGUEZ: How many times?

20 MR. KLINE: I couldn't tell you.
21 I don't know.

22 MEMBER RODRIGUEZ: Okay.

1 MR. KLINE: I know he has
2 appeared, because I have been here.

3 MEMBER RODRIGUEZ: He has been
4 here before.

5 CHAIRPERSON MILLER: Yes.

6 MEMBER RODRIGUEZ: Okay.

7 MEMBER ALBERTI: Madam Chair,
8 while we are on the subject --

9 CHAIRPERSON MILLER: Yes?

10 MEMBER ALBERTI: -- I would like
11 to recommend that we continue this Fact-
12 Finding Hearing until the owner -- and have
13 the owner here at the next -- to continue the
14 Fact-Finding Hearing, so that we have -- a
15 direct -- may I finish? You can tell me that
16 you don't agree.

17 CHAIRPERSON MILLER: I didn't do
18 anything.

19 MEMBER ALBERTI: That we have
20 these commitments from the owner and not just
21 from his employees.

22 MEMBER SHORT: I concur with that.

1 MEMBER ALBERTI: The seriousness
2 of this and all of the other facts surrounding
3 this license lead me to that recommendation.

4 MR. KLINE: And I can certainly --
5 sorry.

6 CHAIRPERSON MILLER: Well --

7 MEMBER SHORT: Madam Chair, I
8 concur with that recommendation.

9 CHAIRPERSON MILLER: Okay. I hear
10 you. All right. Mr. Kline?

11 MR. KLINE: I can represent to the
12 Board that I have authority on behalf of the
13 licensee to make the commitments that we have
14 made today. The specific concrete commitment
15 is that we will file a security plan with the
16 Board within 30 days.

17 I believe the other commitment
18 that has been made, the RDO will continue for
19 the foreseeable future for Saturday nights.
20 I'm not aware of any other commitment that
21 have been made that would require that the
22 owner appear before you and swear that they

1 are going to do them.

2 In terms of the security plan, it
3 seems to me the proof is in the pudding. You
4 get the security plan within 30 days and that
5 surely answers that question.

6 CHAIRPERSON MILLER: Okay. I
7 guess my feeling is that we have had a pretty
8 full hearing. I have a few questions. I was
9 waiting until the end and I think everybody
10 who has questions should ask their questions.
11 If later we determine that we need to call the
12 owner in, then we could, but I don't want to
13 stop the hearing.

14 At this point, I think Mr. Kline
15 is authorized to represent his client and we
16 have two employees here who are being helpful
17 in answering some of the questions that we
18 have.

19 So I would like to complete our
20 questions and then that would be my
21 recommendation. And then later or at whatever
22 period of time, either after we see the

1 security plan or whatever, if there are
2 additional needs to call in, you know, we
3 should.

4 Of course, the Board always likes
5 to have the owner here. And so, you know, we
6 all thought Mr. Loreda was the owner. But in
7 any event, I still think that I don't want to
8 stop the hearing at this point. I would like
9 for us to finish up with our questions.

10 MR. KLINE: I mean, you do have
11 the people that are responsible for running
12 this establishment on behalf of the owner.
13 The Board has ownership groups that are all
14 over the country who rely on their operators
15 within the restaurant to come before you on
16 various issues and I'm not sure that this
17 situation is any different simply because the
18 owner happens to be local.

19 MEMBER ALBERTI: Madam Chair, I
20 just need to address that comment. I think
21 the Board needs to be confident that the owner
22 is aware of how his establishment is managed.

1 And I can't be confident unless I see the
2 owner. As much as I might trust his
3 representative, legal representative, I can't
4 be confident unless I have the owner in front
5 of me, so that he knows or she knows what the
6 Board --

7 CHAIRPERSON MILLER: Okay.

8 MEMBER ALBERTI: -- is saying and
9 -- about how the establishment is being run.

10 CHAIRPERSON MILLER: Okay. I
11 mean, I hear you, so I would like to take that
12 under advisement and finish up this hearing
13 and then if the Board determines --

