

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :

:

Mark J. Hitzig, on behalf of :

Japan-America Society of : Fact Finding

Washington, D.C. : Hearing

Retailer F :

1819 L Street, NW (Level 1B) :

Temporary License Application :

Date of Event: April 13, 2013 :

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MARCH 27, 2013

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

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

MIKE SILVERSTEIN, Member

ALSO PRESENT

TYRONE LAWSON, ABRA

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

1:43 p.m.

CHAIRPERSON MILLER: All right.

We have on our agenda next a fact finding hearing for Japan-America Society of Washington, D.C.

Would the parties in that case come forward and have a seat at the table? And let's start with introductions.

MR. HITZIG: Mark Hitzig, executive director and festival director.

CHAIRPERSON MILLER: Okay.

MR. BLANCHARD: Lyle Blanchard, counselor to the Japan-America Society.

MS. FOZARD: Collette Fozard, operations manager for the Sakura Matsuri Japanese Street Festival.

CHAIRPERSON MILLER: Okay. What's your last name again?

MS. FOZARD: Fozard.

CHAIRPERSON MILLER: Fozard?

Okay.

1 MS. FOZARD: F-O-Z-A-R-D.

2 CHAIRPERSON MILLER: All right.

3 Great. And?

4 INVESTIGATOR LAWSON: Tyrone
5 Lawson, representing the Alcohol Beverage
6 Regulation Administration.

7 CHAIRPERSON MILLER: Okay. Great.
8 Thank you. So we hope, you know, not to make
9 this a very long hearing. I know you were
10 here last year and you've been doing this for
11 years and years and years and you do, you
12 know, a really good job. I think a few of the
13 Board Members just wanted to check in with
14 you, see if there's anything different this
15 year from last year and then any other, you
16 know, little questions that, you know, might
17 arise.

18 So I guess I would suggest if you
19 can give like a really, you know, succinct
20 overview. You know, we don't need a lot.
21 We've read the application and, you know,
22 we're familiar with you. And then if there's

1 anything to zero in on with respect to
2 anything different or what's been working well
3 with respect to alcohol issues, you know,
4 security or minors, those kind of things.

5 MR. HITZIG: Well, we do have a
6 big change.

7 CHAIRPERSON MILLER: Okay.

8 MR. HITZIG: We were having beer
9 gardens last couple -- you know, I don't know,
10 whenever, since I don't know how long, but we
11 decided since our festival is fenced in we'd
12 like to have beer stations. And beer
13 stations, what I mean is someone walks up, has
14 a beer and can walk around the festival. They
15 do not need to stay inside a fenced area
16 called a beer garden. So we have changed that
17 with the festival.

18 And also to minimize risk of
19 giving to minors, to include with the
20 wristband we are going to hand stamp people
21 who want to have an alcohol beverage. We are
22 still going to have double ID checking at the

1 entrance of the beer station. If you look at
2 the maps, if you have the maps in front of
3 you, about five pages in there is a beer
4 station with a garden attached to it.

5 So we're going to have a snake-
6 type walk in so we can funnel the people in
7 and make sure that they get ID checked before
8 they get to the counter. They're going to be
9 double ID checked by professional ID checkers
10 that we're using. The group is called Doorman
11 Security Group. They work at local bars in
12 the D.C. government. Many of them have over
13 20 years of experience checking IDs. So
14 they'll still double check even though they're
15 professional. The first one we'll get the ID.
16 Say if the person's old enough to drink. Say
17 they're over 21, pass it to the second ID
18 checker. They will say I concur they're over
19 21 and then put the wristband on the person
20 and hand stamp them.

21 We will also have signs at the
22 entrances of the festival announcing that

1 anyone leaving the festival with alcohol can
2 be subject to arrest. We will also have signs
3 on the exit of the entrances, where the
4 entrances are also of course. So we'll have
5 them going out. This year the fire marshall
6 is having us do emergency exit gates
7 throughout the festival. We'll have seven of
8 them. So those also will have signs on the
9 gate saying anyone leaving the festival will
10 be subject to arrest if they're leaving with
11 alcohol.

12 We'll also have security manning
13 those gates there to make sure that no one
14 leaves the festival at all of the exits. Even
15 emergency exits behind the stages there will
16 be security there. We'll have garbage cans
17 there so people can dump the alcohol beverage
18 if they do not want to drink it, people who
19 are leaving. So those are two of the biggest
20 changes that we have for the festival.

21 But as always, we have a mandatory
22 orientation for everyone working in any of the

1 alcohol establishments, that they will be
2 trained how to read an ID even though we are
3 using professional doormen because we like to
4 tell them if they feel that someone comes up
5 to the table and they've already been checked
6 and they don't feel like they're comfortable
7 giving them a beverage or selling a ticket,
8 they look like they're underage, they still
9 have the right to check their ID again. So we
10 will give them training on how to check IDs.

11 CHAIRPERSON MILLER: Great. Do
12 you have any medical people around in case
13 anyone gets sick or intoxicated?

14 MR. HITZIG: Yes, in our command
15 center located on 12th Street and Pennsylvania
16 we have four EMTs that will be there all day.
17 We have two ambulances, one on 12th Street
18 right behind the command center and the second
19 one will be at 10th Street just south of
20 Pennsylvania Avenue.

21 CHAIRPERSON MILLER: And how about
22 the sake tasting? Is that being handled

1 differently from last year, or the same?

2 MR. HITZIG: No, that will be the
3 same as last year. Again, people will be --
4 the IDs will be checked twice and then they
5 wait for a table. The table can hold about
6 five people with the instructor -- about the
7 sake, how it's produced, with a taste of sake.
8 They get seven alcohol beverages. That's six
9 sake and one plum wine. And they get a bottle
10 of water and they get a souvenir glass to take
11 home.

12 CHAIRPERSON MILLER: Okay. Great.
13 Great. Okay.

14 MR. HITZIG: The training usually
15 lasts about 10 to 15 minutes, and the shot
16 glass is only about one ounce.

17 MR. BLANCHARD: Very small.

18 MR. HITZIG: Very small, one
19 ounce. So that's seven ounces.

20 CHAIRPERSON MILLER: Are there
21 limits on people as far as how much sake they
22 can get or how much beer they can get?

