

NATIONALS OPENING DAY BLOCK PARTY

1

2

GOVERNMENT OF THE DISTRICT OF COLUMBIA

3

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

4

ALCOHOLIC BEVERAGE CONTROL BOARD

5

6

- - - - -X

7

IN THE MATTER OF: :

8

Temporary License Application

9

Date of Event: April 7, 2016

10

Event: Nationals Opening Day Block Party

11

Applicant: Randal L. Barnette (WFAN Radio)

12

Neighborhood: 200 M Street SE

13

2,000 attendees

14

FACT-FINDING HEARING

15

- - - - -X

16

Wednesday, April 6, 2016

17

Whereupon, the above referenced matter came on for

18

hearing at the Alcoholic Beverage Control Board, Reeves

19

Center, 2000 14th Street, N.W., Suite 400S, Washington,

20

D.C. 20009.

21

22

1

2

3 CHAIRPERSON:

4 DONOVAN W. ANDERSON, Presiding

5

6 OTHER PERSONS PRESENT:

7

8 NICK ALBERTI, BOARD MEMBER

9 RUTHANNE MILLER, BOARD MEMBER

10 JAMES SHORT, BOARD MEMBER

11 MIKE SILVERSTEIN, BOARD MEMBER

12

13

14

15

16

17

18

19

20

21

22

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

2 CHAIRPERSON ANDERSON: All right. Our
3 next -- we have another fact-finding. It's -- the event
4 is for April 7, 2016, the Nationals Opening Day Block
5 Party. I guess Randy Barnette from WFAN Radio. Can you
6 please approach Mr. -- is this Mr. Barnette.

7 MR. BARNETTE: Barnette.

8 CHAIRPERSON ANDERSON: Barnette. Yes.

9 MR. BARNETTE: I just got a message that the
10 radio station representatives are walking into the
11 building right now.

12 CHAIRPERSON ANDERSON: All right. We'll --
13 okay. We can -- we'll just wait a couple of minutes.
14 And we'll be in recess for a couple of minutes so you
15 can let me know when they're here.

16 MR. BARNETTE: Thank you.

17 CHAIRPERSON ANDERSON: The parties for
18 National -- the Nationals Opening Day Block Party.
19 Mr. Barnette from WFAN Radio, please approach.

20 MR. BARNETTE: Your Honor, I am not with
21 WFAN Radio. These ladies are. I'm -- I'm one of the
22 vendors. It's their festival. I'm a vendor inside the

1 festival.

2 CHAIRPERSON ANDERSON: All right. Well, the
3 way it's written on our calender it says that Randy L.
4 Barnette from WFAN Radio. So I guess we will -- the
5 record will be -- the record will --

6 MR. BARNETTE: We promoted you. I always
7 wand to be on a radio station.

8 CHAIRPERSON ANDERSON: The record will -- so
9 please -- there's a sign-in sheet. Please sign. And,
10 Mr. Barnette, are you -- why don't you identify yourself
11 for the record then, sir.

12 MR. BARNETTE: Sure. My name is Randy
13 Barnette. I'm the owner of Ornerly Beer Company in
14 Woodbridge, Virginia. I'm a vendor inside the larger
15 festival that WFAN is holding.

16 CHAIRPERSON ANDERSON: All right. So you're
17 the one who's applying for the license?

18 MR. BARNETTE: I am -- I am applying for the
19 license. Correct.

20 CHAIRPERSON ANDERSON: All right. And the
21 other parties please identify themself.

22 MS HINTZE: Hi. I'm Kimberly Hintze, and

1 I'm the event manager from -- it's 106.7 The Fan. WFAN
2 is our sister station in Baltimore.

3 CHAIRPERSON ANDERSON: Pardon.

4 MS. HINTZE: We are 106.7 The Fan.

5 CHAIRPERSON ANDERSON: Okay. And --

6 MS.ZOULFAGNARY : I'm Bianca Zoulfagnary. I
7 am the account executive on the sales team.

8 CHAIRPERSON ANDERSON: All right. All
9 right. So can -- who -- well, who can provide us an
10 overview of the -- of the event?

11 MS. HINTZE: I can. So we're hosting a
12 party. This is actually our third event that we are
13 doing. It is at Canal Park which is located between L
14 and K in southeast between Second Avenue and Second
15 Place. We take over the middle block and we bike rack
16 the entire block in. It is a free event for families to
17 celebrate the Washington Nationals baseball season.

18 CHAIRPERSON ANDERSON: So tell us about
19 the -- so tell us about the alcohol, how is that going
20 to be served? And I mean tell us about --

21 MS. HINTZE: Sure. So we will have security
22 personnel at -- around the entire event as well as at

1 the entrance which will be the ID checkpoint. All
2 of-age attendees will be wrist banded. And then they
3 will be able to go over to Ornerly to purchase beverage
4 at a cash bar. Only wrist banded attendees will be
5 served. Any non-wrist banded attendees will be sent
6 back to security to show ID to obtain a wrist band or
7 they will not be served alcohol.