14 MEMBER ALBERTI: I agree we should
15 finish up the hearing.

16 CHAIRPERSON MILLER: Okay. Okay.

17 So, Mr. Kline, how long has Look been in
18 operation? Do you know that? Do you know?

19 I mean, I'm hearing --

20 MR. KLINE: I don't know.

21 CHAIRPERSON MILLER: -- about -- I
22 don't know if it's specifically recent or it

1 has been --

2 MR. LOREDO: Well, it was after
3 September, we open last year September.

4 MR. KLINE: Tell them. Don't tell
5 me.

6 CHAIRPERSON MILLER: Oh.

7 MR. LOREDO: 2013. September
8 2013.

9 CHAIRPERSON MILLER: September
10 2013. So it's a fairly new operation and it
11 has had a lot of problems in a short period of
12 time then. Okay. So I would think this would
13 be of as much concern to you all as it is to
14 us. I mean, you are right there. I don't
15 think you want fights breaking out and
16 dangerous situations happening.

17 So I think you have just as much
18 to gain, if not more, from positive steps that
19 you can take, which you seem to be taking.

20 And you said that since this -- do
21 you have one or two promoters now or more?

22 MS. MERTZ: Two.

1 CHAIRPERSON MILLER: Three?

2 MR. LOREDO: No, it's two

3 promoters.

4 CHAIRPERSON MILLER: Two

5 promoters. One for Friday, one for Saturday?

6 What's the difference? What does the Friday

7 one do? What does the Saturday one do?

8 MR. LOREDO: Well, just basically

9 do the same, but these promoters they have

10 their -- they -- I think it's just bring their

11 followers. They have followers you know.

12 They have a guest list. They have their own

13 followers. So sometimes people from Fridays

14 not the same as Saturday, because it's a

15 different promoter.

16 Maybe Friday people only follow

17 this promoter. He doesn't follow the Saturday

18 promoter.

19 CHAIRPERSON MILLER: Okay. Are

20 you consciously choosing different types of

21 promoters for Friday and Saturday night in

22 order to get a different crowd or a

1 different --

2 MR. LOREDO: Yes, Saturday change
3 was just to address these problems. You know,
4 we don't want to see a police officer outside
5 because of a fight broke or something like
6 that. So after seeing that we have some
7 trouble with the Saturday promoters, we just
8 decided to change them.

9 CHAIRPERSON MILLER: Well, do you
10 use different ones because you want to get --
11 bring in different people, so more people? So
12 Friday you bring in some people, Saturday you
13 bring in different people?

14 MR. KLINE: Madam Chair, if I may?
15 The value of the promoter is these days they
16 all have a list. I mean, they all have an
17 email list, a mailing list, social media list,
18 whatever you want to call it. They have
19 different, as Mr. Loredó said, followings.
20 There are some people that are on some lists
21 that aren't on another list.

22 So if you use the same promoter

1 Friday night and Saturday night, then you have
2 exactly the same list both nights. It is
3 true, as we mentioned before and it should be
4 obvious in terms of the list that they
5 maintain, that the lists tend to be somewhat
6 totally genius in terms of the groups and the
7 type of people so on and so forth.

8 So the Friday -- the Saturday
9 night promoter that they were using was
10 attracting a group that they felt, and
11 apparently seems to be borne out by the
12 history that we have seen, was creating a lot
13 of problems.

14 So as a result of that, they hired
15 a different promoter for Saturday night. It
16 was a different list and brings a different
17 group of people to the establishment.

18 CHAIRPERSON MILLER: Okay. So I
19 think what I heard you all say though, so
20 since you changed the promoter -- you have
21 changed the promoter and you have changed the
22 dress code and now you don't have any

1 problems.

2 MR. KLINE: Correct.

3 CHAIRPERSON MILLER: Is that
4 right?

5 MR. KLINE: And the other thing
6 that they have done, which I omitted to say it
7 was in my notes and I left it out, is they now
8 have a dedicated person who is on the door who
9 is not specifically a door person, but their
10 job is to check the people coming in and out
11 in terms of who is coming in and out and, you
12 know, look at the dress code enforcement and
13 trying to get a better handle on who is coming
14 into the establishment.