1 MR. HITZIG: It's only one taste
2 per type of sake.

3 CHAIRPERSON MILLER: For the sake?
4 How about the beer? Is there any limit to how
5 many beers they can buy?

6 MR. HITZIG: You can buy two beers
7 at one time.

8 CHAIRPERSON MILLER: Oh. And
9 there's no limit as to how many beers total
10 you can buy during your --

11 MR. HITZIG: Throughout the day?

12 CHAIRPERSON MILLER: Yes.

13 MR. HITZIG: Well, the doormen
14 will be there and checking if anyone is
15 inebriated and will refuse them of any
16 drink --

17 CHAIRPERSON MILLER: Okay.

18 MR. HITZIG: -- if they find that
19 someone has had too much to drink.

20 CHAIRPERSON MILLER: Okay. And so
21 and even, you know, throughout the day or
22 whatever, say you're buying two drinks at once

1 and you give it to somebody. Is there
2 somebody there who's checking to see who is
3 ever hold a beer or drinking a beer if they
4 look underage they're going to --

5 MR. HITZIG: Yes, we will have
6 special security walking in the different
7 areas of our festival that are hired. They're
8 the Doorman Group. They'll be walking the
9 festival as well to make sure if someone has
10 passed a beer to -- let's say a husband and
11 wife and the wife says I want to go get the
12 food, you go get the beer. The husband goes,
13 gets the two beer.

14 CHAIRPERSON MILLER: Yes.

15 MR. HITZIG: The wife gets the
16 food. They come together. The wife wasn't
17 checked. We'll have the doormen --

18 CHAIRPERSON MILLER: Oh, okay.

19 MR. HITZIG: -- walking around
20 checking, seeing if people have the ID or the
21 stamp and politely say, you know, I see that
22 you have a beer and you don't have a

1 wristband. Everyone drinking must have a
2 wristband. We'll have those signs also at the
3 beer gardens, or the -- I'm sorry, the beer
4 stations on the fence, that if you would to
5 drink alcohol beverage, you'll need to be ID'd
6 with a wristband and a stamp. And even if you
7 don't -- let's say I don't want to drink it
8 now, I can always go up to the beer station,
9 get a wristband and a stamp, walk away and get
10 the alcohol later. So if the wife wanted to
11 get the food, she could get hand stamped and
12 then go get the food. She doesn't have to
13 wait in line.

14 CHAIRPERSON MILLER: Okay. Good.
15 All right. Board questions? Anybody? Mr.
16 Alberti?

17 MEMBER ALBERTI: Hi. Good
18 afternoon. Thank you for coming. So how many
19 beer stations are there?

20 MR. HITZIG: Two beer stations,
21 one on 10th Street and the other on 13th
22 Street.

1 MEMBER ALBERTI: Okay. So
2 basically at opposite ends. Now I'm not
3 understanding the diagram. When you say
4 eating area with tables, is the consumption of
5 the alcohol restricted to a small area or is
6 it you can consume it any place in the
7 festival?

8 MR. HITZIG: You can walk around
9 the festival with it.

10 MEMBER ALBERTI: The entire area?
11 Okay. How will be able to just a quick look
12 at somebody distinguish whether they have an
13 alcoholic beverage or an non-alcoholic
14 beverage?

15 MR. HITZIG: Well, we have special
16 cups that are -- we're only using the Kirin
17 beer cup --

18 MEMBER ALBERTI: Okay.

19 MR. HITZIG: -- that plastic beer
20 cup that will say Kirin on it. That's all.
21 It's clear. I think it's clear, so --

22 MEMBER ALBERTI: So if they have a

1 Kirin cup you're assuming that it's alcohol?

2 MR. HITZIG: Yes.

3 MEMBER ALBERTI: Okay. How many
4 people will you have stationed throughout the
5 festival area observing patrons, and you said
6 alcoholic beverages, who doesn't -- I forget
7 what you called them.

8 MR. HITZIG: The Doorman Group?

9 MEMBER ALBERTI: The doormen, yes.

10 MR. HITZIG: They'll be walking
11 the festival. We'll have a security company.
12 We'll have two roaming teams of two people --
13 I'm sorry, three roaming teams in the three
14 different sections of our festival. We'll
15 also have the doormen walking around in teams
16 the different sections of the festival. We'll
17 also have police. The police have increased
18 our number because we have the alcohol --
19 people allowed to walk around with alcohol.
20 So the police --

21 MEMBER ALBERTI: Okay. Yes, we
22 usually generally don't rely on the police for

1 that function.

2 MR. HITZIG: Yes.

3 MEMBER ALBERTI: They have

4 other --

5 MR. HITZIG: Yes.

6 MEMBER ALBERTI: -- more important

7 functions.

8 MR. HITZIG: Yes.

9 MEMBER ALBERTI: So how many

10 doormen will you have?

11 MR. HITZIG: We'll have also three

12 groups.

13 MEMBER ALBERTI: So three groups?

14 MR. HITZIG: Yes, three groups of

15 two.

16 MEMBER ALBERTI: Okay. And who's

17 training all these people, the security people

18 and the doormen --

19 MR. HITZIG: They'll be at our --

20 MEMBER ALBERTI: -- what their

21 responsibilities are?

22 MR. HITZIG: They'll be at our

1 orientation as well.

2 MEMBER ALBERTI: Okay. Do you
3 have a ticket sale for beer, and how will it
4 work?

5 MR. HITZIG: Ticket sale will be
6 in the beer station tent.

7 MEMBER ALBERTI: Okay.

8 MR. HITZIG: So they will have to
9 be ID'd first.

10 MEMBER ALBERTI: And you can only
11 buy beer with the tickets? Is that the idea?

12 MR. HITZIG: Well, you have to be
13 ID'd. You walk through the snake, get to the
14 table at the tent.

15 MEMBER ALBERTI: Right.

16 MR. HITZIG: You buy your ticket.
17 You step over one step. You hand the ticket
18 to someone else and they give you a beverage.

