

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

U Street Music Hall, LLC	Fact-
1115 U Street, NW	Finding
License No. 83219	Hearing
One Day Substantial Change	
Application (Union BBQ)	
Date of Event: June 14, 2014	
4000 Attendees	

June 11, 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
HERMAN JONES, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

ABYIE GHENENE, ABRA Investigator

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

APPLICANT PRESENTATION:

Candace Fitch, attorney. 7

Will Eastman 8

Scott Herman11

BOARD QUESTIONS:12

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

(1:36 p.m.)

CHAIRPERSON MILLER: Okay. Good afternoon. And the first case that we have on our afternoon calendar is a Fact-Finding Hearing for U Street Music Hall, LLC located at 1115 U Street, N.W., License No. 83219. It's for a one day substantial change application and the date of the event is June 14, 2014. Good afternoon.

MS. FITCH: Good afternoon. Candace Fitch, attorney for the applicant.

MR. HERMAN: Scott Herman, General Manager of the U Street Music Hall.

MR. EASTMAN: Will Eastman, the managing partner at U Street Music Hall.

CHAIRPERSON MILLER: Okay.

INVESTIGATOR GHENENE: ABRA Investigator Abyie Ghenene.

CHAIRPERSON MILLER: Great. Okay. So we wanted to hear a little bit more about this event. And can I ask you, have you done

1 anything like this before? Is this the first
2 time you are doing something like this?

3 MR. EASTMAN: This is the first
4 time.

5 CHAIRPERSON MILLER: Okay. All
6 right. Why don't you then give us a little
7 overview, if that would be all right?

8 MS. FITCH: Do you want us to just
9 run down the questions, Chairman Miller, or --
10 we have the Fact-Finding questions or do you
11 want us to just --

12 CHAIRPERSON MILLER: Let me see.
13 Let me see if I have that in my packet. I
14 would say -- let me see if I can find it.

15 MEMBER ALBERTI: Can I ask a
16 question just to get myself oriented?

17 CHAIRPERSON MILLER: Sure.

18 MEMBER ALBERTI: On your map here,
19 where is -- and I should know this, but I
20 don't. Where is --

21 COURT REPORTER: Sir, can you turn
22 your microphone on?

1 MEMBER ALBERTI: Yes. What -- I'm
2 curious, where is Union Market proper on this
3 map, so I can orient myself?

4 MR. HERMAN: Sure. This is the
5 second level of the Union Market. So the
6 Union Market if you are looking at the indoor
7 stage --

8 MEMBER ALBERTI: So this is the
9 second level?

10 MR. HERMAN: Correct.

11 MEMBER ALBERTI: Oh, okay. So
12 that helps me. Gotcha. That's why I was
13 confused.

14 MR. EASTMAN: I can give you all a
15 brief overview.

16 MEMBER ALBERTI: So how do you
17 have an alley stage if you have a second
18 level?

19 MR. HERMAN: The property is on a
20 hill, so the -- it will be easier if I point
21 it out.

22 MEMBER ALBERTI: So just -- I

1 mean, we will ask questions later, because the
2 layout is helpful here, so --

3 MR. HERMAN: So if you are
4 familiar with Union Market, this is the
5 parking lot.

6 COURT REPORTER: Excuse me, sir,
7 while you are standing I need you close to a
8 mike.

9 CHAIRPERSON MILLER: There is a
10 mike over there, too. Okay.

11 MR. HERMAN: This area, Neal
12 Street, is the parking lot in front of Union
13 Market.

14 MEMBER ALBERTI: Um-hum, right.

15 MR. HERMAN: The entrance to Union
16 Market is here.

17 MEMBER ALBERTI: Right.

18 MR. HERMAN: And then the first
19 floor of the indoor stage building is the
20 actual market.

21 MEMBER ALBERTI: Right. So that,
22 what we are looking at there is the layout of

1 the second floor?

2 MR. HERMAN: Right. The second
3 floor on the back side of the market, there is
4 a loading dock.

5 MEMBER ALBERTI: Right.

6 MR. HERMAN: And because the
7 property is on a hill, the loading dock opens
8 out onto the alley stage.

9 MEMBER RODRIGUEZ: Okay.

10 MEMBER ALBERTI: Out of the -- so
11 the loading dock goes into the second level
12 there?

13 MR. HERMAN: Correct.

14 MEMBER ALBERTI: You know, I never
15 noticed that. All right. Thank you.

16 MR. HERMAN: Sure.

17 MEMBER ALBERTI: That's actually
18 helpful for this hearing and others, so thank
19 you. I'm ready to go now.

20 CHAIRPERSON MILLER: Okay. So
21 what I would advise, we don't have those
22 questions in front of us. I understand those

1 are questions that the Board normally asks.

2 MS. FITCH: Right.

3 CHAIRPERSON MILLER: So if you can
4 give an overview, you don't have to go through
5 the questions that way, but those -- if you
6 can touch those areas or whatever, your
7 questions going down, you will touch upon the
8 issues that the Board is most interested in.

9 MS. FITCH: Sure. U Street Music
10 Hall, as you know, is a music venue over here
11 at 1115 U Street and they are going to have an
12 off-premise special event on Saturday Union
13 BBQ, and that's what we are here to present
14 about.

15 I'm going to let the two of them
16 go over the exact event itself, because they
17 have planned it and it's their baby and they
18 are they are the guides to the process.

19 MR. EASTMAN: This is a way for
20 us, we have been in business since 2010 on U
21 Street between 11th and 12th. And we have
22 started the business as a way to showcase the

1 growing DC music scene. This is a way for us
2 to reach out to our community in DC, have an
3 event that is outdoors and combines our food
4 community.

5 We have a lot of crossover, even
6 though our main focus is music, with the
7 growing food scene in DC. To have an event
8 where we bring our music together in the
9 sunlight with some food and really get to
10 bring some visibility to the beautiful sort of
11 renaissance that is going on in DC right now.

12 So we are very happy to sort of
13 partner with the people at Union Market. I'm
14 a DJ and music producer myself and they booked
15 me to play a show there in November for a
16 local group called the Walkmen, to open that
17 show. And as I was there, I got to, you know,
18 stand on that stage that they had and just
19 sort of look out there and say, you know, this
20 could be a great place for us to bring the
21 stuff that we have been doing on U Street for
22 a festival.

1 And they met with me and they were
2 very, very open to it, very interested in
3 partnering with us. That was sort of the
4 genesis of this.

5 So I can answer any questions you
6 have about the sort of theme and the music and
7 Scott can answer any questions you have about
8 -- Scott is our General Manager and knows all
9 of the bar operations at U Street Music Hall.
10 He can answer any questions you have about
11 security and the liquor sale.

12 CHAIRPERSON MILLER: So is this
13 the first time you are doing an event outside
14 of your own venue? Yes? Okay.

15 MR. EASTMAN: It is, yes, for us.
16 I have been involved over, you know, 25 years
17 in the business with other, you know,
18 festivals in college and playing them as a,
19 you know, DJ and music server, but this is the
20 first one that U Street Music Hall is
21 presenting outside of it.

22 MS. FITCH: And we have been

1 working with DCRA to get the special event
2 permit that is required, so we have been in
3 touch with EMS and Health and we have been
4 three days so far with the Fire Marshal.

5 MR. EASTMAN: Fire department.

6 MS. FITCH: So --

7 MR. EASTMAN: Yes.

8 MS. FITCH: -- we have been going
9 through that process along the way with this.

10 CHAIRPERSON MILLER: Okay. And I
11 have in my -- it looks like in your
12 application you said you expect 4,000 people
13 throughout the day?

14 MR. HERMAN: Correct.

15 CHAIRPERSON MILLER: Okay. So
16 what are you doing with respect to serving
17 alcohol?

18 MR. HERMAN: So at the entryway,
19 there are going to be ID checkers. Everybody
20 coming into the festival are going to have
21 their IDs checked. People that are over 21
22 are going to have a bright red wristband, the

1 plastic style that you can't remove without
2 breaking.

3 And then we have four bars laid
4 out throughout the festival grounds. There is
5 going to be security at each of the bars. The
6 bartenders we are hiring from a bar staffing
7 company called BarSphere, which is owned by a
8 gentleman that runs a bartending school in DC
9 on Georgia Avenue.

10 And oh, I'm sorry, it's on 14th
11 Street, yes.

12 CHAIRPERSON MILLER: So there are
13 -- all the bartenders have had TIPS training?

14 MR. HERMAN: Correct.

15 CHAIRPERSON MILLER: Okay. They
16 are not going to check again, are they? You
17 are just having the -- anybody who has a res
18 wristband can --

19 MR. HERMAN: Right.

20 CHAIRPERSON MILLER: Okay.

21 MR. HERMAN: They will be serving
22 one drink per customer per wristband.

1 CHAIRPERSON MILLER: One drink,
2 okay, right.

3 MR. HERMAN: If you don't have a
4 wristband, you are not going to get a drink
5 served to you.

6 CHAIRPERSON MILLER: Okay. And
7 how about the food? Where is there going to
8 be food?

9 MR. HERMAN: Food is laid out --
10 there is nine different vendor tents laid out
11 throughout the grounds, all outside.

12 CHAIRPERSON MILLER: So can you
13 take your drinks to the food or what?

14 MR. HERMAN: Sure.

15 CHAIRPERSON MILLER: You can
16 wander anywhere with the food or the drinks?
17 But there are certain exits, I assume, you
18 can't walk out with a drink?

19 MR. HERMAN: Sure. There is a
20 main entrance and exit and then there is an
21 emergency exit on the other side of the
22 entrance.

1 CHAIRPERSON MILLER: So are you
2 having security at the entrances and exits?

3 MR. HERMAN: Yes, absolutely.

4 CHAIRPERSON MILLER: So there are
5 two plus an emergency exit? Is that --

6 MR. HERMAN: Correct.

7 CHAIRPERSON MILLER: -- what you
8 said?

9 MR. HERMAN: Yes.

10 CHAIRPERSON MILLER: Okay. So how
11 many security are you having?

12 MR. HERMAN: We have 40 security
13 guards.

14 CHAIRPERSON MILLER: 40 total?

15 MR. HERMAN: The security is
16 Massive Entertainment and they have worked at
17 Union Market before as well as doing other
18 events, like large scale events.

19 CHAIRPERSON MILLER: Okay. So
20 have you figured out how many you are going to
21 have at each bar and how many at the exits or
22 anything like that?