8 CHAIRPERSON ANDERSON: Now, when -- when is
9 it that -- I know that this has gone to the -- the
10 Mayor's Special Event Committee. So when is it that you
11 guys thought about having this event and like when --
12 when -- when did you start the process at the -- with --
13 in the mayor's office?

14 MS. HINTZE: This actual event is not --
15 does not need to go through the Mayor's Special Event
16 Task Group because it is already approved event space.
17 So we went through Laverne Stewart at DCRA. So I have
18 my special events questionnaire signed off by everybody.

19 CHAIRPERSON ANDERSON: No. The reason I ask
20 because I -- I'm looking at your application. It says
21 it was -- that it was signed off by the special event
22 coordinator, that's what -- that's what it was --

1 MS. HINTZE: By Laverne, correct.

2 CHAIRPERSON ANDERSON: But -- but -- well,
3 the question I'm asking you when -- when did you go to
4 them to have this signed off? When did you start this
5 process with them?

6 MS. HINTZE: Several weeks ago.

7 CHAIRPERSON ANDERSON: The reason why I'm
8 asking is because this is an event that's scheduled for
9 tomorrow, and we're having a fact-finding event today.
10 And I don't like when The Board is being faced with a --
11 with -- with we're supposed to make a decision and it's
12 the day before. And if The Board has problems with the
13 event and if we're saying that we do not want to sign
14 off on it, then the event is cancelled. And then the
15 press -- it's in the press that the ABC Board did not
16 sign off and didn't allow the event to go. So one of --
17 so that's the reason why I'm saying that if you're going
18 to do this event again next year, you need to apply to
19 The Board as soon as possible. So therefore if --
20 if there -- if in going through the application if there
21 are problems with the application, then at least I would
22 have -- The Board will have an opportunity to give you

1 some guidance. We'll have an opportunity to give you
2 some guidance about what needs to be done rather than
3 today, the event is tomorrow, and we can't really say
4 well -- realistically well, this needs to change, you
5 need to come back and let us know.

6 MS. HINTZE: Well, actually good news sort
7 of. Because of the weather forecast for tomorrow we are
8 concerned that opening day -- the game will not take
9 place or it will take place very delayed and the
10 attendance won't be as great because people won't want
11 to be standing outside in the rain. So we actually have
12 postponed the event, and I have contacted DCRA and all
13 the parties. We're postponing it until April 22nd,
14 which is a Friday, and the -- everything is changing --
15 everything as far as the footprint and everything is
16 staying exactly the same. The only thing that is
17 changing is the date of the event will now be Friday,
18 April 22nd. And the time of the event -- because the
19 game time is 7 p.m. instead of 4 p.m. -- will now be
20 from four to seven versus the one to four. It will be
21 three hours.

22 CHAIRPERSON ANDERSON: You say April --

1 April 27th you said?

2 MS. HINTZE: Second.

3 CHAIRPERSON ANDERSON: Second. All right.

4 So I'm going to need you to change the -- the date on
5 the application. I have the original -- yeah. So I
6 need to change the date on that application.

7 MR. ALBERTI: April the 22nd?

8 CHAIRPERSON ANDERSON: Yeah.

9 MS. HINTZE: April 22nd. I have a new
10 application as well as a letter from Canal Park. May I
11 approach?

12 CHAIRPERSON ANDERSON: She's -- we're --
13 we're a very efficient board. Yes. So we have -- we
14 have her waiting for you.

15 MS. HINTZE: Oh, and you know what, let me
16 give you this as well. [Inaudible 29:11] about the
17 layout and security.

18 MR. SILVERSTEIN: May I speak?

19 CHAIRPERSON ANDERSON: Yeah. All right. Do
20 you have -- yes, Mr. Silverstein.

21 MR. SILVERSTEIN: Yes. I -- I want to
22 underscore and associate myself with the comments of my

1 colleague, the Chair. It's not that we want to be
2 difficult, but we have to treat everyone equally. And
3 large events can at times and have at times created
4 large problems, and we have a lot of expertise on these
5 things. So we look at them and say well, maybe you're
6 doing this wrong or maybe you want to secure a certain
7 area or do -- do certain things that we have found are
8 helpful. I don't see that there's been a whole lot of
9 problems with Nats Park or any of the things that have
10 gone on down there. But it is a matter that if we treat
11 you that way, we're going to -- you know, start bending
12 the -- the rules, then we're going to have to start
13 doing the same for others, and we want to be fair. We
14 want to be open and transparent about these things. So
15 if we can get these a little earlier, we'll all be in --
16 in better shape. And that way also if we need to make a
17 change, telling you the day before it can easily fall
18 through the cracks. So I mean on both sides we have to
19 work a little closer on this. And in the meantime if
20 you guys could shore up the bullpen, I'd be a whole lot
21 better off.