19 MEMBER ALBERTI: Okay. I have no
20 further questions.

21 CHAIRPERSON MILLER: Other
22 questions?

1 MEMBER BROOKS: Yes, just one or
2 two.

3 CHAIRPERSON MILLER: Yes.

4 MEMBER BROOKS: Last year did you
5 have any problems of note?

6 MR. HITZIG: No.

7 MEMBER BROOKS: Nothing?

8 MR. HITZIG: No.

9 MEMBER BROOKS: Nothing that
10 occurred out of the usual that you sort of
11 planned for? Okay. And are you still
12 expecting the same amount of people, between
13 20 and 40,000? Is that still the --

14 MR. HITZIG: The fire marshall is
15 making us do a maximum capacity level.

16 MEMBER BROOKS: Oh, okay.

17 MR. HITZIG: We haven't finalized
18 our map yet, so we don't know what that level
19 is. So, yes, we are probably going to have
20 about 20 to 30,000 people at the festival.

21 MEMBER BROOKS: Okay. So depends
22 on what --

1 MR. HITZIG: Over seven hours.

2 MEMBER BROOKS: Yes, right.

3 Right. So it depends on what the fire
4 marshall tells you far as capacity?

5 MR. HITZIG: Yes.

6 MEMBER BROOKS: How would you know
7 that you got there?

8 MR. HITZIG: We have entrances.

9 At the entrances we have people who will be
10 clicking and --

11 MEMBER BROOKS: Clicking?

12 MR. HITZIG: -- counting everyone
13 coming through. And then we report that to
14 the Homeland Security camper every hour. We
15 have one person calculating all those and then
16 that will be reported to the Homeland Security
17 camper.

18 MEMBER BROOKS: Okay. So once you
19 get to that magic number, then you're going to
20 cut off admissions?

21 MR. HITZIG: That's correct.

22 MEMBER BROOKS: Okay. And then

1 would you calculate that you could reopen
2 admissions?

3 MR. HITZIG: When people leave.

4 MEMBER BROOKS: Okay. And
5 someone's going to be keeping track of that?

6 MR. HITZIG: Yes.

7 MEMBER BROOKS: Okay. All right.
8 Thank you, Madam Chair.

9 CHAIRPERSON MILLER: Okay. Yes?

10 MEMBER ALBERTI: Just real quick
11 follow up. So I'm just curious. You have any
12 idea what -- that snapshot in time, what the
13 maximum number would be? Any idea what the
14 range would be? Is it 100 or 5,000 or --

15 MR. HITZIG: Yes, the Taste of DC
16 had to do it. It was the first festival that
17 had to do it. Last October they had to do it.
18 And they came up with about 18,000.

19 MEMBER ALBERTI: At one time?

20 MR. HITZIG: At one time.

21 MEMBER ALBERTI: Okay.

22 MR. HITZIG: They said they never

1 reached that number.

2 MEMBER ALBERTI: So it's still a
3 big number? Yes.

4 MR. HITZIG: We did -- the first
5 year we did our entrances. We came up -- we
6 looked at our numbers and we reached 18,000 by
7 1:30.

8 MEMBER ALBERTI: Good.

9 MR. HITZIG: So we would --

10 MEMBER ALBERTI: There all at one
11 time?

12 MR. HITZIG: That's how many
13 people came through the festival, yes.

14 MEMBER ALBERTI: Well, no, I'm not
15 asking about that. I'm talking about a
16 snapshot in time on the ground. Because I'm
17 sure that's what --

18 MR. HITZIG: Yes.

19 MEMBER ALBERTI: -- EMS is -- I
20 mean --

21 MR. HITZIG: Yes.

22 MEMBER ALBERTI: -- the Homeland

1 Security is worried about, is how many people
2 can fit in that area at one time.

3 MR. HITZIG: Yes.

4 MEMBER ALBERTI: What's that
5 number? Surely not 18,000.

6 MR. HITZIG: Well, that's what
7 Taste of DC came up with.

8 MEMBER ALBERTI: Okay. I'll
9 accept that then. All right. That's what
10 they're allowing?

11 MR. HITZIG: Yes.

12 MEMBER ALBERTI: Okay. So that's
13 a big number.

14 MR. HITZIG: Yes.

15 MEMBER ALBERTI: Okay. Great.
16 Thank you.

17 CHAIRPERSON MILLER: Mr. Jones?

18 MEMBER JONES: Thank you, Madam
19 Chair.

20 How many people came through last
21 year?

22 MR. HITZIG: We had about 23,000

1 people come through the gates last year.

2 MEMBER JONES: Twenty-three
3 thousand?

4 MR. HITZIG: Yes.

5 MEMBER JONES: All right. And I
6 just want to make sure I'm clear in my
7 comprehension of what you said. First and
8 foremost one of the things that you've changed
9 from last year to this year is the nature of
10 the land area in which individuals could
11 consume alcohol. Is that a fair
12 characterization?

13 MR. HITZIG: Yes.

14 MEMBER JONES: Okay. Can you
15 quantify what that delta is in terms of rough
16 square footage? Are we talking about an
17 increase of 100 percent over where people
18 could consume alcohol before, or 10 times as
19 large as the area where people can consume
20 alcohol? What are we talking about here?

21 MR. HITZIG: Well, the beer
22 gardens, we had two beer gardens. Each of

1 them were about 100 feet by 30 feet areas,
2 roughly. And the festival itself is
3 approximately five city blocks from 9th
4 Street --

5 MEMBER JONES: Okay.

6 MR. HITZIG: -- to 12th Street,
7 13th Street and part of 10th Street.

8 MEMBER JONES: So without hard
9 numbers it's a big delta. A huge delta.

10 And just to make sure I'm also
11 following, the difference from last year to
12 this year is notionally if you have a beer
13 station on I think you said 9th Street --

14 MR. HITZIG: 10th Street.

15 MEMBER JONES: -- 10th Street, I
16 could buy two beers --

17 MR. HITZIG: Yes.

18 MEMBER JONES: -- at any one
19 time --

20 MR. HITZIG: Yes.

21 MEMBER JONES: -- and I could walk
22 with that beer and consume it all the way from

1 9th Street all the way to 13th Street and
2 touch every place in between with that beer?