1 MR. HERMAN: Yes, there is going
2 to be, at the front gate, at least five
3 probably three checking IDs at all times and
4 then a couple of people with crowd control.
5 Emergency exits are going to have security.
6 Each bar will have at least one security
7 guard.

8 And then I'm working with the
9 owner of Massive Entertainment to place
10 security guards at high visibility spots and
11 then they are also going to be floating
12 throughout the festival all day.

13 CHAIRPERSON MILLER: Okay.

14 MS. FITCH: The security guards
15 are also TIPS trained.

16 CHAIRPERSON MILLER: Um-hum, okay.

17 MR. HERMAN: Yes, the owner of
18 Massive Entertainment, his name is Lance
19 Hogan, he is a former TIPS trainer.

20 CHAIRPERSON MILLER: What kind of
21 alcohol are you going to serve?

22 MR. HERMAN: We are going to have

1 beer. We are working with DC Brau, a local
2 brewery.

3 CHAIRPERSON MILLER: Yes.

4 MR. HERMAN: We are going to be
5 serving vodka, Red Bulls and margaritas, a
6 pretty limited bar.

7 CHAIRPERSON MILLER: Okay. And do
8 you have some kind of a plan for like
9 emergencies, like if someone gets intoxicated
10 or sick from the alcohol?

11 MR. HERMAN: Yes. We are going to
12 have four EMTs on-site, two at a first aid
13 tent, which is going to be located inside and
14 two with an ambulance that will be on-site.
15 And, you know, depending on the emergency, we
16 will bring somebody to an EMT.

17 CHAIRPERSON MILLER: Okay. And is
18 this -- I don't really recall whether Union
19 Market is near a Metro or anything like that
20 or whether people have to drive or take Uber.

21 MR. HERMAN: I believe the closest
22 Metro is Gallaudet University's Metro. It's

1 walking distance.

2 CHAIRPERSON MILLER: It is. Okay.

3 MR. EASTMAN: I believe the New
4 York Avenue Metro, too, is like three blocks
5 away.

6 CHAIRPERSON MILLER: Okay.

7 MR. HERMAN: Right.

8 MR. EASTMAN: Conceivably.

9 CHAIRPERSON MILLER: Great. Okay.

10 I'm going to let other Board Members ask
11 questions. Mr. Alberti, do you have some
12 questions?

13 MEMBER ALBERTI: Okay. So first
14 of all, where are the bars going to be on
15 here? How do I locate the bars on here? I'm
16 going to be all over the map with my
17 questions. There is no order to them.

18 MR. HERMAN: Sure. They are
19 labeled. There is a bar here.

20 MEMBER ALBERTI: Okay.

21 MR. HERMAN: There is a bar on the
22 other side.

1 MEMBER ALBERTI: Okay.

2 MR. HERMAN: There will be a bar
3 on the outside and inside there is one bar
4 along this back wall.

5 MEMBER ALBERTI: Okay.

6 MR. HERMAN: There is another bar
7 here.

8 MEMBER ALBERTI: Okay. Great.
9 All right. Just out of curiosity, how many
10 stages do you have?

11 MR. HERMAN: Two.

12 MEMBER ALBERTI: Okay. The alley
13 stage and then the indoor stage? Okay. Now,
14 we have a loading dock. Is there a railing on
15 that loading dock?

16 MR. HERMAN: There is.

17 MEMBER ALBERTI: I have never been
18 out there. There is? Okay. There is. Okay.
19 Will you have people monitoring that loading
20 dock, because you're going to have crowds of
21 people?

22 MR. HERMAN: Absolutely, yes.

1 MEMBER ALBERTI: All right.

2 MR. HERMAN: We're going to have--
3 we are not going to --

4 MEMBER ALBERTI: What's the drop-
5 off?

6 MR. HERMAN: -- allow blocked
7 stairways.

8 MEMBER ALBERTI: Okay.

9 MR. HERMAN: You know there is a
10 couple different stairways. There is also an
11 ADA ramp that people --

12 MEMBER ALBERTI: Okay.

13 MR. HERMAN: -- can go up.

14 MR. EASTMAN: They renovated the
15 rail on that loading dock --

16 MEMBER ALBERTI: Um-hum.

17 MR. EASTMAN: -- last year or the
18 year before it when they first started having
19 events there. It's very industrial.

20 MEMBER ALBERTI: Okay.

21 MR. EASTMAN: You couldn't push
22 through it.

1 MEMBER ALBERTI: I need to get out
2 there and take a look one of these days, but,
3 okay. So all right. So I'm going to get to--
4 how many people are you going to have roaming
5 the event to make sure that only people with
6 wristbands have alcoholic beverages?

7 MR. HERMAN: There is going to be
8 40 security guards total.

9 MEMBER ALBERTI: How many people
10 will be assigned to roaming?

11 MR. HERMAN: I have to take a
12 couple of minutes to calculate that, but
13 probably I would say at least 15, 20.

14 MEMBER ALBERTI: Have you thought
15 about how many indoors and outdoors? I mean,
16 it's kind of an important issue for us.

17 MR. HERMAN: Sure.

18 MEMBER ALBERTI: Because you are
19 going to have 18 and older. It's -- you know,
20 people are going to --

21 MR. HERMAN: Absolutely.

22 MEMBER ALBERTI: -- be wanting to

1 pass off drinks.

2 MR. HERMAN: Of course, yes. Mr.
3 Hogan and I had sat down with a map like this
4 and we mapped out how many guards are going to
5 be where and based on his experience, he said
6 we will have these people at the bars, these
7 people at the front door, these people
8 roaming. I didn't bring that map with me
9 today. I handed it off to him. I could
10 probably get --

11 MEMBER ALBERTI: We would actually
12 like a copy of that.

13 MR. HERMAN: Sure.

14 MEMBER ALBERTI: And just for the
15 future, those sorts of things are very
16 helpful. It's the kind of things we are
17 looking at to make sure that you guys have
18 thought through this.

19 MR. EASTMAN: We are also going to
20 have about 20 U Street Music Hall staff
21 members and volunteers there.

22 MEMBER ALBERTI: Okay.

1 MR. EASTMAN: Who will also be
2 birdeyeing all of this stuff.

3 MEMBER ALBERTI: Okay.

4 MR. EASTMAN: Trying to prevent
5 any potential incidents.

6 MEMBER ALBERTI: See now, you are
7 going to have margaritas and the Red Bull
8 drinks and beers. What are they going to be
9 served in?

10 MR. HERMAN: Plastic cups.

11 MEMBER ALBERTI: Plastic cups.
12 You are going to have other beverages, I
13 assume?

14 MR. HERMAN: The other beverages
15 are going to be Red Bull in a can and bottled
16 water.

17 MEMBER ALBERTI: Okay. So the
18 only beverages we should see are -- the only
19 alcoholic beverages we should see are
20 beverages in a plastic cup?

21 MR. HERMAN: In a plastic cup.

22 MEMBER ALBERTI: And if so -- so

1 if someone has a plastic cup, we can assume
2 they have an alcoholic beverage?

3 MR. HERMAN: Right.

4 MEMBER ALBERTI: Is that correct?

5 MR. HERMAN: Yes.

6 MEMBER ALBERTI: Okay. Very good.

7 MR. HERMAN: And that's how we
8 will keep track. Similar to what we do at the
9 nightclub. We serve drinks in clear plastic
10 cups. We serve non-alcoholic drinks in a
11 different kind of cup.

12 MEMBER ALBERTI: Great.

13 MR. HERMAN: And security is able
14 to see if they should or should not do
15 anything about that.

16 MEMBER ALBERTI: Um-hum, good. I
17 may think of something else, but I have no
18 other questions right now.

19 CHAIRPERSON MILLER: Okay. Mr.
20 Rodriguez?

21 MEMBER RODRIGUEZ: You mentioned
22 Metros walking distance is what three blocks?

1 MR. HERMAN: New York

2 University's?

3 MR. EASTMAN: New York Avenue is
4 about three blocks. I think Gallaudet is
5 about two blocks.

6 MEMBER RODRIGUEZ: Just an
7 interesting idea, what about those that can't
8 walk there? And I don't mean handicap.

9 MR. EASTMAN: We are partnering
10 with Uber. There is going to be a special
11 promo code and we will be advertising that, so
12 anybody who is intoxicated, we encourage them
13 to take an Uber.

14 MEMBER RODRIGUEZ: Thank you.

15 MR. EASTMAN: There is free
16 parking in front on a first come, first served
17 basis, but we are not encouraging people to
18 drive to this.

19 CHAIRPERSON MILLER: Right.

20 MR. EASTMAN: We are encouraging
21 them to take public transportation or to take
22 Uber, which is our partner/sponsor.

1 MEMBER RODRIGUEZ: Okay.

2 MEMBER ALBERTI: I just thought of
3 another question.

4 CHAIRPERSON MILLER: Okay. Mr.
5 Alberti?

6 MEMBER ALBERTI: What's the max
7 crowd that you will have?

8 MR. HERMAN: Maximum number?

9 MEMBER ALBERTI: Yes, at one time.

10 COURT REPORTER: Excuse me, sir,
11 could you get on a mike?

12 MR. HERMAN: Sorry.

13 MEMBER ALBERTI: The maximum
14 number at one time.

15 MR. HERMAN: The maximum number
16 would be 4,000.

17 MEMBER ALBERTI: Okay. So you can
18 accommodate 4,000 people in that area?

19 MR. HERMAN: Yes.

20 MEMBER ALBERTI: Okay.

21 MR. HERMAN: Yes.

22 MEMBER ALBERTI: All right. And

1 I'm hoping -- I'm assuming that you -- there
2 is an egress to the first floor from that
3 indoors?

4 MR. HERMAN: There is.

5 MEMBER ALBERTI: And you will --
6 that will be blocked or will you allow -- will
7 that just be an emergency exit?

8 MR. EASTMAN: Yes.

9 MR. HERMAN: It's just going to be
10 an emergency exit.

11 MEMBER ALBERTI: Okay. So no one
12 from Union Market itself will be able to get
13 in. Okay. Very good. All right. That's it.
14 Thank you.

15 CHAIRPERSON MILLER: Others? I
16 just have a couple of follow-ups on Mr.
17 Alberti's and then Mr. Jones.

18 MEMBER JONES: Go ahead.

19 CHAIRPERSON MILLER: Anyway, the
20 4,000 number is both the maximum at one time
21 and the maximum you expect to have during the
22 time of the event?