15 CHAIRPERSON MILLER: And do you
16 check for IDs at the door or you do it --

17 MR. LOREDO: We do. Everybody
18 get --

19 CHAIRPERSON MILLER: Just Friday
20 and Saturday nights or all the time?

21 MR. LOREDO: Friday and Saturday
22 nights.

1 CHAIRPERSON MILLER: Okay. So
2 Friday and Saturday nights, do you have
3 entertainment?

4 MR. LOREDO: Yes.

5 CHAIRPERSON MILLER: Both nights?

6 MR. LOREDO: Yes.

7 CHAIRPERSON MILLER: Okay. And
8 what kind?

9 MR. LOREDO: DJ.

10 CHAIRPERSON MILLER: DJs both
11 nights?

12 MR. LOREDO: Yes.

13 CHAIRPERSON MILLER: But different
14 ones?

15 MR. LOREDO: Yes.

16 CHAIRPERSON MILLER: Okay. Oh,
17 dinner. Do you serve dinner?

18 MR. LOREDO: Yes.

19 CHAIRPERSON MILLER: Every night?

20 MR. LOREDO: Yes.

21 CHAIRPERSON MILLER: From what
22 time to what time?

1 MR. LOREDO: Monday through
2 Thursday goes until 10:00 p.m. Friday and
3 Saturday we keep the kitchen open until 1:30
4 a.m. usually.

5 CHAIRPERSON MILLER: Okay. The
6 events that you do, when do you do the events?

7 MS. MERTZ: They are all the time.
8 It just depends on what day of the week. You
9 know, it could be -- it just depends on the
10 event. I mean, for example, the businesses,
11 they will be more in the evenings usually.
12 You know the type of time frame, you know,
13 parties and stuff like that, sometimes you
14 know, where we don't normally open on
15 Saturdays, you know, earlier, so it will be
16 like on a Saturday afternoon.

17 CHAIRPERSON MILLER: So they don't
18 -- you don't do them Friday night or Saturday
19 nights, that's something --

20 MS. MERTZ: Yes.

21 CHAIRPERSON MILLER: You do?

22 MS. MERTZ: I mean, we have done

1 actually a bar mitzvah. We cancel the
2 promoter night because the bar mitzvah, we did
3 that. We had the coalition party on a Friday
4 night. We had to close. We didn't have
5 promoters. Yes, I mean, if there is a special
6 event, we will definitely, you know -- we
7 would rather have a special event than a
8 promoter to come in.

9 CHAIRPERSON MILLER: Yes. And how
10 many people do you have Friday and Saturday
11 nights?

12 MR. LOREDO: Between 200 and 300
13 people.

14 CHAIRPERSON MILLER: Does it ever
15 get to the point where it might become
16 overcrowded?

17 MR. LOREDO: No. The space is
18 big.

19 CHAIRPERSON MILLER: Okay.

20 MR. LOREDO: Big space.

21 CHAIRPERSON MILLER: That was --
22 my last question, I think, is changes that

1 have been made since April, it's the
2 promoters, it's the dress code. Did you hire
3 a new security company since then?

4 MR. LOREDO: (No audible answer.)

5 CHAIRPERSON MILLER: New security
6 company. Oh, I have one other question. RDOs
7 are only Saturday because that's when you had
8 the problems, right? Have you decided whether
9 you are going to have two, four or more or is
10 that on a case-by-case basis kind of as you
11 go? I don't know what's going to be in that
12 security plan. Have you thought that far?

13 MR. KLINE: They have had two
14 given the calm down in the wake of the changes
15 that have been made since April --

16 CHAIRPERSON MILLER: Yes.

17 MR. KLINE: -- we think that
18 that's sufficient and that's what they would
19 propose to be needed.

20 CHAIRPERSON MILLER: Okay. And as
21 a recap, you are going to be filing a security
22 plan?

1 MR. KLINE: Yes.

2 CHAIRPERSON MILLER: Within 30
3 days, okay.

4 MR. KLINE: And that will be
5 compliant with the Board's statute as relates
6 to nightclubs and those other establishments
7 that are required to file a security plan.

8 CHAIRPERSON MILLER: Oh, and I did
9 want to ask you about cameras. Do you have
10 cameras?

11 MR. LOREDO: Yes, we do.

12 CHAIRPERSON MILLER: That's what I
13 thought. Were they not adequate? Mr. Peru,
14 do you just want to address that before we
15 finish this up? Do you have suggestions for
16 improvement to the cameras?

17 INVESTIGATOR PERU: They
18 definitely need a few more cameras. The areas
19 of coverage should have been covered really
20 where incidents happen --

21 CHAIRPERSON MILLER: Yes.

22 INVESTIGATOR PERU: -- with

1 cameras. I think if it was a nightclub and
2 they had camera placement and security plans
3 in place, there would be much more. It looks
4 like the outside camera on the door is
5 watching just that, the door and people coming
6 in and out whether they are paying or not
7 paying.