22 MS. HINTZE: We actually do have a

1 partnership --

2 MR. ALBERTI: I don't mean the bullpen
3 bullpen. I mean the Nats bullpen.

4 MS. HINTZE: Yeah. Unfortunately they don't
5 come to me for that.

6 MR. ALBERTI: And we -- and we have no
7 authority over them. So --

8 CHAIRPERSON ANDERSON: Do you have anything
9 you wanted to add, sir?

10 MR. BARNETTE: No. I -- I kind of made an
11 assumption. This is my first experience somewhat with
12 D.C. I'm -- while I'm a part owner of an ABC licensed
13 establishment in D.C., Mad Fox Brewing, this is my --
14 I'm not on that license. This is my first foray into
15 the ABC process in the district. But I have been a
16 licensee in the State of Virginia for 20 years. So I'm
17 very familiar and very particular about protecting both
18 myself and my licenses and responsibilities needed in
19 here. I apologize for the delay. I came on a vendor to
20 this about 18 days or 20 days before the event. So I
21 just barely made the 14-day process because the first
22 time I showed up I didn't have half the stuff I was

1 supposed to have. So it took me some time. So I
2 apologize for the delay.

3 CHAIRPERSON ANDERSON: Thank you for that,
4 sir. All right. Mr. Puente, can you identify yourself
5 for the record please and then you can ask your
6 questions.

7 MR. PUENTE: Yes. Kevin Puente,
8 investigator.

9 CHAIRPERSON ANDERSON: Mr. Stewart, I don't
10 know who is --

11 MR. STEWART: Both of us.

12 CHAIRPERSON ANDERSON: Well, then identify
13 yourself also for the record too. Mr. Stewart.

14 MR. STEWART: Supervisory investigator,
15 Craig Stewart.

16 CHAIRPERSON ANDERSON: All right. So -- and
17 fire off.

18 MR. PUENTE: Yes, ma'am. Why aren't -- why
19 aren't you applying for the license?

20 MS. HINTZE: Because they had the liquor
21 permit, and we are a corporation. So whomever is
22 getting the money from the sales needs to apply for the

1 license.

2 MR. PUENTE: Okay.

3 MS. HINTZE: So that was why.

4 MR. PUENTE: Okay. And what permit does
5 he -- Mr. Barnette currently have?

6 MS. HINTZE: Well, he has his own liquor
7 license under Ornerly Brew Company.

8 MR. BARNETTE: In Virginia.

9 MS. HINTZE: In Virginia. So --

10 MR. BARNETTE: Yes. I have both a
11 manufacturing license and a retail establishment. I own
12 a brew pub, which is a restaurant with brewery. So I
13 have two -- two ABC licenses in the State of Virginia
14 for manufacturing and for retail.

15 MR. PUENTE: But not in D.C.?

16 MR. BARNETTE: Not in D.C.

17 MR. PUENTE: Okay. And what will be the
18 role of your company for this event since you said
19 you're a vendor?

20 MR. BARNETTE: I am the vendor.

21 MR. PUENTE: So -- well, are you providing
22 the alcohol.

1 MR. BARNETTE: I -- I am --

2 MS. HINTZE: Beer.

3 MR. BARNETTE: Yes. Yes, the beer.

4 MR. PUENTE: Okay. And is the area going to
5 be fenced off at all?

6 MS. HINTZE: Correct. As you'll see on the
7 diagram, there is -- it is noted that fencing will be
8 located around the entire area. I do have an updated
9 diagram that's actually in color that might be a little
10 bit easier. Do I have an extra copy? It might be a
11 little bit easier for you to -- hang on. I do have an
12 extra copy of it. Give me one second. There you go.

13 MR. PUENTE: And what will be the role of
14 the staff and security for the event?

15 MS. HINTZE: Security will be there for
16 general security of the vendors, staff, and attendees as
17 well as monitor ID check and of-age attendees.

18 MR. PUENTE: And how many ID checks --
19 checkers will you have?

20 MS. HINTZE: We'll have the ID checkers.
21 We'll probably have two to three standing up there.

22 MR. PUENTE: And will people be given a

1 wrist band?

2 MS. HINTZE: Correct.

3 MR. PUENTE: Do you know what color that
4 will be?

5 MS. HINTZE: It will be kind of a like a
6 neony orangey-red. We tried to get it as close to Nats
7 red as possible. But unfortunately neony red is what
8 came.

9 MR. PUENTE: And how many entrances for the
10 area?

11 MS. HINTZE: There is one official entrance
12 and exit.

13 MR. PUENTE: And will there be a medical
14 team or anything for the event?

15 MS. HINTZE: Our event does not require
16 medical.

17 MR. PUENTE: Okay. And will the staff be
18 wearing identifiable clothing or anything?

19 MS. HINTZE: The security will be wearing
20 security clothing, and the staff of the event including
21 myself will be wearing 106.7 The Fan gear or Nats gear.
22 We -- you know, don't have specific staff shirts.