1 MR. HERMAN: Right.

2 CHAIRPERSON MILLER: Okay.

3 MR. EASTMAN: Is that correct?

4 MS. FITCH: At this time, you have
5 the Fire Marshal figuring out exactly what the
6 loading dock and hold and we have heard
7 numbers over 4,000, but 4,000 is what we are
8 interested in for ticket sales.

9 MEMBER ALBERTI: That's a lot of
10 people.

11 CHAIRPERSON MILLER: Okay. And
12 the food, you are having a barbecue or no?

13 MR. HERMAN: There are nine
14 different food vendors all local restaurants
15 and caterers. We can give you a list if you
16 would like?

17 CHAIRPERSON MILLER: Okay. And
18 they are separate from Union Market? They are
19 not those --

20 MR. HERMAN: Correct. Actually --

21 MR. EASTMAN: There is one Union
22 Market.

1 MR. HERMAN: -- you do have shops
2 in there.

3 CHAIRPERSON MILLER: You have
4 both?

5 MR. EASTMAN: Yes.

6 MR. HERMAN: Yes. Toki
7 Underground is one of the vendors. They do
8 have a stall in the market. Brixton is going
9 to have a -- set up there on U Street. Mama
10 Nada's Empanades is going to have a setup.
11 She is a local empanada neighbor. One of our
12 DJs, it's actually his mom. Dolcezza is the
13 Gelato factory, which is right behind Union
14 Market. I think they also have a stall there.

15 MR. EASTMAN: They do have a stall
16 at Union Market, yes.

17 MR. HERMAN: The DCity Smokehouse
18 which is on North Capitol Street, they will be
19 cooking some barbecue food. DGS Deli located
20 in Dupont, Greek Spot over on 11th, right off
21 of U they will have a stall. Rito Loco, which
22 is a food truck is opening up a restaurant in

1 the next year and 13th Street Meats is the
2 final vendor and they are also a local sausage
3 franchise.

4 CHAIRPERSON MILLER: And is there
5 an admission or you pay an admission charge or
6 what?

7 MR. HERMAN: To get into the
8 festival?

9 CHAIRPERSON MILLER: Um-hum.

10 MR. HERMAN: Yes. It's \$40.

11 CHAIRPERSON MILLER: And then you
12 pay for the food separate or additionally?

13 MR. HERMAN: Correct.

14 CHAIRPERSON MILLER: And the
15 drinks. Okay. Okay. Thanks. Mr. Jones?

16 MEMBER JONES: Thank you, Madam
17 Chair.

18 CHAIRPERSON MILLER: Yes.

19 MEMBER JONES: Your application
20 came with a floor plan. Is that floor plan
21 the same floor plan that you are pointing to
22 right here?

1 MS. FITCH: It should be, yes.

2 MEMBER JONES: It should be?
3 Okay. Curiosity, where are the bathrooms for
4 your patrons located?

5 MR. HERMAN: Sure. This section
6 right here is all porta-potties.

7 MEMBER JONES: That section up
8 there?

9 MR. HERMAN: Yes.

10 MEMBER JONES: Is all porta-
11 potties? That whole area is porta-potties?

12 MR. HERMAN: Yes.

13 MEMBER JONES: Okay. And you
14 mentioned ticket sales. Is that how you are
15 regulating your crowd?

16 MR. HERMAN: Yes.

17 MEMBER JONES: So you are only --
18 you are telling us today that you are only
19 going to sell 4,000 tickets?

20 MR. HERMAN: That's correct.

21 MEMBER JONES: No matter what?

22 MR. HERMAN: Correct.

1 MEMBER JONES: Okay. And how are
2 ticket sales -- meaning, how are -- what is
3 the mechanism to procure a ticket?

4 MR. HERMAN: We have an on-line
5 ticket vendor, Ticketfly.com, so people that
6 buy tickets in advance will have a will call
7 ticket. At the -- and then whatever we
8 haven't sold that is left over, we will have
9 hard copy tickets printed, so people can walk
10 up and buy the remaining tickets at the site.

11 MEMBER JONES: Okay.

12 MR. HERMAN: Does that make sense?

13 MEMBER JONES: Yes. So you have
14 advance sales, but you don't actually get a
15 ticket. You get a right to come to the will
16 call booth, so you can print -- right now, you
17 can have 4,000 tickets printed and that's the
18 maximum that you are going to have?

19 MR. HERMAN: Right.

20 MEMBER JONES: Right. So whether
21 I buy them in advance or buy them at the door,
22 it's --

1 MR. HERMAN: 4,000.

2 MEMBER JONES: -- coming out of
3 that 4,000 kitty. So anyone -- I could walk
4 up to you as an Investigator and say okay, let
5 me see how many tickets you have left and you
6 have two, that's the maximum you could sell
7 regardless of how long the line is, you only
8 have two left in your stack --

9 MR. HERMAN: Right.

10 MEMBER JONES: -- to get to the
11 4,000.

12 MR. HERMAN: Right.

13 MEMBER JONES: Okay. And you said
14 you had up to 40 security people?

15 MR. HERMAN: Yes. We're going to
16 have 40.

17 MEMBER JONES: All right. So
18 typically, I know when I review applications,
19 I usually try to have a ratio of 50:1. So 50
20 patrons per each security person for venues,
21 especially activities such as this.

22 MR. HERMAN: Um-hum.

1 MEMBER JONES: Right now it's
2 obviously twice as much from what you are
3 planning on having. You came to that number
4 based on a review with Massive Entertainment?

5 MR. HERMAN: Right.

6 MEMBER JONES: Or Massive
7 Security, sorry.

8 MR. HERMAN: They helped us with
9 that number. Union Market also suggested one
10 people or security -- one security guard per
11 hundred people.

12 MEMBER JONES: Okay. So in order
13 for me to have a better understanding or a
14 better level of comfort with that, I kind of
15 have to get -- I guess I have to fall in line
16 with Board Member Alberti, I kind of need to
17 understand and see how you are having your
18 security distributed.

19 You're going to have at least one
20 at each bar. You are going to have some at
21 the entrance and some protecting the emergency
22 exit area --

1 MR. HERMAN: Right.

2 MEMBER JONES: -- as well. So you
3 said, based on your quick math in your head,
4 roughly about 15 roamers. So you are only
5 going to have 15 roamers to cover,
6 essentially, 4,000 people.

7 MR. HERMAN: I'm pretty bad at
8 math, so let me --

9 MEMBER JONES: Yes, I'm just
10 trying to -- I'm having a hard time with it.

11 MR. HERMAN: Sure.

12 MEMBER JONES: I'm not comfortable
13 with that number. So I'll just tell you where
14 I'm coming from right now. So --

15 MR. HERMAN: Let me take a minute
16 and do a quick calculation.

17 MEMBER JONES: Okay.

18 MR. EASTMAN: Sure. We could also
19 email the plan that I have with the security
20 company to you guys, if that would help?

21 MR. HERMAN: Right. As I
22 mentioned, we sat down with this map and --

1 CHAIRPERSON MILLER: Right.

2 MR. HERMAN: -- placed security
3 guards on the map.

4 CHAIRPERSON MILLER: Right. We
5 would like that. I think Mr. Alberti had said
6 that earlier.

7 MR. HERMAN: Yes.

8 CHAIRPERSON MILLER: That would be
9 a good idea.

10 MR. HERMAN: Yes, I gave him the
11 map.

12 MEMBER ALBERTI: Oh, they are
13 going to send it to us now?

14 CHAIRPERSON MILLER: Oh, I don't
15 think right now.

16 MEMBER ALBERTI: I think that's
17 why we are -- no, no, not now.

18 MEMBER JONES: Well, I'll just say
19 I'm concerned -- this is for the Board
20 Members. I'm concerned with the 15 number
21 being able to police effectively 4,000 patrons
22 with the risk of their being a hand-off of a

1 drink to an underage individual and that's
2 what I don't see a good mitigation plan for,
3 at this point.

4 MEMBER ALBERTI: I will say that
5 Mr. Jones brings up a good point, because I'm
6 just thinking about the numbers you gave us
7 earlier. I mean, just rough calculations,
8 it's going to leave less than 20 people as
9 roamers. I mean, you look at the front door
10 and bars, you probably have eaten up -- and
11 other places, you have probably eaten up half
12 of the security right there, leaving about 20
13 people to roam.

14 MR. EASTMAN: This is going to be
15 an all-hands-on-deck event for us. So we will
16 have our U Street Music Hall staff there as
17 well.

18 MEMBER JONES: Um-hum.

19 MR. EASTMAN: As well as our
20 volunteers.

21 MEMBER ALBERTI: How many? Do you
22 want to proceed through this, Mr. Jones?

1 MEMBER JONES: Yes. Does that get
2 me to 50:1?

3 MR. EASTMAN: Well, that would --
4 we have 40 plus 20, so that would put it at
5 4,000 --

6 MEMBER JONES: You need 80 to get
7 to 50:1, just quick math.

8 MR. EASTMAN: Well, then based
9 on --

10 MR. HERMAN: Now that I'm sitting
11 down and actually mapping it out, it looks
12 like it would be -- with the set positions at
13 each bar and the entrance and exit and
14 emergency exits, that's going to be 17, so
15 there will be 23 floating. Not 15.

16 MEMBER JONES: 23 roamers?

17 MR. HERMAN: Yes.

18 MEMBER JONES: Okay.

19 MS. FITCH: And 20 --

20 MR. EASTMAN: And you can count
21 the 20 --

22 MS. FITCH: -- staff.

1 MR. EASTMAN: -- U Street Music
2 Hall staff and volunteers as well, so that's
3 40.

4 MEMBER JONES: So with the 40 plus
5 20, that's 60, right?

6 MS. FITCH: Yes.

7 MEMBER JONES: Okay. So you are
8 still, based on my math, 20 short of 50:1.
9 Not that you knew that ahead of time. I just
10 want to make sure we are on the same page. So
11 as far as I'm concerned, I wouldn't approve
12 this, because I don't think you have enough
13 security to handle the risk of hand-off with
14 the number of people that are potentially
15 going to be in there.

16 18 and over, right?