3 MR. HITZIG: Yes.

4 MEMBER JONES: Correct?

5 MR. HITZIG: Yes.

6 MEMBER JONES: Okay. What's the
7 distinction in terms of the cups again? You
8 said the beer would be in one type of cup only
9 and that's a clear cup?

10 MR. HITZIG: Yes.

11 MEMBER JONES: What other types of
12 cups will be available?

13 MR. HITZIG: No other.

14 MEMBER JONES: No other cups? So
15 you're not selling anything but beer and sake?

16 MR. HITZIG: Well, the sake will
17 be in a small plastic see-through.

18 MEMBER JONES: Okay.

19 MR. HITZIG: A little cup.

20 MEMBER JONES: So if I wanted to
21 buy soda, if I wanted to buy --

22 MR. HITZIG: It's a five-ounce cup

1 that we do not fill to the top.

2 MEMBER JONES: This is beer?

3 MR. HITZIG: The --

4 MEMBER JONES: Or sake?

5 MR. HITZIG: The sake.

6 MEMBER JONES: Sorry. But that --

7 MR. HITZIG: So we fill it about

8 three ounces.

9 MEMBER JONES: Those are the only
10 two beverage types I can buy?

11 MR. HITZIG: Alcohol beverage.

12 MEMBER JONES: Okay. So non-
13 alcohol beverage, what other beverages can I
14 buy?

15 MR. HITZIG: We have Coke
16 products.

17 MEMBER JONES: Coke products?

18 MR. HITZIG: And iced tea.

19 MEMBER JONES: Okay. And they are
20 sold in bottles and cans or are they --

21 MR. HITZIG: Sold in bottles.

22 MEMBER JONES: Okay. And are you

1 preventing individuals from bringing in their
2 own cups?

3 MR. HITZIG: No.

4 MEMBER JONES: No? Are you
5 preventing individuals from bringing in like
6 a sports bottle or --

7 MR. HITZIG: No.

8 MEMBER JONES: Nothing like that?
9 Okay. So conceivably someone could then buy
10 a beer in your clear cup and pour it into a
11 non-transparent --

12 MR. HITZIG: Yes.

13 MEMBER JONES: Okay. And there's
14 nothing that you would know? In that instance
15 the individual --

16 MR. HITZIG: If they did it, they
17 would probably be hiding it from the public
18 and --

19 MEMBER JONES: Right.

20 MR. HITZIG: -- behind a tent and
21 they could easily --

22 MEMBER JONES: They could easily?

1 Okay.

2 MR. HITZIG: Yes, but they could
3 have done that in the beer garden, too,
4 without anyone seeing.

5 MEMBER JONES: Okay. Good point.
6 Good transition. So how many security did you
7 have monitoring your beer gardens last year?

8 MR. HITZIG: We had four -- five
9 Doorman Security, four at the entrance and one
10 at the exit. And we had committee members
11 that oversaw the whole area as well. Those
12 committee members will be at the beer stations
13 as well. The beer stations are not going to
14 run by themselves. So we have three to four
15 committee members at each beer station.

16 MEMBER JONES: So is that what you
17 had last year?

18 MR. HITZIG: Yes.

19 MEMBER JONES: I want to know what
20 you had last year.

21 MR. HITZIG: Yes, that's the exact
22 same.

1 MEMBER JONES: In your beer garden
2 you had five doorman-type people --

3 MR. HITZIG: Five doormen --

4 MEMBER JONES: -- and three
5 committee members?

6 MR. HITZIG: Yes, three or four
7 committee members.

8 MEMBER JONES: Three or four
9 committee members? So if my math is correct,
10 that's eight to nine.

11 MR. HITZIG: Yes.

12 MEMBER JONES: So roughly 10.
13 Let's just round it up.

14 MR. HITZIG: Yes.

15 MEMBER JONES: Okay. So you had
16 two beer gardens last year?

17 MR. HITZIG: Yes.

18 MEMBER JONES: That makes 20.

19 MR. HITZIG: Yes.

20 MEMBER JONES: Okay. For a land
21 mass area that is significantly smaller than
22 the land mass area that you're now having to

1 patrol.

2 MR. HITZIG: Yes.

3 MEMBER JONES: Because what you
4 just provided us as a mechanism to control the
5 mechanism, the approach of people handing
6 beers off would be the people that were
7 roaming --

8 MR. HITZIG: Yes.

9 MEMBER JONES: -- which based on
10 what I'm seeing sounds like it's the doormen
11 that you have hired, as well as on your
12 application you mention something about some
13 other --

14 MR. HITZIG: Yes.

15 MEMBER JONES: -- hired security
16 guards.

17 MR. HITZIG: Yes, at that time we
18 didn't know who we were hiring, but now we
19 know.

20 MEMBER JONES: Okay. So now what
21 is your quantity? So last year when you had
22 good experience with your two beer gardens

1 that were combined areas, you had 20 people.
2 Now you're covering the full expanse of your
3 range and you're applying the same processes
4 that you applied for your smaller beer garden
5 areas. How many people now are you going to
6 have? Quantify that for me. How many people
7 are you going to have?

8 MR. HITZIG: Checking?

9 MEMBER JONES: Yes.

10 MR. HITZIG: Checking?

11 MEMBER JONES: Confirming that no
12 one is buying a beer --

13 MR. HITZIG: Yes.

14 MEMBER JONES: -- and giving it to
15 a minor. That's really what I'm after.

16 MR. HITZIG: Yes, yes. Well, in
17 the east section we would have four people
18 roaming. In the central also four. And the
19 west section we would have four roaming. Then
20 we have --

21 MEMBER JONES: That's 12 so far,
22 right?

1 MR. HITZIG: Then we have security
2 at the exits, the emergency exits.

3 MEMBER JONES: And how many
4 security?

5 MR. HITZIG: We have seven
6 emergency exits.

7 MEMBER JONES: And you have two
8 people per exit?

9 MR. HITZIG: One person. And then
10 we have emergency exits that are behind the
11 stages that are also at 12th Street by the
12 command center. We have --

13 MEMBER JONES: How many people
14 per?

15 MR. HITZIG: One.

16 MEMBER JONES: One? So you had
17 seven normal exits, I'll call them, and how
18 many other special exits?

19 MR. HITZIG: We have 11. If you
20 want to count them all together, 11 exits.

21 MEMBER JONES: All right. So one
22 person per exit, so 11 people there. So you

1 had 12 roaming.