1 MR. BARNETTE: And my -- my staff will all
2 be in logoed apparel, you know, for -- for the -- for
3 the brand.

4 MR. PUENTE: And will -- the security that
5 you contract, will they be in clothing?

6 MS. HINTZE: Yes. They will be wearing
7 clothing.

8 MR. PUENTE: Are they professionally
9 trained?

10 MS. HINTZE: They are.

11 MR. PUENTE: And will all the staff be --
12 are they trained in alcohol awareness and stuff?

13 MS. HINTZE: I believe so. They work with
14 this park frequently and their events and festivals.

15 MR. PUENTE: And will alcohol be sold in
16 bottles or cups?

17 MR. BARNETTE: Cups.

18 MR. PUENTE: Cups. And what color are the
19 cups?

20 MR. BARNETTE: Clear.

21 MR. PUENTE: Clear. And what time will be
22 the alcohol service for the event?

1 MS. HINTZE: 4 to 7 p.m.

2 MR. PUENTE: So then what time will be the
3 last call?

4 MS. HINTZE: I guess 15 minutes-ish
5 beforehand.

6 MR. BARNETTE: Yes.

7 MR. PUENTE: Okay. So on your application
8 it says 1 p.m. to 4 a.m. (sic). Is that changing from 4
9 to 7 because of the time?

10 MS. HINTZE: Correct.

11 MR. PUENTE: Okay.

12 MS. HINTZE: Correct.

13 CHAIRPERSON ANDERSON: The new application
14 says 4 to 7. The new application that was just provided
15 to me says it's -- it's from 4 to 7 p.m.

16 MR. STEWART: Sir, I have a question.

17 CHAIRPERSON ANDERSON: Yes, of course.

18 Mr. Stewart, go ahead.

19 MR. STEWART: Excuse me, sir.

20 MR. BARNETTE: Yeah.

21 MR. STEWART: Are you licensed to sell
22 alcohol in the district?

1 MR. BARNETTE: No. That's this temporary
2 license as I understand. I am -- I am a part owner of a
3 licensed establishment. I'm not on the license in the
4 -- in the district.

5 MR. STEWART: So are you bringing the
6 alcohol in from Virginia?

7 MR. BARNETTE: I'm bringing it in with my
8 partners from Mad Fox, a solicitor's permit. He's --
9 he's bringing it in.

10 MR. STEWART: Is that an application right
11 there?

12 MR. BARNETTE: It is.

13 MR. STEWART: Okay.

14 MR. BARNETTE: I was going to take care of
15 it today and pay the excise tax.

16 CHAIRPERSON ANDERSON: And -- and you see if
17 this event was tomorrow, the questions that Mr. Stewart
18 just asked, the Board Member Alberti was going to ask
19 you about it. And so we could not approve this
20 application until you do -- until you comply with --
21 fill out that application that you have in your hand.
22 And so that's -- that just even tells you that there are

1 too many -- there -- there is a lot of moving parts.

2 And if you were having this event today and if it was

3 held later on in the day if the agencies close at -- say

4 if we had this hearing later on in the day, we couldn't

5 sign off on that permit. And so therefore we would have

6 to say no.

7 MR. BARNETTE: Understood.

8 CHAIRPERSON ANDERSON: So that's one of the
9 reasons why if you're going to have this event, you have
10 to have this event again as -- as -- The Board is going
11 to -- we're going to have a fact-finding hearing. So
12 even if our regulation says 14 days and if you sent it
13 in 14 days prior to, we're going to ask for a
14 fact-finding event. And so we have it the week before.
15 So you're -- you're -- you're pushed on a deadline. And
16 if everything is not in place, then we don't want to say
17 no. But maybe we have to say no if everything is not in
18 place. So that's one reason why it's important to try
19 do it as soon as possible. As you know everyone knows I
20 think prior to the end of the season if you believe that
21 you guys are going to have this event again next year,
22 everyone knows when opening date is, we need to start

1 our process. Go ahead, Mr. Stewart.

2 MR. BARNETTE: And I'd like to just expand a
3 little bit. My -- I have attorneys in negotiation with
4 Hop and Wine Beverage, a licensed distributor in the
5 state -- or excuse me -- in the district, and it had
6 been intended that that would have been signed and I
7 would be purchasing the product from the licensed
8 distributor. But legal as it is that hasn't been
9 completed. It may still get completed by the 22nd now.
10 But I want to -- I'm going to get this situated
11 immediately just in case.

12 MR. STEWART: And just one more question.
13 Going back to the space, has that be approved to hold
14 the event?

15 MS. HINTZE: Yes.

16 MR. STEWART: How many -- is it 10,000
17 people?

18 MS. HINTZE: No. We're expecting around --

19 MR. STEWART: 2,000 I meant.

20 MS. HINTZE: We're expecting actually around
21 500 people.

22 MR. STEWART: Okay. That's it, sir.

1 CHAIRPERSON ANDERSON: Now, any other
2 questions? Okay. Yes, Mr. Alberti.

3 MR. ALBERTI: Just real quick, it's my
4 understanding you're the -- sir, you're the sole vendor
5 here? There is not --

6 MR. BARNETTE: For my product.

7 MR. ALBERTI: Are there -- are there going
8 to be other -- any alcohol vendors at this -- at this --

9 MS. HINTZE: The Big Stick, which is a -- a
10 caterer will be on site, and they will be also handling
11 the liquor, but they are using their catering license.