8 The bar looks like they were
9 covering the bar for the same purposes, not so
10 much -- I didn't feel like the cameras were
11 covering the general areas of the dance club
12 and expanding out, because it -- like he just
13 mentioned, it is a very big space. You know,
14 it's a wide space.

15 It goes back, it's a deep space,
16 so I definitely think they could improve the
17 amount of cameras they have.

18 CHAIRPERSON MILLER: Do you have a
19 response to that?

20 MR. KLINE: No. Our plan, as it's
21 required to do, will certainly outline the
22 cameras and the coverage as required under the

1 changes to the security plan requirements in
2 the latest law.

3 CHAIRPERSON MILLER: I mean, I
4 hear what you are saying legally. I don't
5 exactly know how it reads, but would you --
6 are you going to consider and take that to the
7 owner, the recommendations?

8 MR. KLINE: Absolutely.

9 CHAIRPERSON MILLER: Okay. All
10 right. Yes, Mr. Short?

11 MEMBER SHORT: On Friday and
12 Saturday nights, does the owner ever -- is he
13 there during the times he is open?

14 MR. LOREDO: Yes, yes. He always
15 stop by.

16 MEMBER SHORT: Was he there the
17 night of the incident?

18 MR. LOREDO: I think he wasn't
19 that night. Probably earlier, but when the
20 incident happened, I think he wasn't there.

21 MEMBER SHORT: Thank you, Madam
22 Chair.

1 CHAIRPERSON MILLER: Okay.

2 Anything else?

3 MEMBER RODRIGUEZ: I have a quick
4 question.

5 CHAIRPERSON MILLER: Yes, Mr.
6 Rodriguez?

7 MEMBER RODRIGUEZ: Yes. Counsel,
8 I believe you indicated with respect to the
9 owner that -- when I asked if he had ever been
10 before this Board, what I didn't ask was has
11 he ever been before this Board as a
12 representative of this restaurant?

13 MR. KLINE: I don't specifically
14 recall.

15 MEMBER RODRIGUEZ: Okay.

16 MR. KLINE: I suspect so, but I
17 can't say. I wouldn't want to make the
18 representation without --

19 MEMBER RODRIGUEZ: I guess I can
20 have the records check on that.

21 MR. KLINE: Sure.

22 CHAIRPERSON MILLER: Yes.

1 MEMBER RODRIGUEZ: Thank you.

2 CHAIRPERSON MILLER: Okay.

3 Anything else? Yes, Mr. Alberti?

4 MEMBER ALBERTI: Mr. Loredo, how
5 long have you been employed at this location?
6 As the location of Look.

7 MR. LOREDO: Since its open.
8 Since last year, September last year.

9 MEMBER ALBERTI: September of last
10 year. Okay. So September of 2013. And the
11 reason I ask is when the question was asked,
12 it was unclear of your answer. When the
13 question was asked about, you know, how long
14 has this place been open, I just wanted to
15 make it clear for my fellow Board Members that
16 this establishment underwent a trade name
17 change in 2013, I believe.

18 MR. LOREDO: Right.

19 MEMBER ALBERTI: From Teatro
20 Goldoni to Look. Is that correct?

21 MR. KLINE: Yes.

22 MEMBER ALBERTI: But the owner

1 remained the same. Is that correct?

2 MR. KLINE: That's correct, yes.

3 MEMBER ALBERTI: All right. So
4 the person responsible for the history dating
5 back to 2013, 2012, 2011 --

6 MR. KLINE: The same licensee.

7 MEMBER ALBERTI: -- is the same
8 person?

9 MR. KLINE: Yes, sir.

10 MEMBER RODRIGUEZ: Same person.

11 MEMBER ALBERTI: Okay. I just
12 wanted to make that clear to my fellow Board
13 Members.

14 MEMBER RODRIGUEZ: Appreciate it.

15 MEMBER ALBERTI: Thank you.

16 CHAIRPERSON MILLER: Thank you.

17 Okay. Anything else from Board Members?

18 Anything else from any of you? Okay. Well,
19 thank you very much for coming. I know it was
20 important to the Board and, you know, I hope
21 that you will go back and bring forth a good
22 security plan and then, you know, these

1 problems will be behind you.