2 MR. HITZIG: And then we have --
3 at the entrances we also have security there.

4 MEMBER JONES: And how many?

5 MR. HITZIG: One security there.

6 But also we have --

7 MEMBER JONES: How many entrances?

8 MR. HITZIG: We have five
9 entrances.

10 MEMBER JONES: Five entrances? So
11 five people?

12 MR. HITZIG: Yes. And then we
13 also have all our committee members who -- we
14 have sixty --

15 MEMBER JONES: Sixteen?

16 MR. HITZIG: -- five. Sixty-
17 five --

18 MEMBER JONES: Sixty-five? Okay.

19 MR. HITZIG: -- committee members
20 with distinctive coats on the day of that have
21 their own sections that are watching those
22 areas.

1 MEMBER JONES: Okay.

2 MR. HITZIG: Every one has walkie-
3 talkies to communicate.

4 MEMBER JONES: So it's 12 plus 11
5 plus 5?

6 MR. HITZIG: Yes. Plus 65.

7 MEMBER JONES: Plus 65? And all
8 65 of those individuals will be on duty --

9 MR. HITZIG: Yes.

10 MEMBER JONES: -- all the time
11 through that entire seven-hour window?

12 MR. HITZIG: That's correct.

13 MEMBER JONES: Okay. So that's an
14 increase from last year where you had -- I
15 mean five -- four individuals?

16 MR. HITZIG: We had five security
17 and four committee members inside a beer
18 garden.

19 MEMBER JONES: Okay. All right.

20 MR. BLANCHARD: So we've gone from
21 about 20 people to about 83.

22 MEMBER JONES: Right.

1 MR. BLANCHARD: And just to give
2 the some history, along time ago when we were
3 doing this more actively, we started out at
4 Freedom Plaza in '90, '91, and then we
5 expanded to Pennsylvania Avenue I believe in
6 '93, '94. And at that point we had what we're
7 proposing today except with no fence. We had
8 beer stations up and down the street, probably
9 three as opposed to two, and it was completely
10 open. And that went on for years before we
11 had one incident. And then we changed our
12 operation and went to beer gardens. So we
13 will be vigilant that we don't have an
14 incident under this new scenario.

15 But back then there wasn't a
16 fence, so if you saw somebody starting to walk
17 off, what was our normal process, we had to
18 run after them and say, hey, throw that beer
19 away. You can't leave the festival grounds
20 with an open container. So this is just -- I
21 wanted to give you that historical
22 perspective. This isn't something brand new.

1 And it's still a family festival as opposed to
2 -- I don't want to --

3 MR. HITZIG: Name other --

4 MR. BLANCHARD: I don't want to
5 name any --

6 (Laughter.)

7 MR. BLANCHARD: -- or mis-
8 characterize them, but this is still a family
9 festival, not a youth event or college-age
10 necessarily focus.

11 MEMBER JONES: Understood. Thank
12 you for that. Now in terms of the rule that
13 you have, the limit that you put on in terms
14 of drinks --

15 MR. HITZIG: Yes.

16 MEMBER JONES: -- at one time --

17 MR. HITZIG: Yes.

18 MEMBER JONES: -- what was the
19 rationale behind that?

20 MR. HITZIG: The example I gave
21 earlier --

22 MEMBER JONES: Yes.

1 MR. HITZIG: -- where a husband
2 and wife, one will go get the food and one
3 will go get the beverages so they don't have
4 to both stand in line.

5 MEMBER JONES: No, I guess I
6 understand that scenario. I'm trying to
7 figure out why two. Why did you limit it to
8 two? What was the rationale for two?

9 MR. HITZIG: Oh.

10 MEMBER JONES: What if I come with
11 my boys and there's like four of us?

12 MR. HITZIG: Yes.

13 MEMBER JONES: And I want to get
14 four beers. Hey, you get the french fries,
15 you get the food and I'll get the beer. Come
16 on, guys, let's work it work. Let's work as
17 a team. Like I'm just trying to understand.

18 MR. HITZIG: Well, we don't want
19 to over abuse the system, but what we looked
20 at was other establishments like the stadium.

21 MEMBER JONES: Yes.

22 MR. HITZIG: What can you there?

1 You could get two beers, correct, and walk to
2 your seat.

3 MEMBER JONES: Right.

4 MR. HITZIG: And hand it to your
5 wife there. So we're looking at that.

6 MR. BLANCHARD: And we know
7 there's a restriction again at back-up drinks.

8 MEMBER JONES: Yes, sir.

9 MR. BLANCHARD: So we don't want
10 to violate that either.

11 MEMBER JONES: Okay. Cool.
12 That's what I was looking for.

13 (Laughter.)

14 MEMBER JONES: Thank you. I was
15 hoping that was incorporated in your thought
16 process.

17 MR. HITZIG: Yes.

18 MR. BLANCHARD: Yes.

19 MEMBER JONES: And last but not
20 least, I think -- oh, just help me understand
21 the rationale for the stamp and the wristband.
22 So it sounded like I understood after you go

1 through the snake --

2 MR. HITZIG: Yes.

3 MEMBER JONES: -- and you get both
4 a stamp and a wristband roughly around the
5 same time.

6 MR. HITZIG: You get it at the
7 same -- yes, the same time.

8 MEMBER JONES: Correct? Same
9 time, right? So is this a delta or change
10 from your processes that you had in place last
11 year?