12 MR. ALBERTI: I think we as a board need to
13 discuss this a little bit because my concern is who
14 is -- who is ultimately responsible? I mean I trust --
15 my expectation is that everything's going to go fine.
16 All right. You know, but in the event that it doesn't,
17 there has to be someone responsible. And we have two
18 licensees here but only one application for a temporary.
19 And so I think The Board needs to discuss who's going to
20 be responsible and make you understand who is ultimately
21 responsible for anything that goes wrong with respect to
22 the sale of alcohol. Mr. Stewart, you want to say

1 something?

2 MR. STEWART: Once you're finished, sir.

3 I'll -- I'll --

4 MR. ALBERTI: No. I'll -- I'll follow up
5 after you. But I think you always have wisdom. So go
6 ahead.

7 MR. STEWART: This is on another note. And
8 I'm sorry, sir. You represent Mad Fox?

9 MR. BARNETTE: No. I'm -- I'm a minority
10 owner, but that is unassociated with this event or this
11 license.

12 MR. STEWART: But do you work for Mad Fox?

13 MR. BARNETTE: I -- I own -- I don't work
14 for them, but I am an owner. I do own a percentage of
15 the company.

16 MR. STEWART: Okay. Who is Mr. Madden?

17 MR. BARNETTE: He's my partner. He's one of
18 the -- he's a [inaudible 40:45].

19 MR. STEWART: He's the president?

20 MR. BARNETTE: He's the president of -- of
21 Mad Fox.

22 MR. STEWART: Okay. And on your

1 application, your clean hands you wrote that you were
2 the president?

3 MR. BARNETTE: No. I'm the president of
4 Woodbridge Brewing.

5 MR. STEWART: Okay. That's two different
6 companies?

7 MR. BARNETTE: Two different companies.
8 Absolutely.

9 MR. STEWART: Okay. I see.

10 MR. BARNETTE: Woodbridge Brewing is the
11 parent company of Ornery Beer Company.

12 MR. STEWART: Okay.

13 MR. BARNETTE: So basically I -- I have
14 ownership interest in two different manufacturers, two
15 different beer breweries, a very small minority piece of
16 Mad Fox, and a majority piece of -- of Ornery Beer
17 Company.

18 MR. STEWART: Thank you.

19 MR. ALBERTI: All right. Thank you,
20 Mr. Stewart. So, Mr. Barnette, coming back to who's
21 responsible I just conferred quickly with the Chair. So
22 he's in agreement with me that you should be ultimately

1 responsible. Look, The Big Stick may be serving, but
2 you're going to -- and if they serve to underage, you're
3 going to be responsible as the licensee. We have to
4 have -- because it's your application, and we have to
5 designate someone as the ultimate person responsible. I
6 mean just to be clear, you know, and we've -- we've been
7 through this. I mean this board has been through this.
8 A violation happens, there's two parties there. Both --
9 and -- and both of them are pointing fingers at -- at
10 each other. We don't want that to happen. So we want
11 make it clear and -- and you to say whether or not you
12 are going to accept that responsibility.

13 MR. BARNETTE: My understanding from WFA --
14 or excuse me -- The Fan was that there were two
15 temporary licenses in there; one, The Big Stick had
16 theirs under their catering and special event license,
17 and I had mine. I'm not going to accept The Big Stick's
18 responsibility.

19 MR. ALBERTI: So The Big Stick -- and
20 somebody correct me if I'm wrong. So The Big Stick can
21 get a temporary license to serve there, but it -- I
22 don't know.

1 MS. HINTZE: I was under the impression that
2 The Big Stick's catering license was fine to use for
3 their permit and is not -- I guess permit, yes, in a
4 sense to be on site and serve as a caterer.

5 MR. ALBERTI: So I -- I'm struggling with
6 who's going to be ultimately responsible.

7 MS. HINTZE: 106.7 The Fan is hosting the
8 event.

9 MR. ALBERTI: Yeah. But you're not on the
10 license. You're not -- you're not the licensee. You --
11 you are not the applicant here. I think maybe we're
12 going to have to get back to you. We're going to have
13 to get back to you after we discuss this because I'm a
14 little concerned about this. And I don't know when
15 we'll do that. I'll let the Chair handle that. All
16 right. So let -- let's just move on real quickly.
17 Look, I think we can figure it out. I don't want to
18 make a mountain out of a molehill, but it is an issue
19 that has to be addressed. All right. Just real
20 quickly, so you're going to have -- what's The Big Stick
21 going to be serving? You're going to serve -- you're
22 going to serve in cups -- clear cups. What's The Big