2 MEMBER ALBERTI: What about --

3 CHAIRPERSON MILLER: What about
4 what?

5 MEMBER ALBERTI: -- the owner.

6 Are we going to address that? I mean, I think
7 -- I don't know where everyone else stands,
8 but I still say I'm still committed to that
9 suggestion. I don't know where my other
10 fellow Board Members stand.

11 CHAIRPERSON MILLER: Okay. What I
12 had recommended --

13 MEMBER ALBERTI: I want to speak
14 to this.

15 CHAIRPERSON MILLER: -- was that
16 we take that under advisement and see if that
17 was necessary before the security plan was
18 filed or after the security plan was filed.

19 MEMBER ALBERTI: Well, I would
20 like to do it -- I would like to commit to it
21 before we see the security plan. I would like
22 the owner to be here on the terms before -- I

1 assume that the owner is going to be involved
2 with constructing the security plan, so I
3 think --

4 MEMBER SHORT: I would think
5 that's imperative.

6 MEMBER ALBERTI: Big difference.

7 CHAIRPERSON MILLER: So you are
8 suggesting --

9 MEMBER RODRIGUEZ: Madam Chair,
10 I'm interested in --

11 CHAIRPERSON MILLER: Go ahead. I
12 want to hear what you're saying.

13 MEMBER RODRIGUEZ: -- deliverables
14 and who can make the deliverables here. Now,
15 obviously, the owner signs off on everything.
16 So the question is there have been commitments
17 that have been made here to this Board in
18 terms of what items are going to be delivered
19 on the security plan, that you are going to
20 have security detail, continue to have
21 security detail on Saturdays.

22 You are going to enforce a dress

1 code. You are going to have people being
2 checked at the door and the whole thing. So
3 I sense that -- my sense is that there are
4 deliverables that have been promised to us
5 that are certainly quantifiable and
6 qualifiable, I suppose.

7 So I am -- while I haven't met the
8 owner, I'm a new Board Member, but certainly
9 what I gather from the counsel and the manager
10 and the other staff here is a commitment that
11 is verifiable. And I will be looking to that
12 in black and white. And so I am not -- I'm
13 only interested in deliverables right now.

14 And whether it is the owner or
15 not, the fact is that once those deliverables
16 are promised, then that's the turn of the
17 wheel that can miss the rest of the vehicle.
18 The owner and the establishment. And we will
19 hold the entire establishment accountable to
20 ensure that the word and good faith that has
21 been conducted at this hearing is kept.

22 CHAIRPERSON MILLER: Okay. Thank

1 you.

2 MEMBER ALBERTI: Madam Chair, I
3 would like to make sort of an alternate
4 suggestion. We have a status hearing next
5 week, I believe. Is that correct, Mr. Kline,
6 on another important matter regarding Look?
7 Is that correct?

8 MR. KLINE: I believe that is
9 correct.

10 MEMBER ALBERTI: Yes. May I make
11 a suggestion that we review these commitments
12 with the owner when he appears for that status
13 hearing? If he appears. And at that time,
14 then that would solve my concerns about the
15 owner, making sure he is aware of what is
16 happening at the establishment. I don't know
17 if others agree and Mr. Kline would commit to
18 having his client here for that status
19 hearing?

20 MR. KLINE: I, obviously, cannot
21 or maybe not obviously. I can't commit to
22 having my client here. I don't know what his

1 schedule is, but I will commit to the Board
2 that I will communicate to the owner the
3 concerns that several of you have raised that
4 he was not here today and that there are some
5 of you that would like to see him to review
6 that with him.

7 And I will make that commitment to
8 you that I will do that.

9 MEMBER ALBERTI: Well, having
10 heard that, then I will -- my suggestion still
11 stands. I still -- let's all consider we
12 haven't seen the owner and haven't -- don't
13 have assurances.

14 CHAIRPERSON MILLER: Okay.

15 MEMBER ALBERTI: Mr. Rodriguez,
16 I'm also interested in deliverables, but I'm
17 also interested in making sure and having some
18 confidence that the owner really understands
19 what his employees are doing. I don't know if
20 I have that from this hearing.

21 CHAIRPERSON MILLER: Well, I would
22 say that --

1 MEMBER RODRIGUEZ: We take your
2 position.

3 CHAIRPERSON MILLER: Mr. Kline is
4 in a position to certainly bind his client.
5 He has been authorized to do that, so as Mr.
6 Rodriguez says, you know, we are going to be
7 getting the security plan and the other things
8 that Mr. Kline has already represented.