12 MR. HITZIG: We talked to the
13 Doorman and they advised us to step it up
14 more. There was no real big incident, but
15 they did say since you having people walk
16 around, if someone has a coat over their arm
17 it's harder to see the wristband, that you
18 could see the stamp there. Those are kind of
19 conversations we had with the Doorman --

20 MEMBER JONES: Okay.

21 MR. HITZIG: -- why we should look
22 at doing two things instead of just one.

1 MEMBER JONES: Okay. So the
2 reason why I ask is you mentioned in your
3 scenario about, hey, I'm the husband and I go
4 get the beer and I hand it to my wifey, but my
5 wifey may not have -- and how you
6 characterized it she may not have a wristband
7 or a hand stamp.

8 MR. HITZIG: Yes.

9 MEMBER JONES: In that instance
10 how is that possible? And it sounds like it's
11 possible because the wifey doesn't have to go
12 through the line to get the beer.

13 MR. HITZIG: Well, if you look at
14 the site plan here just for the beer
15 station --

16 MEMBER JONES: Yes.

17 MR. HITZIG: -- the doorman will
18 be standing right at the entrance of --

19 MEMBER JONES: Right.

20 MR. HITZIG: -- the line.

21 MEMBER JONES: Okay.

22 MR. HITZIG: So she could walk up

1 and say, you know, I don't want to buy it now.
2 I'll get a hand stamp and walk away, get a
3 hand stamp and wristband and walk away so she
4 doesn't have to go through the whole --

5 MEMBER JONES: No, understood. I
6 understand what she could do.

7 MR. HITZIG: Yes.

8 MEMBER JONES: But in the scenario
9 you painted before she didn't have one, she
10 didn't have a hand stamp.

11 MR. HITZIG: Yes. Yes.

12 MEMBER JONES: Right. Okay.

13 MR. HITZIG: So we would go up to
14 the -- well, we've also instructed -- I should
15 have said this earlier. What we instructed
16 the committee members who are overseeing the
17 beer station, if anyone buys two beverages,
18 two alcoholic beverages, they will watch what
19 they do with those two beverages. And if they
20 hand them to someone that is not ID'd, doesn't
21 have a wristband, they can see that, they will
22 instruct the doormen to go and ID the woman

1 and put a wristband on her.

2 MEMBER JONES: Okay. It sounds
3 like a lot.

4 MR. HITZIG: Yes, I understand
5 that, but --

6 MEMBER JONES: You got 23,000
7 people --

8 MR. HITZIG: Yes.

9 MEMBER JONES: -- coming through
10 your beer stations and you want the person
11 that's giving out the beer to keep an eye on
12 what the person -- if there are two --

13 MR. HITZIG: Well, we have -- no,
14 there's not only three people in the tent.
15 There are approximately eight other people in
16 the tent serving beer, people standing at the
17 exits making sure people don't come in. So
18 it's not just four people there and one will
19 watch, but if someone does buy two, they're
20 instructed to watch what they do with those
21 two beers.

22 MEMBER JONES: Okay. So I'll cut

1 to the quick. So I have a bit of a concern.
2 It's not a, you know, life-or-death-type
3 situation necessarily, but I'm a little bit
4 concerned from the standpoint of -- I would be
5 more comfortable if there was a mechanism by
6 which someone before they entered into your
7 gated area is either stamped or banded --

8 MR. HITZIG: At the --

9 MEMBER JONES: -- at that
10 juncture, at that place.

11 MR. HITZIG: At the beginning at
12 the entrance.

13 MEMBER JONES: At the beginning at
14 the entrance before they get to your gated
15 area. Because after they get into your gated
16 area, all bets are off.

17 MR. HITZIG: Yes.

18 MEMBER JONES: Right? And that's
19 where my concern lies. Whether it's just a
20 stamp or just a -- reason why I ask, I thought
21 where you were going with this was everyone
22 who comes in at the entrance, into your

1 barricaded area --

2 MR. HITZIG: Yes.

3 MEMBER JONES: -- they would be
4 ID'd at that point. And at that point you
5 check and say, okay, yes, I'll give them a
6 band. Then secondarily if they went through
7 the snake, they'd be carded again and at that
8 point given a stamp which would be a second
9 independent verification at that point. But
10 anyone who has a drink in their hand will have
11 had a band because they had to get banded when
12 they first walked in to your gated area.

13 MR. HITZIG: Okay.

14 MEMBER JONES: That's where I
15 thought you were going. And I'm not trying to
16 provide any feedback or advice in terms of how
17 you should do it. I was just trying to
18 understand the rationale behind it.

19 MR. HITZIG: I see.

20 MEMBER JONES: Thank you. I'm
21 done. Thank you, Madam Chair.

22 CHAIRPERSON MILLER: Okay.

1 Others?

2 (No audible response.)

3 CHAIRPERSON MILLER: We're going
4 to turn to Mr. Lawson in a second. I just
5 want to follow up on that, you know, because
6 I'm sure it's -- two things. One is I guess
7 maybe not everybody wants to be stamped or
8 whatever when they first come in, right, if
9 they're not really interested in having a
10 drink. So I don't know whether -- I guess
11 maybe it could be an optional thing, or I
12 don't know you -- I'm just -- you'll figure it
13 out.

14 The other thing is if they want
15 another beverage, like they want soda or water
16 or whatever you're -- where do they get those
17 beverages?

18 MR. HITZIG: They could get that
19 at their beer station or they could get that
20 at a market. We have three markets throughout
21 the festival also located in the east, central
22 and west parts of our festival.

1 CHAIRPERSON MILLER: Okay. So in
2 the husband/wife scenario though and the
3 husband gets the drinks or something, he can
4 get a beer and a water. It's not just he has
5 to get just beers?

6 MR. HITZIG: That's correct. All
7 the same sodas will be sold. All the soft
8 drinks will be sold at the beer stations or at
9 the markets.

10 CHAIRPERSON MILLER: Okay. Thank
11 you. Mr. Lawson?

12 INVESTIGATOR LAWSON: So what kind
13 of wristbands will you guys be using?

14 MR. HITZIG: Kirin will provide
15 those wristbands. They will have the Kirin
16 name and logo on them and they're white
17 wristbands.

18 INVESTIGATOR LAWSON: Well,
19 particularly when I say what kind, are they
20 going to be --

21 MR. HITZIG: Oh, Tyvek.

22 INVESTIGATOR LAWSON: The tearaway

1 kind?