17 MR. HERMAN: Correct.

18 MEMBER JONES: So you have people
19 that are underage that are in your facility
20 and there is nothing that is going to prevent
21 me from, a 21 year-old who has a friend who is
22 18, handing him a drink, taking it and pouring

1 it into an empty Red Bull can and handing him
2 something that is illicit.

3 So I don't know -- I don't feel
4 like you have enough security to handle the
5 event, based on the concerns that we have seen
6 in the past. That's just my two cents based
7 on what I'm seeing.

8 MR. EASTMAN: The demographic does
9 skew more toward mid to late 20s and early 30s
10 than 18 plus.

11 MEMBER JONES: Based on?

12 MR. EASTMAN: We made it 18 --
13 based on the talent that we have booked.

14 MEMBER JONES: Based on what?

15 MR. EASTMAN: The talent that we
16 have booked and our experience, our experience
17 at U Street Music Hall and which artists draw
18 certain crowds.

19 MEMBER JONES: Understood.

20 MR. EASTMAN: So --

21 MEMBER JONES: So I would have
22 more confidence in that number if you had done

1 this event last year, if you had done this
2 before. Right? This is your first time doing
3 this, correct?

4 MR. EASTMAN: It is.

5 MEMBER JONES: Yes? And you are
6 close to -- how far are you away from
7 Gallaudet University?

8 MR. HERMAN: Walking distance.

9 MR. EASTMAN: Walking distance.

10 MEMBER ALBERTI: Next door.

11 MEMBER JONES: Next door, right?

12 So if there are going to be huge people, a
13 huge amount of individuals that are going to
14 be under the age of 21 that will potentially
15 be interested in coming to your event, because
16 it's easy to walk to, it's close, proximity
17 and it's in the neighborhood.

18 So -- and regardless of what your
19 impression may be, there is a higher risk.
20 The closer you are to a campus, based on my
21 experience, the higher probability you have of
22 underage drinking activity taking place,

1 because of the large number of individuals
2 that you have and that demographic.

3 MR. EASTMAN: Sure.

4 MR. HERMAN: I think --

5 MEMBER JONES: And you are not
6 catering to a 45 and older crowd. You are
7 catering to a fairly young crowd. So that is
8 just my one vote. So I'm just letting you
9 know where I'm coming from. I don't feel like
10 you have enough security to handle it, based
11 on what I have seen in the past in that sense,
12 because had -- drink hand-off is a very, very
13 real risk and I do not believe that you have
14 enough security to mitigate that effectively.

15 MR. HERMAN: I think the ticket
16 price will prevent casual people just
17 wandering over from across the street, because
18 if you are not there to see a specific artist,
19 you are not going to spend \$40 just to go hang
20 out.

21 MEMBER ALBERTI: So what is the
22 ticket price?

1 MR. EASTMAN: It's \$40.

2 MR. HERMAN: \$40.

3 MEMBER SHORT: Madam Chair?

4 CHAIRPERSON MILLER: Yes?

5 MEMBER JONES: That's all I have,
6 Madam Chair.

7 CHAIRPERSON MILLER: Yes.

8 MEMBER JONES: Thank you.

9 CHAIRPERSON MILLER: Yes, Mr.
10 Rodriguez?

11 MEMBER RODRIGUEZ: One small
12 question.

13 CHAIRPERSON MILLER: Wait. Mr.
14 Short.

15 MEMBER RODRIGUEZ: Oh, I'm sorry.

16 MEMBER SHORT: Thank you.

17 CHAIRPERSON MILLER: Okay.

18 MEMBER SHORT: Good afternoon. I
19 understand you have been down to see the Fire
20 Marshal.

21 MS. FITCH: Several times.

22 MEMBER SHORT: Did they give you

1 anything in writing?

2 MS. FITCH: Not yet.

3 MEMBER SHORT: About the capacity?

4 MS. FITCH: They are still doing
5 an inspection today, so we do not have the
6 signature, at this time.

7 MEMBER SHORT: Okay. You're going
8 to have restaurants there serving food,
9 correct?

10 MS. FITCH: Correct.

11 MEMBER SHORT: How are they going
12 to keep the food warm? Are they going to be
13 using propane? Are they going to be using --

14 MS. FITCH: Two vendors have
15 propane and the Fire Marshal knows that. And
16 we have to have two Fire Marshals at the
17 event.

18 MEMBER SHORT: You have to have
19 permits also for the propane, too, correct?

20 MS. FITCH: Correct.

21 MR. HERMAN: Yes.

22 MEMBER SHORT: So are there other

1 people cooking or just two?

2 MR. HERMAN: Yes.

3 MS. FITCH: Yes.

4 MR. EASTMAN: The others will
5 bring prepared food. And there is also a 10
6 foot perimeter on the propane.

7 MEMBER SHORT: All right. I would
8 feel a lot more comfortable if you had
9 something in writing to submit to the Board
10 also, because 4,000 people inside a building
11 is an awful lot. Normally, you would have to
12 get something in writing from the city to do
13 that.

14 MS. FITCH: Correct.

15 MEMBER SHORT: Normally.

16 MS. FITCH: We're working on that,
17 yes.

18 MR. EASTMAN: We have been working
19 on that, yes.

20 MEMBER SHORT: Okay. I will be
21 more comfortable --

22 MR. EASTMAN: The majority of --

1 MEMBER SHORT: -- when I see
2 something in writing to vote in favor of this.

3 MS. FITCH: Okay.

4 MR. EASTMAN: The majority of
5 people will be outside actually. The inside
6 space is around 900. The majority of people
7 will be in -- outdoors. So this area is
8 indoors here to the south. This all is open.
9 All this area here, the middle is outside.

10 MEMBER SHORT: Okay.

11 MS. FITCH: Um-hum.

12 MR. EASTMAN: And the two propane
13 vendors are right there.

14 MEMBER SHORT: Okay. Again, that
15 close to the building, the Fire Marshal issues
16 permits for that, so I would be a lot more
17 comfortable seeing something in writing. And
18 if you have 900 people inside of a building,
19 still the Fire Marshal I know will give you
20 something in writing with the number of 900.

21 MS. FITCH: Yes.

22 MR. EASTMAN: We're very close to

1 that.

2 MS. FITCH: Yes.

3 MEMBER SHORT: Okay.

4 MEMBER RODRIGUEZ: Is there ticket
5 screening in terms of age? In other words,
6 when people purchase the tickets, there is no
7 age requirement listed?

8 MR. HERMAN: When you purchase the
9 ticket in advance?

10 MEMBER RODRIGUEZ: Right.

11 MR. HERMAN: There is not.

12 However, they still have to have their IDs
13 checked before they can get onto the grounds.

14 MEMBER RODRIGUEZ: Right. I just
15 wanted to see if you would have an idea of how
16 many over 18 or younger age.

17 MR. HERMAN: Yes, there is no way
18 to calculate that based on advance ticket
19 sales.

20 MR. EASTMAN: We had extensive
21 conversations with EDENS, the landlord, that
22 administers Union Market about what sort of

1 demographic we were drawing.

2 MR. HERMAN: Yes.

3 MR. EASTMAN: And we very
4 specifically did not make the event all ages,
5 first. And then we specifically made it 18
6 plus because that's the -- what we typically
7 do at U Street Music Hall.

8 MEMBER RODRIGUEZ: Right. I
9 understand.

10 MR. EASTMAN: But in the planning,
11 we skewed toward an event that would not
12 specifically draw people 18 to 21. I don't
13 have any hard figures on this, but I would say
14 that the percentage of people 18 to 21
15 attending this are going to be fewer than 10
16 to 15 percent.

17 MEMBER RODRIGUEZ: I wonder about
18 that, but thank you.

19 CHAIRPERSON MILLER: Okay.
20 Others?

21 MEMBER ALBERTI: How many staff
22 people did you say are from U Street Music

1 Hall?

2 MR. EASTMAN: About 20.

3 MEMBER ALBERTI: About 20. Okay.

4 And sort of what were you thinking their
5 function would be?

6 MR. EASTMAN: As -- well, they are
7 going to be there volunteering and doing walk-
8 arounds.

9 MEMBER ALBERTI: Because they are
10 not paid?

11 MR. EASTMAN: Floaters. Some
12 people are going to be --

13 MEMBER ALBERTI: They are not
14 paid?

15 MR. EASTMAN: -- escort -- well,
16 have of them are going to be staff who already
17 get paid on salary. The other half are going
18 to be people who are volunteers, interns, some
19 of them are DJs who we regularly work with at
20 the club who are helping us.

21 MEMBER ALBERTI: Okay. So I'm
22 sorry to interrupt, but their function would

1 be?

2 MR. EASTMAN: Would be -- I mean,
3 we are still working this out, but part of it
4 would be as floaters. Part of it would be to
5 help with whatever needs to happen, escorting
6 artists.

7 MEMBER ALBERTI: Okay.

8 MR. EASTMAN: You name it.

9 MEMBER ALBERTI: Okay. Thank you.

10 CHAIRPERSON MILLER: Mr. Ghenene?

11 INVESTIGATOR GHENENE: Thank you.

12 I have several.

13 CHAIRPERSON MILLER: Good.

14 INVESTIGATOR GHENENE: What are
15 the names of the bands that you guys are
16 hiring or the DJs?

17 MR. EASTMAN: Sure. There is --
18 the headlining DJs name is Jamie XX. The
19 other DJs are called Kaytranada, K-A-Y-T-R-A-
20 N-A-D-A, Viceroy, Orchard Lounge, Animal
21 Collective.

22 INVESTIGATOR GHENENE: Okay.

1 MR. EASTMAN: Martyn with a Y.
2 INVESTIGATOR GHENENE: Okay.
3 MR. EASTMAN: Then Nadastrom.
4 INVESTIGATOR GHENENE: Okay.
5 MR. EASTMAN: Jesse Tittsworth.
6 INVESTIGATOR GHENENE: Okay.
7 MR. EASTMAN: Max Glaser, G-L-A-S-
8 E-R.
9 INVESTIGATOR GHENENE: Um-hum.
10 MR. EASTMAN: Jen Lasher, L-A-S-H-
11 E-R.
12 INVESTIGATOR GHENENE: Okay.
13 MR. EASTMAN: Sam "the Man" Burns.
14 INVESTIGATOR GHENENE: Okay.
15 MR. EASTMAN: Myself, Will
16 Eastman.
17 INVESTIGATOR GHENENE: Okay.
18 MR. EASTMAN: And then two locals,
19 whom I forgot.
20 INVESTIGATOR GHENENE: That's
21 okay. I think I got the gist. So is this
22 primarily EDM music?