1 Stick going to be serving in?

2 MS. HINTZE: The Big Stick will also be
3 serving in cups, and they will be serving spirits.

4 MR. ALBERTI: They will be serving spirits.

5 MS. HINTZE: Correct.

6 MR. ALBERTI: In what kind of cups?

7 MS. HINTZE: I'm guessing Solo cups or clear
8 cups. I -- I don't -- I'm not sure.

9 MR. ALBERTI: And non-alcoholic beverages
10 will be served in what kind of cups?

11 MS. HINTZE: I don't know. I'm --

12 MR. ALBERTI: So here's my concern --

13 MS. HINTZE: I'm assuming all the same --
14 however the people who are of age will have a visible
15 wrist band.

16 MR. ALBERTI: Absolutely. Absolutely. And
17 I -- I know that, and I'm sure you will do that. All
18 right. Look, you're not a -- you're not -- you're not
19 alone here. I mean this is -- these are issues that
20 have been brought up with other folks, and you're not
21 the only applicant whose gotten the lecture about being
22 timely I can assure you. But I've got concerns. So we

1 need to figure out how -- we're going to have our
2 investigators walking around. How are they going to
3 tell what's in a cup? I mean they're not going to walk
4 up in smell it. How do they know and how are your
5 volunteers going to know what's in a cup? So I've got
6 to have some assurance that the non-alcoholic beverages
7 that are consumed --

8 MS. HINTZE: Okay.

9 MR. ALBERTI: -- that are consumed can be
10 easily distinguished from the alcoholic beverages. You
11 got 500 people walking around. This is a Nats game so
12 it's not going to have a whole lot of family members
13 walking around Canal Park. This gets to be a concern --
14 you know, this is going to attract many people who --
15 whose age will be questionable, borderline in terms of
16 whether they're 21 or not.

17 MS. HINTZE: Okay.

18 MR. ALBERTI: I mean it's opening -- it's
19 not opening day, but it could have been opening day. So
20 what are you -- what can you do about that?

21 MS. HINTZE: I can -- if Ornerly is going to
22 bring clear cups, I can make sure that The Big Stick

1 also brings clear cups. And I can make sure that
2 non-alcoholic beverages are in a different color cup
3 whether that be a tinted cup -- excuse me -- or a red or
4 a blue or a Solo cup something I'm sure I can purchase
5 at Costco or [inaudible 45:52].

6 MR. ALBERTI: Okay.

7 MR. BARNETTE: I would suggest that
8 non-alcoholic be served in the original containers
9 possibly. I don't know what your vendors are. Are they
10 food trucks?

11 MS. HINTZE: It is a caterer.

12 MR. BARNETTE: Okay.

13 MS. HINTZE: Yeah.

14 MR. ALBERTI: So, Mr. Barnette, I mean
15 that's one -- that's one solution that I'll --
16 Mr. Barnette, I mean I thank you for your suggestion.
17 That's a solution that others have offered. But if you
18 can't do that, having a different colored cup is fine.

19 MS. HINTZE: Okay.

20 MR. ALBERTI: We will hold you to that. You
21 need to weigh in, Mr. Barnette, because your name is on
22 the license here. You didn't realize what the

1 responsibility you're --

2 MR. BARNETTE: Yeah. I mean I -- I would --
3 I would just have to get with my -- the people on the
4 larger festival because I -- I don't see us being a --
5 my taking the responsibility for The Big Stick's failure
6 to abide by the ABC [inaudible 40:46].

7 MR. ALBERTI: All right. We're -- we're --
8 maybe we'll have a follow-up discussion. I don't know.
9 I guess The Board will have to have a discussion.
10 Anyway, so we're going to -- we're going to commit you
11 to the -- to the having easily distinguished cups
12 between non-alcoholic beverages and alcoholic beverages.
13 And our -- we will have inspectors there --

14 MS. HINTZE: Okay.

15 MR. ALBERTI: -- looking at that sort of
16 thing. I don't think I have any further questions.

17 CHAIRPERSON ANDERSON: Yes, Mr. Short.

18 MR. SHORT: There was a question earlier
19 about first-aid, and you said you weren't required to
20 have any. Is that --

21 MS. HINTZE: Correct. From Mr. Dury's (ph)
22 office.

1 MR. SHORT: Mr. who's office?

2 MS. HINTZE: Dury. He is -- just make sure
3 I have his exact -- the Department of Health has
4 informed us that we do not need a first-aid person at
5 our event, just a CPR certified which our security is.

6 MR. SHORT: Your -- your name again -- I
7 mean your --

8 MS. HINTZE: Mr. --

9 MR. SHORT: Your name. Your name.

10 MS. HINTZE: My name is Kimberly.

11 MR. SHORT: Kimberly. Kimberly, I would
12 suggest you contact the D.C. Fire Department and -- and
13 get them to say you don't need any personnel there.