9 So I think that that was a good
10 solution that he appear at the status hearing
11 and not that we turn the status hearing into
12 a major Fact-Finding Hearing, but that we have
13 a little bit of communication with him about
14 this, that would be great.

15 But I don't see that Mr. Kline
16 could go any further than what he did. He
17 can't commit his client. He can only say that
18 he will go back to his client and communicate
19 the Board's requests.

20 MR. KLINE: The other thing that I
21 will do, that I will commit to do --

22 CHAIRPERSON MILLER: Oh, you can

1 do more? Okay.

2 MR. KLINE: -- because I can do
3 it, which is that we will request and get a
4 copy of the transcript when it is available
5 and make it available to the owner, so he can
6 see with his own eyes what Board Members have
7 expressed during this hearing today by reading
8 it. So we will do that as well.

9 MEMBER SHORT: Madam Chair?

10 CHAIRPERSON MILLER: Yes, Mr.

11 Short?

12 MEMBER SHORT: I also would like
13 for it to be on record the reason why I'm
14 concerned about seeing the owner is the
15 investigative history of this business
16 location. Under either name, it has been the
17 same owner and, apparently, what the
18 lieutenant testified today that between seven
19 and nine calls are going to be made, one being
20 very serious in April.

21 Currently, I would think it would
22 be his best benefit to be here. Is the

1 license is in his name or in the
2 representative's name? The license to that
3 should be in the owner's name, correct?

4 MR. KLINE: The license is in the
5 name of an organization, either a limited
6 liability company --

7 MEMBER ALBERTI: That only has one
8 officer.

9 MR. KLINE: A corporation.

10 MEMBER ALBERTI: One person who is
11 the president, treasurer, secretary and
12 whatever else. All the officers are
13 represented by one person in that limited
14 liability corporation. So I assume that it is
15 a one person limited liability corporation.
16 Mr. Kline?

17 MR. KLINE: To stand correct, so I
18 correct myself, it is actually TGR, Inc.,
19 which tells me that it is a corporation.

20 MEMBER ALBERTI: Who are the
21 members?

22 MR. KLINE: I don't know. Well,

1 there wouldn't be members. There would be
2 shareholders, officers and directors.

3 MEMBER ALBERTI: It's an LLC.

4 Okay.

5 MR. KLINE: And Inc. It's a
6 corporation.

7 MEMBER ALBERTI: Oh, it's a name.
8 Okay. So who are the shareholders?

9 MR. KLINE: I don't know offhand.

10 CHAIRPERSON MILLER: All right.

11 MEMBER ALBERTI: Thank you very
12 much.

13 CHAIRPERSON MILLER: So okay.

14 MEMBER ALBERTI: Maybe you should
15 ask and get that information. I'm just very
16 concerned about this establishment and the
17 history. Mr. Short is very astute when he
18 looks at this history and it has been of
19 concern. This place has been portrayed quite
20 some time, I will tell you that, Mr. Short.

21 So your --

22 MEMBER SHORT: I might be a new

1 Member, but the history, if anything, tells me
2 when I should be a little more cautious about
3 how I make my decisions. If the history was
4 clear, I would have no problem saying like you
5 did, deliverables, but I think the owner needs
6 to come forward and speak for himself and/or
7 the licensee.

8 MEMBER ALBERTI: I'll defer to the
9 Chair. I'm done.

10 CHAIRPERSON MILLER: Okay. All
11 right. I think we should conclude this
12 hearing. Thank you very much. I hope we see
13 the owner next week.

14 MR. KLINE: Thank you.

15 CHAIRPERSON MILLER: And we look
16 forward to the security plan and other
17 details. Thank you very much.

18 MR. KLINE: Thank you.

19 MR. LOREDO: Thank you.

20 CHAIRPERSON MILLER: Okay. That
21 concludes this hearing. I think that
22 concludes the morning hearings. Where is my

1 schedule? Do you have a schedule?

2 Okay. So our next Fact-Finding
3 Hearing is at 1:30 p.m. and the Board is going
4 to go off to recess. Thank you.

5 (Whereupon, the Fact-Finding
6 Hearing in the above-entitled matter was
7 concluded at 12:27 p.m.)

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