2 MR. HITZIG: Yes, the Tyvek I
3 believe it's called.

4 INVESTIGATOR LAWSON: Okay. And
5 with regards to the beer, are the beer tickets
6 identifiable separately from the soda tickets
7 and the water tickets? Are you using one --

8 MR. HITZIG: Yes, we're just using
9 one ticket. Basically they buy the ticket
10 once they get at the end of the snake.

11 INVESTIGATOR LAWSON: Yes.

12 MR. HITZIG: They just step over a
13 step and buy -- and hand over the tickets to
14 who's giving out the beverages.

15 INVESTIGATOR LAWSON: Okay. But
16 it's all the same ticket for each beverage,
17 for any beverage?

18 MR. HITZIG: Yes.

19 INVESTIGATOR LAWSON: Same kind,
20 make, color? Okay. Well, the only other
21 thing I had is that with regards to the
22 avoiding the back-up drinks, I would suggest

1 that during your orientation training periods
2 have your staff specifically ask the purchaser
3 who the other drink is for.

4 MR. HITZIG: Yes.

5 INVESTIGATOR LAWSON: Just ask.
6 Just say who's the other beer for?

7 MR. HITZIG: Okay.

8 INVESTIGATOR LAWSON: And in that
9 case if they say it's for their wife, well,
10 she has to come and get her ID checked.

11 MR. HITZIG: Okay.

12 INVESTIGATOR LAWSON: You know,
13 it'll save you a lot of headache --

14 MR. HITZIG: Yes.

15 INVESTIGATOR LAWSON: -- as
16 opposed to if this guy leaves and then he's
17 going to give somebody one that doesn't have
18 a wristband.

19 MR. HITZIG: Yes.

20 INVESTIGATOR LAWSON: And now you
21 got to track them down. You got to have all
22 your staff --

1 MR. HITZIG: Yes.

2 INVESTIGATOR LAWSON: -- trying to
3 ID when you got a busy time period going on.
4 You understand?

5 MR. HITZIG: Yes.

6 INVESTIGATOR LAWSON: So I think
7 it'll cut down if you just try to meet it at
8 the neck, cut off at the neck and just ask
9 them who's the other beverage for and, you
10 know, have their other person come and get an
11 ID check. No further questions.

12 MR. HITZIG: Thank you.

13 CHAIRPERSON MILLER: So are you
14 suggesting the other person come and get it --

15 INVESTIGATOR LAWSON: What I'm
16 suggesting is --

17 CHAIRPERSON MILLER: -- and they
18 not walk away with two?

19 INVESTIGATOR LAWSON: -- if
20 there's a person that wants to purchase two
21 alcoholic beverages, two beers --

22 CHAIRPERSON MILLER: Right.

1 INVESTIGATOR LAWSON: -- and they
2 say I want two tickets for two beers, well,
3 their customer service person will ask them
4 who's the second beer for? And if the person
5 offers that it's for another person, then
6 they'll say, well, the other person has to get
7 the wristband and stamped.

8 CHAIRPERSON MILLER: Right. Okay.

9 INVESTIGATOR LAWSON: To tell them
10 that way. And they may just say, okay, well
11 just give me one and I'll have the other
12 person come or they may tell them both of them
13 are for me. And if that's the case, then of
14 course you know you can't sell them to them.

15 MR. HITZIG: Yes.

16 INVESTIGATOR LAWSON: You have to
17 tell them they have to consume one and then
18 purchase another one, because that will be a
19 back-up drink.

20 MR. HITZIG: Oh, okay.

21 INVESTIGATOR LAWSON: If they say
22 they're both for me.

1 CHAIRPERSON MILLER: Right.

2 (Laughter.)

3 MEMBER ALBERTI: I think Mr.
4 Lawson's suggestion is an excellent one
5 because then when one of your roamers
6 approaches a person without a wristband, you
7 can honestly say, well, you were put on
8 notice. Whoever purchased this alcohol for
9 you was told that the person they were giving
10 it to had to be banded. And so you kind of
11 cut off any conflict when you have to deal
12 with this person who's now angry at being
13 bothered up there. So I think it's an
14 excellent suggestion and it's very to say just
15 a reminder to whoever's buying the beers the
16 other person's got to be banded. You know,
17 who's this for? Make sure that they're
18 banded. I think it's an excellent suggestion.
19 Thank you, Mr. Lawson.

20 CHAIRPERSON MILLER: Just to
21 understand the process though, they buy beer
22 tickets in a certain locality and then they

1 get the beer, or no?

2 MR. HITZIG: In the same tent.

3 CHAIRPERSON MILLER: No, okay.

4 Same tent, but a different place?

5 MR. HITZIG: Yes, once they're out
6 of the snake, they come to the table, they buy
7 -- they make their purchase with -- of the
8 ticket.

9 CHAIRPERSON MILLER: Yes.

10 MR. HITZIG: They just step over
11 one step and hand those tickets over to
12 someone else.

13 MR. BLANCHARD: It's an assembly
14 line.

15 CHAIRPERSON MILLER: Okay.

16 MR. BLANCHARD: So you have one
17 person dealing with the money.

18 MR. HITZIG: Yes.

19 MR. BLANCHARD: One person with
20 the tickets.

21 MEMBER ALBERTI: I assume it's
22 also a double-check, because now you've got

1 two eyes on this person buying the beer and
2 they're both noticing how old this person is,
3 or looks.

4 MR. HITZIG: Right.

5 CHAIRPERSON MILLER: Now, Mr.
6 Lawson, were you saying to get the tickets
7 though you would have to be ID'd then and
8 stamped to give somebody two tickets, that
9 that would be the place for the other half to
10 show up?

11 INVESTIGATOR LAWSON: Well, the
12 way Mr. Hitzig described it is they go through
13 the double ID check.

14 CHAIRPERSON MILLER: Yes.

15 INVESTIGATOR LAWSON: If it's one
16 person and then they go to a table that they
17 have set up for to purchase tickets.

18 CHAIRPERSON MILLER: Yes.

19 INVESTIGATOR LAWSON: And at that
20 point where they want to buy the tickets they
21 have to say how many tickets they want and
22 what they're for.