14 MS. HINTZE: Okay.

15 MR. SHORT: How many people are you
16 expecting?

17 MS. HINTZE: About 500.

18 MR. SHORT: But if -- if -- if you have a
19 clear day, how many people do you actually think you're
20 going to be having -- you're going to draw there on a --
21 on a baseball day?

22 MS. HINTZE: I think that we will have --

1 you know, we've done this event a few times, this type
2 of event, and throughout the day, you know, we really
3 have no more than 500 in the park at one point, usually
4 actually less.

5 MR. SHORT: I as a board member -- I can't
6 speak for the other board members. But I would feel
7 more comfortable if you had some first-aid other than
8 someone with CPR training there. It's been our
9 experience here in Washington D.C. that some people have
10 different situations. And if you have a first-aid
11 person or a EMS person right there on the scene or some
12 kind of contact with EMS because the longer you wait or
13 you don't know if someone falls out, you have some
14 liabilities there.

15 MS. HINTZE: Okay.

16 MR. SHORT: So I wouldn't go by what someone
17 from the Department of Health said to me. Normally --
18 you say you didn't go through the special events?

19 MS. HINTZE: Not the mayor's -- Mayor's Task
20 Group. Laverne Stewart at DCRA informed us that we
21 didn't have to do that because of what we are applying
22 for. I -- from this safety and medical plan that I did

1 submit they actually had first-aid on there, and they
2 told me to remove it. So I -- it's easy enough for me
3 to have a nurse on site.

4 MR. SHORT: I would suggest that you contact
5 the D.C. Fire Department and -- and be -- go by their
6 directions. If they say you don't need any, I'm very
7 comfortable. But at least contact them and let them
8 know that you'll be in that area and you're having an
9 event on the 22nd. And -- and NPD --

10 MS HINTZE: Is that the Special Operation
11 Division D.C. Fire Emergency Medical Services?

12 MR. SHORT: Yeah.

13 MS. HINTZE: They actually did sign off on
14 the current medical plan with no [inaudible 49:39].

15 MR. SHORT: All right. Well, good. If
16 you've been through that, then fine.

17 MS. HINTZE: Okay.

18 MR. SHORT: That's the reason why I asked
19 that question. I wish you had given that answer
20 earlier. But any rate, you've done that. And what
21 about NPD, the police department?

22 MS. HINTZE: Yeah. We -- I have all in my

1 signatures from all necessary departments.

2 MR. SHORT: I'm fine if you have -- if
3 you -- do you have a sign off from them or --

4 MS. HINTZE: Uh-huh.

5 MR. SHORT: -- acknowledgement? Okay.
6 Great. Well, public safety is something that goes well
7 when you have people in large numbers drinking alcohol.
8 Some people don't -- some people can handle it better
9 than others. And Mr. Alberti -- well, Member Alberti
10 already mentioned under-age drinking has been a problem
11 and continues to be a problem for some establishments
12 and some businesses in Washington. So we encourage that
13 anything you can do to identify younger people versus
14 people that have -- of legal age, the cups will help,
15 whatever else. And if you have a license in Virginia,
16 you know that's pretty much a pretty fowl thing to have
17 on your record. And if you're the only name and there's
18 another person there that Mr. -- Board Member Alberti
19 pointed out earlier, we don't want any finger pointing.
20 Someone is going to not be able probably to have another
21 event in Washington or participate if they can't handle
22 the crowds and handle the laws in the District of

1 Washington D.C. So do you plan on having Big Stick here
2 the next time you come before us?

3 MS. HINTZE: If I need to have them here, I
4 will make sure that they are here. I didn't realize
5 that we --

6 MR. SHORT: So -- so the -- so the person
7 who is signing off the license, you've never talked to
8 Big Stick?

9 MR. BARNETTE: No. My -- my understanding
10 there was two licenses under this event; that The Big
11 Stick had their license and that I was applying for my
12 license.

13 MR. SHORT: So do you plan on coordinating
14 anything with them so that the next time we talk with
15 you or investigators come down there won't be -- you
16 don't know what they're doing and visa versa?

17 MR. BARNETTE: I will certainly get with the
18 FAN -- The Fan to make sure that they are here.

19 CHAIRPERSON ANDERSON: You have any
20 questions you want to --

21 MR. STEWART: Yes. We did a cursory check
22 really fast to see what kind of -- type of license The

1 Big Stick had. And it's just a restaurant license, it's
2 not a caterer's license.

3 MS. HINTZE: They should have a catering
4 license. I've been told that they have a catering
5 license [inaudible 51:57] catering license. So I can
6 get a copy of that for you.

7 MR. STEWART: And when you say caterer, make
8 sure that they're aware that alcohol is -- is -- is --
9 is not the primary focus when it's a catered event, food
10 is.