1 MR. EASTMAN: No.

2 INVESTIGATOR GHENENE: Okay.

3 MR. EASTMAN: It's not. This is
4 not. I mean, it could loosely be categorized
5 as EDM.

6 INVESTIGATOR GHENENE: Sure.

7 MR. EASTMAN: And when you think
8 of EDM, you think of glowsticks and people
9 throwing their hands in the air and Steve Aoki
10 throwing picks at people. So this is much
11 more chill electronic music.

12 INVESTIGATOR GHENENE: Okay.

13 MR. EASTMAN: This is a
14 combination of house music, a little bit of
15 techno, but mostly a sort of new vibe that is
16 general independent electronic music.

17 INVESTIGATOR GHENENE: I
18 understand. And it's not live instruments?
19 Well, live instruments or bands?

20 MR. EASTMAN: No.

21 INVESTIGATOR GHENENE: What we
22 would typically think as a live band?

1 MR. EASTMAN: Yeah, no, drumsets.

2 INVESTIGATOR GHENENE: Gotcha.

3 MR. EASTMAN: Guitars and
4 vocalists. Primarily DJs.

5 INVESTIGATOR GHENENE: Gotcha.

6 And I know that you guys said that you are
7 going before -- you are dealing with DCRA and
8 the Special Events Task Force, but,
9 approximately, how many MPD officers do you
10 think you will have there, if any?

11 MR. EASTMAN: I don't think we
12 will have any.

13 MS. FITCH: We haven't hired any.

14 INVESTIGATOR GHENENE: Okay.

15 MR. EASTMAN: It's through
16 Massive, yes.

17 INVESTIGATOR GHENENE: Okay.

18 MR. EASTMAN: We will have two
19 Fire Marshals.

20 INVESTIGATOR GHENENE: Sure.

21 MR. EASTMAN: On-site.

22 INVESTIGATOR GHENENE: Okay. And

1 the day of, are you guys going to increase the
2 ticket prices --

3 MR. EASTMAN: No.

4 INVESTIGATOR GHENENE: -- at the
5 door?

6 MR. EASTMAN: No.

7 INVESTIGATOR GHENENE: Nothing?
8 It will still be the same \$40?

9 MR. EASTMAN: Same \$40. No VIP,
10 no special area.

11 INVESTIGATOR GHENENE: Gotcha.

12 MR. EASTMAN: Everyone is equal.

13 INVESTIGATOR GHENENE: Will the
14 other licensees inside of the market be open
15 and operating while you guys are doing your
16 thing?

17 MR. EASTMAN: Yes.

18 MR. HERMAN: Yes.

19 MR. EASTMAN: I believe the market
20 is open until 8:00 p.m.

21 INVESTIGATOR GHENENE: Okay.

22 MR. EASTMAN: On Saturday.

1 INVESTIGATOR GHENENE: And you
2 kind of touched on it, but how much of the
3 festival is inside versus outside?

4 MR. EASTMAN: Well, ratio-wise --

5 MS. FITCH: About a quarter.

6 MR. EASTMAN: -- one-fourth.

7 INVESTIGATOR GHENENE: Okay. So
8 I'm a little bit familiar with that area, but
9 I think this, for me at least, is my first
10 experience where there has been someone using
11 the backside or the alley area and the parking
12 lot area. So it's kind of -- it's a very big
13 space.

14 MR. HERMAN: We're not using the
15 parking lot.

16 MR. EASTMAN: We are not using the
17 parking lot.

18 INVESTIGATOR GHENENE: You're not?

19 MR. HERMAN: No.

20 MR. EASTMAN: No.

21 INVESTIGATOR GHENENE: So where is
22 the other open space that you are using?

1 MR. HERMAN: There is only one
2 open space.

3 INVESTIGATOR GHENENE: Just the
4 alley?

5 MR. HERMAN: The alley's edge.

6 INVESTIGATOR GHENENE: Okay. So
7 you are not using the parking lot area?

8 MR. HERMAN: Correct.

9 MR. EASTMAN: No.

10 INVESTIGATOR GHENENE: Okay. How
11 will you guys be keeping track of the
12 occupancy within -- inside of the building,
13 with patrons entering and exiting the interior
14 of the building?

15 MR. HERMAN: The security staff
16 will monitor that.

17 INVESTIGATOR GHENENE: How are
18 they going to monitor that? So are they going
19 to use clickers and counters?

20 MR. HERMAN: Yes, we can have
21 clickers. And I think with this space, I
22 think, sort of a visual like keeping track

1 visually of how crowded it gets. If it is
2 starting to get too crowded, we will just
3 prevent people from coming in until people
4 walk out.

5 INVESTIGATOR GHENENE: I guess I'm
6 a little bit confused, because how are you
7 going to be able to separate via the added
8 occupancy you are bringing to the building
9 versus the occupancy that already exists from
10 normal business? How are you -- how can you
11 control it?

12 MR. HERMAN: You need a ticket to
13 get in.

14 MR. EASTMAN: Business in the
15 market?

16 INVESTIGATOR GHENENE: Exactly.

17 MR. EASTMAN: This is not taking
18 place in the market. It's on the second floor
19 of the market.

20 INVESTIGATOR GHENENE: Okay.

21 MR. EASTMAN: But it's a private
22 space. People in the market don't have

1 access.

2 INVESTIGATOR GHENENE: I gotcha,
3 but do they not -- does the market still have
4 the same? It only has one Certificate of
5 Occupancy, correct?

6 MR. HERMAN: For the first floor
7 or for the second floor?

8 INVESTIGATOR GHENENE: I'm looking
9 at it, it's part of your packet. It has
10 first, second and PH. It says occupancy load
11 1,257.

12 MR. EASTMAN: That's for the
13 second floor space that we are using, but not
14 for the market, which that's separate. And
15 people from the market will not be able to
16 enter our space, unless they have purchased a
17 ticket. They would have to walk around the
18 back of the area. So they can't walk up from
19 the basement area.

20 MR. HERMAN: They can walk up from
21 the basement here. This is separated. We
22 have them separated right here.

1 INVESTIGATOR GHENENE: No, I
2 understand that. I guess what I'm trying to
3 get clarification on -- I'm sorry.

4 CHAIRPERSON MILLER: Mr. Jones,
5 did you want to interject something?

6 MEMBER JONES: Yes, if you don't
7 mind, Investigator Ghenene? I just want to
8 just piggyback on your question really
9 quickly.

10 So you have two spaces.
11 Essentially, you have an outdoor space and an
12 indoor space, if I'm understanding correctly,
13 right?

14 MR. EASTMAN: Absolutely.

15 MEMBER JONES: And they are all --
16 they have -- there are boundary walls that
17 keep people within your area of
18 responsibility, your area of control, if you
19 will.

20 MR. EASTMAN: Correct.

21 MEMBER JONES: The indoor space is
22 going to have a certain number that it can

1 hold. The indoor space is going to have a
2 corresponding number that it can hold and you
3 add those two up. You are telling us that
4 that's 4,000 people. What I need to
5 understand, where I think Investigator Ghenene
6 is coming from, is you need to be able to
7 regulate to ensure that you don't have more
8 people in your indoor space versus your
9 outdoor space of that 4,000.

10 So if all 4,000 wanted to flood
11 into your indoor space, what are you doing to,
12 one, keep track of that and then, two, limit
13 that? Because I don't see that you have
14 those, what I'll call, flow controls in place
15 to keep that from happening, based on your
16 answers to Investigator Ghenene's question.
17 But maybe I'm missing it. And I'm sorry, I
18 didn't mean to interrupt, I just wanted to
19 make sure -- is that where you were coming
20 from?

21 INVESTIGATOR GHENENE: It's
22 exactly where I was coming from.

1 MEMBER JONES: Okay. Cool.

2 MS. FITCH: Are you going to have
3 security at these doors where they come in?

4 MR. EASTMAN: Security will be
5 monitoring those doors. And we can have them
6 there with clickers keeping track of people
7 who are there.

8 MEMBER JONES: Okay.

9 MR. EASTMAN: There is also two
10 Fire Marshals on-site who will be monitoring
11 stuff, so they would not allow us to over-pack
12 that space at all. They would, you know --

13 MEMBER JONES: So you are
14 responsible for that?

15 MR. EASTMAN: Yes.

16 MEMBER JONES: Right?

17 MR. EASTMAN: Yes, we will
18 provide --

19 MEMBER JONES: The Fire Marshal
20 will tell you that you have violated it or you
21 are over-capacity, but you should have a
22 process in place --

1 MR. EASTMAN: Absolutely.

2 MEMBER JONES: -- to mitigate that
3 risk. And I don't know that you had that
4 prior to this meeting that we had here today.
5 So I want to understand what it is that you
6 are going to do, not necessarily what you can
7 do to ensure that you are going to be able to
8 limit the number to whatever that number is,
9 but you don't know what it is at this point,
10 correct?

11 MR. HERMAN: Correct.

12 MR. EASTMAN: That is still to be
13 determined.

14 MEMBER JONES: Okay. All right.
15 So once you have that number, I need to have
16 a warm and fuzzy that you have a mechanism in
17 place to limit that.

18 MR. EASTMAN: Sure.

19 MR. HERMAN: What we will do, we
20 will work with Massive. We will have clickers
21 at the door. And similar to what we do at our
22 own venue, once you reach that number, people

1 can't come in. We call one in, one out. One
2 person can't come in until one person has
3 left.

4 MEMBER JONES: Okay.

5 MR. HERMAN: So once we reach that
6 capacity, that -- no more people will be
7 allowed in until people leave.

8 MEMBER JONES: Whatever that is,
9 correct?

10 MR. HERMAN: Right.

11 MEMBER JONES: Okay. So just keep
12 in mind you only -- it appears as if you only
13 have bathrooms in your outdoor space. Is that
14 correct?