1 CHAIRPERSON MILLER: Right.

2 INVESTIGATOR LAWSON: Because I'm
3 assuming that the beer is going to be more
4 expensive than soda, so forth and so on.

5 MR. HITZIG: Yes.

6 INVESTIGATOR LAWSON: So they'll
7 say I would like two tickets for two beers.

8 CHAIRPERSON MILLER: Right.

9 INVESTIGATOR LAWSON: And at that
10 point the salesperson will say, well, who's
11 the second beer for? Okay. My wife. Okay.
12 You understand your wife needs to be here to
13 get her stamp and her wristband? Okay. Well,
14 I'll go get her. Or, okay, I'll just get one
15 beer now and I'll her to come get her other
16 beer. Or both beers are for me in which case,
17 no, you can only get one ticket.

18 CHAIRPERSON MILLER: Yes.

19 INVESTIGATOR LAWSON: But they
20 basically ask the person from Jump Street who
21 the beers are for and that way most of the
22 time people will tell you I'm buying it for

1 me.

2 (Laughter.)

3 INVESTIGATOR LAWSON: They will
4 say that. They'll say I'm buying it for me.

5
6 CHAIRPERSON MILLER: No, I think
7 that's a great suggestion.

8 INVESTIGATOR LAWSON: Until
9 they --

10 CHAIRPERSON MILLER: Yes.

11 INVESTIGATOR LAWSON: Until they
12 realize that, no, you're -- then they won't
13 tell you. But the first go around they'll
14 tell who they're for.

15 CHAIRPERSON MILLER: And I also
16 don't think the person who is selling the beer
17 could possibly be watching, you know, where
18 that other person's going.

19 INVESTIGATOR LAWSON: It's like
20 Member Alberti said, it kind of cuts down on
21 conflict because --

22 CHAIRPERSON MILLER: Yes.

1 INVESTIGATOR LAWSON: -- if they
2 do have take some necessary action when this
3 guy goes to give the beer to his wife or
4 whatever, she doesn't have a wristband or
5 whatever, then there's not a whole lot he
6 could say. Well, didn't the salesperson ask
7 you or didn't he tell you that she had to have
8 a wristband? Oh, yes.

9 CHAIRPERSON MILLER: Right.

10 INVESTIGATOR LAWSON: Well, I
11 forgot. Okay. Well, she needs to go get a
12 wristband, sir. Thank you.

13 CHAIRPERSON MILLER: Okay. Sound
14 good. Mr. Brooks?

15 MEMBER BROOKS: Mr. Lawson,
16 suppose a person says none of your business?

17 (Laughter.)

18 INVESTIGATOR LAWSON: Well, I
19 guess that's a policy Mr. Hitzig needs to --
20 is going to have to deal with at that point.

21 MR. HITZIG: I just want to also
22 say we will have -- again we will have signage

1 throughout the festival about this and also at
2 the beer stations there will be signage about
3 that.

4 MEMBER ALBERTI: Right, point them
5 to the sign then?

6 MEMBER BROOKS: Yes. Okay.

7 INVESTIGATOR LAWSON: People don't
8 pay attention to signs.

9 (Laughter.)

10 INVESTIGATOR LAWSON: This is the
11 last thing they're going to see.

12 MR. HITZIG: That's why we put it
13 up higher. The bicycle rack was 42 inches
14 high. We'd put it there and no one would see
15 it, so now we got bicycle racks that are six
16 feet high and we put it at the top of that and
17 people now see that, the signs.

18 CHAIRPERSON MILLER: It doesn't
19 block too many cherry blossom trees.

20 (Laughter.)

21 MEMBER ALBERTI: There's not many
22 on Pennsylvania.

1 MR. HITZIG: I you can find a
2 cherry blossom on Pennsylvania --

3 CHAIRPERSON MILLER: Right.

4 MR. HITZIG: But, no. Yes.

5 CHAIRPERSON MILLER: Okay. Any
6 other questions?

7 (No audible response.)

8 CHAIRPERSON MILLER: Anything
9 else?

10 (No audible response.)

11 CHAIRPERSON MILLER: Do you all
12 have any other questions?

13 (No audible response.)

14 CHAIRPERSON MILLER: Okay. Sounds
15 good. Well, I think it's a consensus. I
16 guess I will make a motion that we approve
17 this temporary license application. Do I have
18 a second?

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON MILLER: Okay. Mr.
21 Silverstein seconded the motion. All those in
22 favor, say aye?

1 (Chorus of ayes.)

2 CHAIRPERSON MILLER: All those
3 opposed?

4 (No audible response.)

5 CHAIRPERSON MILLER: All those
6 abstaining?

7 (No audible response.)

8 CHAIRPERSON MILLER: Okay. Motion
9 passes. We're approving your application.
10 Thank you.

11 MR. HITZIG: Thank you very much.

12 CHAIRPERSON MILLER: And we'll
13 just initial it.

14 MEMBER JONES: Thank you for
15 taking the time to come down here.

16 MR. HITZIG: Yes, we appreciate
17 it.

18 MEMBER JONES: It's very important
19 for us to have a good comprehension and
20 understanding of the things that changed from
21 last year, from year to year, and
22 understanding your rationale that goes into

1 it. So we're not trying to harass you or
2 hassle you. We just want to make sure we
3 understand.

4 MR. HITZIG: No, we appreciate
5 everyone's comments because we take our
6 festival serious. This is a one-day festival
7 and if we mess it up, we don't have a chance
8 like a bar --

9 MEMBER JONES: Right. Right.

10 CHAIRPERSON MILLER: Yes.

11 MR. HITZIG: -- a real restaurant
12 or a bar because we only have one day. So we
13 take it very seriously, everything we do. So
14 thank you.

15 MEMBER JONES: Thank you for that.

16 CHAIRPERSON MILLER: Thank you.

17 MEMBER ALBERTI: And wishing you
18 good weather.

19 (Laughter.)

20 MR. HITZIG: That we need.

21 (Whereupon, the hearing was
22 concluded at 2:24 p.m.)

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