11 MS. HINTZE: Uh-huh.

12 MR. STEWART: So when you -- are they going
13 to be selling food?

14 MS. HINTZE: No, they are not.

15 MR. STEWART: They won't be providing food?

16 MS. HINTZE: No, they are not.

17 MR. ALBERTI: Have they applied for a
18 temporary?

19 MR. STEWART: We don't know that yet, sir.
20 And now this was just a cursory records check. But she
21 just said as a caterer that they're going to cater, but
22 they're not providing food. If they did have a

1 caterer's license, they would have to provide food.

2 MR. ALBERTI: Right. They would have to
3 provide. So there's -- right. And they may not have a
4 caterer's -- well -- and I -- well, I will tell you that
5 it's my -- I don't see in our records that they have
6 applied. It would have been part of the information
7 that we have. So I don't think The Big Stick has
8 applied for a temporary. Look, I think -- I think -- I
9 think The Board needs to discuss this. I think we need
10 to then figure out -- and then we will have someone
11 consult with you. All right. And hopefully the -- I
12 don't know whether we can do this without another
13 hearing or not. But all of that will be ironed out. We
14 will do that today, and we will get back to you. I
15 think that that's the best way.

16 MR. SHORT: Mr. Alberti, I think Mr.
17 Stewart was pointing he would like to be the one that --

18 MR. STEWART: I'd like to be the point of
19 contact.

20 MR. ALBERTI: Oh, and that's fine. It's
21 fine. We'll settle that later today I'm sure. Thank
22 you for volunteering. But I -- I just think that that's

1 the best way to handle this.

2 MS. HINTZE: Okay.

3 MR. ALBERTI: All right. So there won't be
4 any delay. You're going to put this off to the 22nd.
5 We have time now. And we will bring in everyone with --
6 who can answer our questions and consult with them later
7 today.

8 MS. HINTZE: Okay. In the past what
9 actually -- I actually have applied for a temporary
10 license for our other events. Would that be the best
11 course of action for me to just apply for one?

12 MR. ALBERTI: Like I said, we will -- we
13 will get back to you today.

14 MS. HINTZE: Okay.

15 MR. ALBERTI: We will consult, figure out
16 the best -- we want -- we want to make this work for
17 you.

18 MS. HINTZE: Great.

19 MR. ALBERTI: We're not trying to put up
20 obstacles. All right. We want to make this work. So
21 we will get back to you with suggestions and ways to
22 make this work and see if they -- if you're comfortable

1 with whatever we come up with.

2 MS. HINTZE: Okay.

3 MR. ALBERTI: Okay. All right. Thanks.

4 MS. HINTZE: Thank you.

5 CHAIRPERSON ANDERSON: Any other questions
6 by any of the board members?

7 MS. MILLER: I just have a brief one.

8 CHAIRPERSON ANDERSON: Yes, Ms. Miller.

9 MS. MILLER: I just want to get certain on
10 the numbers that you're talking about because the
11 application that I'm looking at says 2,000, and you're
12 saying 500.

13 CHAIRPERSON ANDERSON: The -- the --
14 remember, Ms. Miller, they stated that they put in a new
15 application because they are changing the date. And so
16 the date -- the application that I have in front of me,
17 that's for the event for April 22nd, 2016 is for 500
18 people.

19 MS. MILLER: Oh, so you changed that as
20 well?

21 CHAIRPERSON ANDERSON: That's a new
22 application that I have in front of me.

1 MS. MILLER: Oh, okay. I didn't know they
2 changed the number as well. Okay. Got you.

3 CHAIRPERSON ANDERSON: And the hours are
4 from 4 to 7 p.m.

5 MS. MILLER: Right. Good. Okay. Thank
6 you.

7 CHAIRPERSON ANDERSON: All right. Any other
8 questions? All right. As -- as you see -- and I'm glad
9 the event is not tomorrow because The Board would have
10 to -- The Board would have to say no if the event was
11 tomorrow. And -- but we will take this under
12 advisement. I would -- Mr. --

13 MR. BARNETTE: Barnette.

14 CHAIRPERSON ANDERSON: -- Barnette, you have
15 a form in front of you. So you can go next door and
16 take care of that -- take care of that -- that process.
17 And The Board will discuss it, and we will get back to
18 you hopefully by the close of business today what it is
19 that -- because we're confused in a sense that I'm also
20 confused too. So if the other establishment -- if
21 you're saying that if they have a catering license, if
22 they don't have a catering license, then that cannot be

1 utilized. And if they a catering license as from what
2 you're told, primary focus has to be food. So they
3 would have to provide food.

4 MS. HINTZE: Okay.

5 CHAIRPERSON ANDERSON: So -- so that might
6 not be -- they might not be -- that might not be an
7 option, but I don't know. But we'll discuss it and
8 we'll get back to you.

9 MS. HINTZE: Okay.

10 CHAIRPERSON ANDERSON: All right. Thank
11 you. And again, thank you very much for -- for being
12 here today. All right. The Board is in -- in recess
13 until 1:30. All right. Thank you.

14 [Off the record at 12:09 p.m.]

15 (Whereupon the above-entitled matter was
16 concluded.)

17

18

19

20

21

22