15 MS. FITCH: There are full-service
16 restrooms inside the space that are
17 permanently there.

18 MEMBER JONES: So this is in the
19 back stage area?

20 MS. FITCH: Yes.

21 MEMBER JONES: So anyone is
22 allowed back stage?

1 MR. EASTMAN: No. The general
2 public needs to use the porta-potties.

3 MEMBER JONES: Exactly.

4 MR. EASTMAN: That's for artists
5 only.

6 MEMBER JONES: So based on my
7 review of your diagram, you do not have a
8 bathroom available to your general patronage
9 inside your inside space. So people are going
10 to have to be able to go to the bathroom. So
11 that process that you described is going to be
12 a little challenging when people have to go
13 back and forth to the bathroom and they just
14 want to go to the bathroom and come back in,
15 because you don't have that logistical flow to
16 handle bowel issues.

17 So just think about that when you
18 are thinking through the process in your setup
19 and you are answering these questions as they
20 relate to Investigator Ghenene's concern.
21 Okay?

22 MR. EASTMAN: Sure.

1 MEMBER SHORT: Madam Chair?

2 CHAIRPERSON MILLER: Yes, Mr.
3 Short?

4 MEMBER SHORT: I would like to
5 make a suggestion. Maybe you need to submit
6 a security plan that would maybe involve all
7 the information that these Board Members have
8 been asking you about, address each one of
9 them separately and how you are going to
10 actually do this, along -- in that security
11 plan to have your stamped and sealed
12 information from the Fire Marshal's Office
13 about the occupancy and anything from DCRA
14 would give you and also the propane.

15 CHAIRPERSON MILLER: Yes, exactly.

16 MEMBER SHORT: Because the
17 occupancy we see on the sheet that the
18 Investigator Ghenene pointed out says 1,200
19 was the maximum that the business is allowed
20 to have.

21 MS. FITCH: Correct. In the
22 entire building.

1 MEMBER SHORT: Right. Okay. You
2 said this has --

3 MS. FITCH: The reason why the
4 Fire Marshal has been spending so much time
5 there is he is working on the outside for us.

6 CHAIRPERSON MILLER: Okay.

7 MEMBER SHORT: And these are DC
8 Fire Department Fire Marshals?

9 MS. FITCH: Yes.

10 MEMBER SHORT: Okay. Thank you.
11 Okay. Thank you.

12 MEMBER JONES: And, Madam Chair, I
13 just want to recognize that I did interrupt
14 Investigator Ghenene in his series of
15 questions, so I apologize. Feel free to
16 continue where you left off.

17 INVESTIGATOR GHENENE: You said it
18 much better than I would say it.

19 I just had a couple other
20 questions. Just out of curiosity, why did you
21 hire bartenders outside of your own business?

22 MR. HERMAN: Two reasons. One,

1 our venue is going to be open that evening, so
2 I didn't have --

3 INVESTIGATOR GHENENE: That makes
4 sense.

5 MR. HERMAN: -- anyone work 20
6 hours. And also, for insurance reasons.

7 INVESTIGATOR GHENENE: Okay. And
8 you said these bartenders are coming from a
9 school. Does that mean that they are --

10 MR. HERMAN: I'm sorry. They are
11 not coming from a school. The owner of the
12 staffing company also owns a bartender school.

13 INVESTIGATOR GHENENE: Gotcha.
14 Okay. And Mr. Jones already brought it up,
15 but I was concerned when you said that you
16 were going to have, I guess, distinct measures
17 for people that carry non-alcoholic beverages
18 around and one of them was that people would
19 be allowed to carry Red Bulls in cans.

20 I think that that's almost like a
21 false sense of security, because it's not a
22 big deal for anyone to pour liquor or alcohol

1 inside of that. It's really not a -- in my
2 opinion, it's not a precaution.

3 MS. FITCH: Okay.

4 MR. HERMAN: So you prefer that we
5 not pour -- we not give a customer a Red Bull
6 can, but pour it into a distinct cup?

7 INVESTIGATOR GHENENE: Well, I'm
8 not telling you what you should do. I'm just
9 saying that if you think that just because
10 someone has a can, there is no alcohol in it,
11 it's just not the case. So maybe there should
12 be something else. You know, I don't want to
13 jam you up this close to the -- you know, your
14 event time, but maybe there is something else
15 you can do.

16 Have you guys checked for the
17 temperature outside that day? It might seem
18 like a random question, but I know with 4,000
19 people and that kind of high intensity music
20 and, you know, alcohol and with it getting
21 warmer outside, there is potential for people
22 to become overheated and that kind of thing.

1 And I wondered because some
2 festivals have things like cool down stations
3 or misting areas or that kind of thing. Had
4 you guys thought about that or have you guys
5 thought about what you might do in the event,
6 I see you have EMTs, someone becomes
7 overheated, extremely hot?

8 MR. HERMAN: The EMTs inside are
9 going to have a tented area, so we can bring
10 people there.

11 INVESTIGATOR GHENENE: Okay. And
12 I just -- and the reason I asked in the
13 beginning about the EDM music and I asked now
14 about the listing tables is through my
15 experience, these types of musical events it's
16 very normal for people to become overheated to
17 the point where they are incapacitated. So
18 that's the reason I brought that up.

19 I think that's all I have. Thank
20 you.

21 CHAIRPERSON MILLER: Okay. So I
22 have heard some concerns that the Board and

1 our Investigator would like you to address.
2 We are not very far away from the event,
3 however, so I kind of want to explore what can
4 be done quickly.

5 So I mean, we certainly have
6 number one, the concern about the number of
7 security that Mr. Jones has expressed, because
8 it is less than the norm, I guess, here, but
9 I understand that you have a security company
10 that came up with that number. So I think
11 that you might bring the Board's concerns to
12 the security and I guess, you know, there are
13 a couple of options.

14 One is the company can say why
15 they came up with that number and why they
16 still think it is a good number. But then if
17 the Board isn't convinced, you know, then if
18 you are willing to increase that number?

19 Second, I have a question about --
20 we have heard about the number inside, that
21 that's about 1,200 or something. The area
22 outside, that can comfortably fit more than

1 4,000 or do we have a number for that?

2 MR. EASTMAN: That area is very
3 likely going to be approved for 4,695.

4 CHAIRPERSON MILLER: By DCRA?

5 MR. EASTMAN: We do not intend to
6 put that many people. By the Fire Marshal,
7 yes.

8 CHAIRPERSON MILLER: The Fire
9 Marshal, DCRA?

10 MR. EASTMAN: We do not intend to
11 put that many people there.

12 CHAIRPERSON MILLER: When do you
13 expect to get that approval?

14 MR. EASTMAN: Today or tomorrow.

15 CHAIRPERSON MILLER: Today or
16 tomorrow?

17 MR. EASTMAN: Yes.

18 CHAIRPERSON MILLER: Okay. Then
19 there is the issue of the Red Bull cans. I
20 don't know how the Board feels about that, but
21 based on what Mr. Ghenene said, that that is
22 not foolproof.

1 I don't know whether you would
2 consider clear plastic or some other
3 alternative, if that's a possibility?

4 MR. HERMAN: Sure. I mean, we can
5 do a similar method to what we do at the
6 venue, which is have a distinct colored cup
7 for non-alcoholic beverages and we could pour
8 the Red Bull can or the contents of the can
9 into the cup.

10 MEMBER ALBERTI: I'm not sure that
11 is going to help.

12 CHAIRPERSON MILLER: So how does
13 that stop an alcohol drink being poured into
14 the cup?

15 MR. HERMAN: Yes, I guess,
16 that's --

17 MEMBER ALBERTI: I'll just
18 interject something.

19 CHAIRPERSON MILLER: Yes, but I
20 suggest --

21 MEMBER ALBERTI: Investigator
22 Ghenene, feel free to pitch in here, because

1 you are experienced in a lot of these things.
2 But I would think that one of the ways to
3 prevent that might be think about your
4 screening procedures at the front door.
5 Because you don't want people -- I know people
6 who have snuck alcohol into these events,
7 let's just put it that way.

8 And, you know, you guys know how
9 that works. All right? So I think the
10 suggestion -- you want to talk to this?

11 INVESTIGATOR GHENENE: Yes.

12 MEMBER ALBERTI: Just think about
13 screening it at the front door.

14 INVESTIGATOR GHENENE: Well, if I
15 was going to offer a suggestion, I would say
16 that anyone under 21 would be Xed or marked
17 somehow, because trying to -- like putting or
18 dumping the can in the cup is the same thing
19 difference as the can.

20 MR. HERMAN: Sure.

21 MEMBER ALBERTI: Right.

22 MS. FITCH: Yes.

1 INVESTIGATOR GHENENE: But if you
2 could mark them somehow, so that they are not
3 supposed to have it or have anything, that
4 would be a lot easier.

5 MEMBER ALBERTI: Well, or at least
6 screening.

7 MR. HERMAN: They would still have
8 -- if they were served a Red Bull, just --

9 INVESTIGATOR GHENENE: Sure.

10 MR. HERMAN: -- they would have a
11 Red Bull in their hand, they just wouldn't
12 have the wristband. I'm not opposed to
13 marking their hands. In my experience, a lot
14 of times people will rub their Xes off.

15 INVESTIGATOR GHENENE: Sure.

16 CHAIRPERSON MILLER: Um-hum.

17 MR. HERMAN: We deal with that at
18 the venue all the time. I figured a bright
19 wristband designating who can carry alcoholic
20 beverages versus Xes for who can't would be
21 more effective.

22 INVESTIGATOR GHENENE: It's my

1 opinion that if you can do more, do more.

2 MR. HERMAN: Sure. It's no
3 problem. We can absolutely mark Xes.

4 MEMBER ALBERTI: And just be
5 conscious of the screening at the front door.

6 CHAIRPERSON MILLER: Mr. Jones?

7 MEMBER JONES: Yes. Just
8 curiosity-wise, is it too late to get a
9 different color band of some sort to identify
10 the underage individuals? Because if you are
11 saying rubbing -- I agree, I can rub my X off
12 of my wrist with no problem, so it, obviously,
13 is not an effective measure.

14 MR. HERMAN: I think --

15 MEMBER JONES: So if you feel like
16 the bands are an effective measure, would it
17 be too late to get another color of band for
18 underage?

19 MR. HERMAN: I think it makes it
20 actually less clear. If somebody is walking
21 around with a band on, even if it's a
22 different color like from a distance if you

1 see a band and you don't see what color it is,
2 the fact that they have a band --

3 CHAIRPERSON MILLER: Right.

4 MR. HERMAN: -- you might not
5 think that they are underage. I think it's
6 better to have you either have a wristband and
7 you can hold alcohol or you don't have a
8 wristband and you can't hold alcohol. I think
9 that's a clearer way of designating who can
10 drink and who can't.

11 MEMBER JONES: Okay. So if you
12 are saying the Xes aren't good and bands
13 aren't good, then --

14 MR. HERMAN: Well, bands are good.

15 MEMBER JONES: No, no, no. Bands
16 aren't good based on the scenario you just
17 painted.

18 MR. HERMAN: Bands are good for
19 people over the age of 21.

20 CHAIRPERSON MILLER: Yes.

21 MEMBER JONES: So let me rephrase.
22 So if my objective is to try and figure out a

1 way by which we can clearly identify
2 distinctly those who can and those who can't,
3 right, affirmatively identify --

4 MR. HERMAN: Right. If you have a
5 wristband, you are over 21. If you don't have
6 a wristband, you are under 21.

7 MEMBER JONES: Okay. Then if
8 that's your answer, that's fine. All right.

9 CHAIRPERSON MILLER: That makes
10 sense to me personally. It makes sense to me
11 personally. I think we need to focus on
12 really the big picture. Like your security
13 question, I think is a really big --

14 MEMBER JONES: Well, the bands go
15 to the security.

16 CHAIRPERSON MILLER: The bands we
17 see that all the time where they wear a band
18 if they are one or the other. Don't we?

19 MEMBER JONES: We see different
20 forms of bands all the time.

21 CHAIRPERSON MILLER: Yes.

22 MR. HERMAN: We will X at the door

1 as well, like we do at the club. People aged
2 18 to 20 will have an X on their hands.

3 CHAIRPERSON MILLER: An X. So you
4 would have an X.

5 MEMBER JONES: So I just value the
6 opinion of our Investigator. The Investigator
7 pointed out a point of concern related to
8 affirmatively confirming and noting and
9 marking those who are under the age of 18. I
10 mean, under the age of 21. All right. And I
11 definitely see value in that, but you vote how
12 you choose, I vote how I choose, so I see
13 value in that as a point of concern for me.

14 And from what I have heard from
15 the licensee, he is saying that he is
16 comfortable with not providing a different
17 color band and providing Xes that can be
18 rubbed off.

19 CHAIRPERSON MILLER: Okay. That's
20 fine with me. You are going to use your red
21 band and the X on your -- on the under 21.

22 MR. HERMAN: Yes.

1 CHAIRPERSON MILLER: Okay. All
2 right. So --

3 MEMBER JONES: Hand sanitizer will
4 wipe it right off.

5 MEMBER ALBERTI: May I speak?

6 CHAIRPERSON MILLER: Sure.

7 MEMBER ALBERTI: Madam Chair, what
8 I haven't heard from you and I'm a little
9 concerned here is that this event is three
10 days away, so I don't want these people
11 leaving here going well, the Board is asking
12 for us to answer some questions and we don't
13 know if the event is going to go on, because
14 we don't know if they are going to be
15 satisfied. I would rather --

16 MEMBER JONES: Yes.

17 MEMBER ALBERTI: -- leave them
18 with specific demands.

19 MS. FITCH: Yes.

20 CHAIRPERSON MILLER: We are
21 getting there.

22 MEMBER ALBERTI: Criteria. I just

1 didn't see us getting there. I would rather
2 just let's -- if we need to go in the back, we
3 will do that and come back out and give them
4 to them, but we need to leave them with
5 specific demands.

6 I mean, one of them may be, look,
7 your license is contingent upon submitting the
8 thing from the Fire -- easy enough. It's very
9 clear, very understandable. You know you need
10 to come down tomorrow. You need to give it to
11 -- there may be other demands we have. I
12 think we just need to lay them out for these
13 folks.

14 CHAIRPERSON MILLER: Yes, let's do
15 that.

16 MEMBER ALBERTI: And we are kind
17 of moving all over the place here. Do you
18 want to go in the back and talk about it? I
19 don't know how you want to do that, but I
20 think that that's where I think we ought to be
21 going and soon.

22 CHAIRPERSON MILLER: Okay. I

1 would be happy -- I started to go there and
2 I'm happy to try to pin it down right now and
3 see what we can do. And I know that the
4 number one is the security. And I would throw
5 out to the Board that we can talk about
6 timing, but that they submit something from
7 their security company identifying --
8 explaining why that number is an appropriate
9 number and, as I said before --

10 MEMBER JONES: That leaves it
11 open-ended.

12 MEMBER ALBERTI: Right, right.

13 CHAIRPERSON MILLER: Well, I
14 didn't finish my question.

15 MEMBER ALBERTI: That leaves it
16 open-ended because it was just -- maybe you
17 want to listen to me because that leaves them
18 with if we are not satisfied with that plan,
19 they don't get to have their event.

20 CHAIRPERSON MILLER: No.

21 MEMBER ALBERTI: And I don't think
22 they can operate --

1 CHAIRPERSON MILLER: Mr. Alberti?

2 MEMBER ALBERTI: -- that way.

3 Here is my suggestion. My suggestion is you
4 guys can you live with increasing your
5 security by 20 additional people?

6 MR. EASTMAN: Yes.

7 MEMBER ALBERTI: Fine by me.

8 MEMBER RODRIGUEZ: That takes care
9 of it.

10 MEMBER JONES: Okay.

11 MEMBER ALBERTI: That takes care
12 of -- that takes one of the things.

13 (Simultaneous speaking.)

14 MR. HERMAN: Okay. The Fire
15 Marshal --

16 MEMBER ALBERTI: All right. So
17 can we issue this -- can we -- if we approve
18 the license, it would -- you would not
19 actually get it until you handed over the
20 approvals from the Fire Marshals.

21 MS. FITCH: Yes.

22 MEMBER ALBERTI: Which you

1 hopefully will get today or tomorrow.

2 MS. FITCH: Yes.

3 MEMBER ALBERTI: Fair enough?

4 MR. HERMAN: Yes, we need that to
5 do the event anyway.

6 MEMBER ALBERTI: Right.
7 Absolutely. I know that, that's why I asked.

8 MS. FITCH: Yes.

9 MEMBER ALBERTI: I'm trying. It's
10 a win-win situation here. So what else? What
11 else folks?

12 CHAIRPERSON MILLER: Do you have
13 the --

14 MEMBER SHORT: And you said you
15 don't have to have any MPD police officers
16 there, correct? Someone told you that? 4,000
17 people, you don't need MPD there at all?

18 MS. FITCH: DCRA told us we do
19 not.

20 MEMBER ALBERTI: Okay. So the
21 other thing is --

22 MS. FITCH: That's what we were

1 told when we applied for the special event
2 license over a month ago was that we didn't
3 need police.

4 MEMBER ALBERTI: Does anyone want
5 to have them have RDO for --

6 CHAIRPERSON MILLER: I --

7 MEMBER SHORT: I think we need to
8 go in the back.

9 CHAIRPERSON MILLER: No, let's
10 finish our dialogue.

11 MEMBER ALBERTI: Actually, I think
12 Mr. Short is right, I think. Can we just do
13 that real quickly? I think we can wrap this
14 up real quickly.

15 CHAIRPERSON MILLER: Do you --

16 MEMBER JONES: I support Board
17 Member Short's request to have a discussion in
18 the back.

19 MEMBER ALBERTI: Yes, I think I
20 don't want to --

21 CHAIRPERSON MILLER: I think we
22 are making a bigger deal out of it.

1 MEMBER JONES: Well, I support
2 Board Member Short's request.

3 CHAIRPERSON MILLER: Well --
4 (Simultaneous speaking.)

5 MEMBER SILVERSTEIN: My feeling is
6 that I would rather not --

7 MEMBER JONES: Whether you think
8 it's a big deal or not --

9 MEMBER SILVERSTEIN: -- argue here
10 the issues.

11 MEMBER JONES: -- I think it --

12 MEMBER ALBERTI: I think it will
13 go much more quickly.

14 MEMBER BROOKS: I agree it will go
15 more quickly.

16 CHAIRPERSON MILLER: I don't --

17 MEMBER ALBERTI: Let's just do it.

18 MS. FITCH: Clarification?

19 MEMBER SILVERSTEIN: Madam Chair,
20 I move that we recess for five minutes.

21 MS. FITCH: If we have
22 reimbursable detail, do you also want the

1 additional 20 security or --

2 MEMBER ALBERTI: Oh, yeah.

3 MS. FITCH: -- what --

4 MEMBER ALBERTI: Oh, yeah.

5 MS. FITCH: Okay.

6 MEMBER ALBERTI: Oh, yeah, oh,
7 yeah.

8 CHAIRPERSON MILLER: To me it
9 depends on if they have eight reimbursable
10 detail or something, I don't know that they
11 need 20 more security.

12 MEMBER JONES: Which just kind of
13 leads to let's just discuss it in the back.

14 MEMBER ALBERTI: Let's discuss it
15 in the back.

16 CHAIRPERSON MILLER: I just want
17 to clarify first, did you talk to anybody from
18 MPD?

19 MS. FITCH: No.

20 CHAIRPERSON MILLER: In that
21 District?

22 MS. FITCH: When we first started

1 this process in the end of April, we were
2 given all the signatures that were required
3 for the special event license and we were told
4 we would not need to see.

5 CHAIRPERSON MILLER: Okay.

6 MS. FITCH: I was sorta shocked by
7 that, too.

8 MEMBER SHORT: Are we in recess,
9 Madam Chair?

10 CHAIRPERSON MILLER: I have to get
11 my instructions for the closed meeting. I
12 can't just -- okay.

13 What often happens though is that
14 people do confer with the District Commander.
15 They don't necessarily get their signature.

16 MS. FITCH: Sure.

17 CHAIRPERSON MILLER: But they let
18 them know that the event is going to take
19 place.

20 MR. HERMAN: Absolutely.

21 MS. FITCH: Okay.

22 MEMBER ALBERTI: All right.

1 CHAIRPERSON MILLER: Okay. Is
2 there anything else you want to tell us before
3 we go back there? Okay.

4 As Chairperson of the Alcoholic
5 Beverage Control Board for the District of
6 Columbia and in accordance with Section 405 of
7 the Open Meetings Amendment Act of 2010, I
8 move that the ABC Board hold a closed meeting
9 for the purpose of seeking legal advice from
10 our counsel on U Street Music Hall case per
11 Section 405(b)(4) of the Open Meetings
12 Amendment Act of 2010, and deliberating upon
13 this case for the reasons cited in Section
14 405(b)(13) of the Open Meetings Amendment Act
15 of 2010.

16 Is there a second?

17 MEMBER SHORT: Second.

18 CHAIRPERSON MILLER: Mr. Short has
19 seconded the motion. I'll now take a roll
20 call vote on the motion now that it has been
21 seconded.

22 Mr. Brooks?

1 MEMBER BROOKS: I agree.

2 CHAIRPERSON MILLER: Mr. Alberti?

3 MEMBER ALBERTI: I agree.

4 CHAIRPERSON MILLER: Mr.

5 Rodriguez?

6 MEMBER RODRIGUEZ: I agree.

7 CHAIRPERSON MILLER: Ms. Miller

8 agrees.

9 Mr. Silverstein?

10 MEMBER SILVERSTEIN: I agree.

11 CHAIRPERSON MILLER: Mr. Short?

12 MEMBER SHORT: I agree.

13 CHAIRPERSON MILLER: Mr. Jones?

14 MEMBER JONES: I agree.

15 CHAIRPERSON MILLER: Okay. It
16 appears that the motion has passed by a 7-0-0
17 vote. And the Board will now recess and hold
18 this closed meeting in the ABC Board
19 conference room pursuant to the Open Meetings
20 Amendment Act of 2010.

21 And hopefully we will be back very
22 shortly to resolve this. Thank you.

1 (Whereupon, the above-entitled
2 matter went off the record at 2:35 p.m. and
3 resumed at 2:54 p.m.)

4 CHAIRPERSON MILLER: Okay. We're
5 back on the record having discussed your
6 application and the various concerns that have
7 been expressed by our Investigator and by
8 Board Members and your responses.

9 And we understand that your event
10 is in just a few days. So, therefore, what
11 I'm going to suggest, that is the consensus of
12 the Board, is if you are ready to sign-off on
13 certain conditions that will address the
14 Board's concerns, we will sign-off on your
15 application.

16 Okay. So we talked about these
17 before, so they are not a surprise, but you
18 have had time to think about it and so I'm
19 going to tell you what they are and then see
20 if you are ready to amend your application.

21 Okay. So I will give this back to
22 you to do and then you can give it back to us

1 if you want to do it.

2 Okay. The first is adding to the
3 security, that would be 20 more security from,
4 I guess it is, Massive Entertainment. Okay.
5 That's No. 1.

6 No. 2 is the Board would like you
7 to request from MPD two reimbursable details.

8 And No. 3 to submit copies of the
9 permits from the fire department.

10 And No. 4 is to use clickers for
11 entry to the indoor venue.

12 MS. FITCH: Yes, okay.

13 CHAIRPERSON MILLER: Those are the
14 conditions. Are you amenable to that? We
15 will hand this application back to you.

16 MR. EASTMAN: Yes.

17 CHAIRPERSON MILLER: Okay. I
18 would also say this is not a condition, but I
19 thought it was a good idea personally and I
20 would ask you to think about it and that is
21 having some type of a station and maybe it's
22 related to the EMTs, I don't know, but dealing

1 with cool down and dehydration for those that
2 may have -- may get overheated, so that would
3 be either having extra free water for people
4 who need it or, you know, misting to cool them
5 down.

6 MR. EASTMAN: Okay.

7 CHAIRPERSON MILLER: But that is
8 not -- you don't need to add that as a
9 condition, that's a suggestion.

10 MS. FITCH: We will bring that up
11 with the EMTs that we --

12 CHAIRPERSON MILLER: Yes.

13 MS. FITCH: -- are in contact
14 with.

15 MEMBER ALBERTI: Very good. Very
16 good.

17 CHAIRPERSON MILLER: That would be
18 great. They may already have those things in
19 mind.

20 MEMBER JONES: Madam Chair?

21 CHAIRPERSON MILLER: Yes, Mr.
22 Jones?

1 MEMBER JONES: Thank you, Madam
2 Chair. I just want to be clear. So the first
3 condition related to the 20 additional
4 security, in your application, in order for me
5 to feel comfortable signing off on it, it
6 needs to reflect the fact that you will have
7 60 from Massive plus the 20 volunteers that
8 you proffered earlier to get to your 80.

9 MR. EASTMAN: Sure.

10 MEMBER JONES: So just to make
11 sure that's clear, so that you clearly
12 identify that and write to that in your
13 application amendment.

14 MR. EASTMAN: Okay.

15 CHAIRPERSON MILLER: Do one of you
16 want to come and get it? So you can do it
17 right now. Okay.

18 MEMBER ALBERTI: I'm --

19 CHAIRPERSON MILLER: Mr. Alberti?

20 MEMBER ALBERTI: I'm not sure what
21 -- actually on that piece of paper -- well,
22 they can make reference to those three

1 conditions.

2 CHAIRPERSON MILLER: The four
3 conditions.

4 MEMBER ALBERTI: There are four
5 conditions. Just in the paragraph section,
6 that's fine. I just don't want to make it too
7 complicated. I want to get you guys out of
8 here, so you can finish planning.

9 CHAIRPERSON MILLER: Okay. We
10 will see. Did you remember them all?

11 MS. FITCH: We changed No. 16 to
12 one per 50 guests and we wrote on the bottom
13 for Massive Entertainment to provide 60 and U
14 Street Music Hall to provide 20 staff.

15 CHAIRPERSON MILLER: Great.

16 MS. FITCH: For a total of 80.

17 MEMBER ALBERTI: Right.

18 CHAIRPERSON MILLER: Okay.

19 MS. FITCH: Correct?

20 CHAIRPERSON MILLER: Did you put
21 the other things?

22 MS. FITCH: Do you want them --

1 all of them on there?

2 MEMBER ALBERTI: Well, I --

3 CHAIRPERSON MILLER: You don't?

4 MEMBER ALBERTI: -- don't think
5 it's necessary to write that on the
6 application.

7 CHAIRPERSON MILLER: That you
8 would request --

9 MEMBER ALBERTI: We have your
10 statements and your agreement in that
11 transcript.

12 MS. FITCH: Yes.

13 MEMBER ALBERTI: And if you
14 violate them, we will have proof that you
15 violated them, so I think the transcript will
16 serve as confirmation. For me it does
17 anyways.

18 CHAIRPERSON MILLER: That's not
19 what we talked about.

20 MEMBER ALBERTI: Fair enough. I
21 don't know.

22 CHAIRPERSON MILLER: Can I see the

1 application? I think that as far as security
2 goes -- let me see. Okay. I thought that's
3 what the Board had agreed to. If the Board is
4 changing its mind --

5 MEMBER SHORT: It should be on
6 there.

7 CHAIRPERSON MILLER: It should be
8 on there. Okay.

9 MEMBER ALBERTI: All right.

10 MEMBER SHORT: It should be on
11 there.

12 MEMBER ALBERTI: All right. Tell
13 them what to write. To make it easier for
14 them, just tell them what they should write.
15 Tell them what they should write, please.

16 CHAIRPERSON MILLER: I did tell --
17 yes, you can --

18 MEMBER ALBERTI: You know.

19 CHAIRPERSON MILLER: -- put it
20 here. I'm happy to read it again to you.

21 MEMBER ALBERTI: Let's just be
22 decisive.

1 CHAIRPERSON MILLER: If you want?
2 Would you -- Ms. Fitch, would you like me to
3 read it again? You have already done No. 1.

4 MEMBER ALBERTI: Okay.

5 CHAIRPERSON MILLER: No. 2 is the
6 request from MPD two reimbursable detail.

7 MEMBER ALBERTI: And I will tell
8 you that our General Counsel has already
9 started that process of alerting MPD that the
10 request is coming.

11 MR. EASTMAN: Okay.

12 MS. FITCH: Yes, she told us.
13 Thank you.

14 MEMBER ALBERTI: She worked with
15 you, great. The other condition was control--

16 CHAIRPERSON MILLER: Wait.

17 MEMBER ALBERTI: -- of crowd
18 through the use of clickers on the indoor
19 space. You can write it that way, I think
20 would be sufficient.

21 CHAIRPERSON MILLER: Oh, man. And
22 the last, do you have the fourth one, is

1 submitting the fire department permits.

2 MS. FITCH: Right. I have the
3 four conditions.

4 CHAIRPERSON MILLER: Okay.

5 MS. FITCH: Additional security
6 per Question No. 16 on the application,
7 request two MPD reimbursable detail, submit
8 copies of fire permits and the marshall's
9 signature and clickers used to control crowds
10 on the indoor space.

11 CHAIRPERSON MILLER: Right. Okay.
12 Thank you. Okay. Any other questions or
13 comments by Board Members? Thank you.

14 Then I would move that we approve
15 this application. Do I have a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON MILLER: Mr.
18 Silverstein has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON MILLER: All those
22 opposed? All those abstaining? The motion

1 passes 7-0-0.

2 And I'll pass it around for
3 signatures and we will be done.

4 MS. FITCH: An update, we just got
5 approval from the Fire Marshall, so we will
6 have those documents for you.

7 CHAIRPERSON MILLER: Great. Thank
8 you very much.

9 MS. FITCH: Yay.

10 CHAIRPERSON MILLER: Where is it?
11 Oh, okay.

12 MEMBER JONES: I think to make it
13 clear our expectations that when you get the
14 signed-off approval is that you will be
15 forwarding the copies to ABRA in some way,
16 shape or form, whether it's email or whatever
17 the case may be.

18 MS. FITCH: Yes.

19 MEMBER JONES: And we will take
20 those and append them to your file associated
21 with this application.

22 CHAIRPERSON MILLER: So if you

1 have any other questions, you know, feel free
2 to contact Ms. Jenkins or Mr. Ghenene.

3 MS. FITCH: Great.

4 MR. EASTMAN: Thank you.

5 CHAIRPERSON MILLER: Thank you
6 very much.

7 MR. EASTMAN: Thank you.

8 CHAIRPERSON MILLER: Have a good
9 event. Have you got the application? You
10 need this.

11 MEMBER ALBERTI: You need the
12 application.

13 CHAIRPERSON MILLER: You need
14 this.

15 MEMBER ALBERTI: The front desk
16 will handle that.

17 CHAIRPERSON MILLER: Oh, wait a
18 second.

19 (Whereupon, the Fact-Finding
20 Hearing in the above-entitled matter was
21 concluded at 3:03 p.m.)

22

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