



**ALSO PRESENT:**

**KATHLEEN O'KEEFE, Applicant**

**SHAWN TOWNSEND, ABRA Investigator**

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

2 2:18 p.m.

3 CHAIRPERSON ANDERSON: Okay. We are  
4 back on the record. We have a Fact-Finding  
5 Hearing it's regarding a temporary license  
6 application from Kathleen O'Keefe neighborhood  
7 regarding Happy Hour at 55 M Street, S.E.

8 So could the parties, please, approach  
9 and identify themselves for the record, please?

10 MS. O'KEEFE: Yeah, Kathleen O'Keefe.  
11 Is that it?

12 CHAIRPERSON ANDERSON: Yes.

13 MS. O'KEEFE: Cool.

14 INVESTIGATOR TOWNSEND: Shawn  
15 Townsend, Investigator.

16 CHAIRPERSON ANDERSON: All right.  
17 Good afternoon, everyone.

18 Ms. O'Keefe, you have requested, one,  
19 two, three, four, five on our -- we have this  
20 five temporary license application that you have  
21 requested. And so just give me a brief overview  
22 of your business, the models that you utilize and

1 why that you are asking the ABC Board for a  
2 temporary license application for the entire  
3 month of May -- March. And is this a one-time  
4 event or will you be coming back in June to apply  
5 for more temporaries? And if that's the case,  
6 why not apply for a permanent license?

7 MS. O'KEEFE: Yeah, so Up Top Acres is  
8 a rooftop farming company, so at our base, we are  
9 using rooftops, which are typically under-  
10 utilized bases in cities to grow food. And so we  
11 grow our own produce. We distribute it through a  
12 community-supported agriculture program and -- to  
13 restaurants.

14 But farming is pretty low-margin, so  
15 we want to diversify our revenue stream as much  
16 as possible, so one of the ways we have been  
17 doing that is through events. So we try and open  
18 the rooftop up to as many people as we can,  
19 because we really want them to come and see  
20 agriculture in a city and hopefully be inspired  
21 to go home and, you know, start their own garden  
22 or plant some herbs in a planter in their window

1 sill and just be connected to food, because  
2 that's something that is not really, you know, a  
3 think in D.C.

4           Myself and my two co-founders are  
5 obviously natives. We grew up here. We met in  
6 public schools and just had no connection to  
7 agriculture at all, so we really wanted to bring  
8 that to the city.

9           So we think that one of the best ways  
10 to do that is through events, since we can't  
11 really bring people up to help us farm on the  
12 rooftops, since we have to have special safety  
13 regulations, since we are on the roofs. They  
14 can't come and get their hands dirty farming with  
15 us, so we like to have people come up and just  
16 get to experience the space.

17           So we host school field trips. He  
18 host workshops for like businesses to come and  
19 plant some herbs and get exposed to agriculture  
20 in the city. And then the licenses that I have  
21 applied for are -- we are trying to do a standing  
22 happy hour every Friday, so people can come up.

1 They can experience the farm. We have planting  
2 stations set up so they can plant like a Basil  
3 plant to bring home.

4 And then the other ones, that was  
5 four, there are four Fridays in the month of May  
6 and then the other one was a bouquet making class  
7 for Mother's Day, so it was Bouquets and Rose.  
8 So we have just opened the space, have, you know,  
9 moms and daughters or whoever it is come up,  
10 learn how to make bouquets and they can drink  
11 wine while they do it. So --

12 CHAIRPERSON ANDERSON: And then the  
13 confines, where can these folks go? Are they  
14 confined or are they --

15 MS. O'KEEFE: Oh, yeah.

16 CHAIRPERSON ANDERSON: Yes. Tell me  
17 about it. Talk about that also.

18 MS. O'KEEFE: They are definitely  
19 confined. When you -- at 55 M Street, you walk  
20 up. The space has been built to have people up  
21 there, so tenants of the building are allowed to  
22 go up and have lunch on the rooftop, so there is

1 a railing that surrounds the event space. It's  
2 25 feet wide and 150 feet long. But there is a  
3 railing around that and then our farm is on the  
4 other side of that and no one can get to that  
5 during events. The gates are locked.

6 CHAIRPERSON ANDERSON: Anything else  
7 you want to say, state before -- you know, there  
8 are going to be a lot of questions coming at you,  
9 so this is --

10 MS. O'KEEFE: Yeah.

11 CHAIRPERSON ANDERSON: -- your  
12 opportunity to set the stage before the questions  
13 come.

14 MS. O'KEEFE: Before the questions  
15 start?

16 CHAIRPERSON ANDERSON: Right.

17 MS. O'KEEFE: Yeah, no. I think  
18 that's basically it.

19 CHAIRPERSON ANDERSON: Mr. Townsend?  
20 Can you identify yourself for the record and are  
21 you familiar with this space? And tell me --  
22 tell us, please, how you are familiar with this

1 space.

2 INVESTIGATOR TOWNSEND: Yes. ABRA  
3 Investigator Shawn Townsend.

4 I was assigned this Fact-Finding or to  
5 look into the applications for this Fact-Finding  
6 Hearing at 55 M Street, S.E., for Up Top Acres.

7 I did visit the property yesterday and  
8 spoke to the Heinz Development Group property  
9 manager, Mindy-jo Barksdale. And she took me up  
10 to the rooftop and I was able to take some  
11 pictures. I believe you all have copies of the  
12 rooftop.

13 I guess my initial concern when I saw  
14 the space is that Ms. Barksdale had mentioned  
15 that guests or patrons were allowed, at some  
16 point, or during some events to go beyond the  
17 fence and pick flowers or pick fruits and  
18 vegetables. So my initial concern was that of  
19 safety, because once you go beyond the railing,  
20 there is nothing to protect folks from the edge  
21 of the building. So that was my initial concern.

22 I didn't see -- there is no cameras on



1 the rooftop. And additionally, Ms. Barksdale  
2 provided me with a list of events scheduled for  
3 2018 by Up Top Acres.

4 So for 2018, there is 82 events  
5 scheduled from April 14th to September 28th. And  
6 of the 82, 50 are listed as alcohol events. So I  
7 came back to the office and took a look at the Up  
8 Top Acres EventBrite invitations for the events  
9 on Fridays. So there -- she is right, they are  
10 scheduled for every Friday and there is a drop-  
11 down box where folks are able to go in and select  
12 a Friday date and it looks like pay a cover  
13 charge for the event.

14 I was told by Ms. Barksdale that the  
15 folks who -- you have to be on a list in order to  
16 gain access to the rooftop. It's a secure  
17 building. It's housed by D.C, DDOT, well, there  
18 is FAA and I believe a few other contracting  
19 firms, but you have to be on a list prior to the  
20 day of the event in order to even gain access to  
21 the roof.

22 Another concern I had and I wasn't

1 able to get confirmation from DCRA prior to this  
2 hearing, but the Certificate of Occupancy for the  
3 building does not list a roof top, so based on  
4 the COO, we don't have an idea of what the  
5 capacity load for the rooftop is, at this moment.

6 And I believe that is it. Her -- the  
7 application, all five of the applications list  
8 that there will be two security guards on the  
9 rooftop during the events, but the -- Ms.  
10 Barksdale, the property manager, stated that  
11 there is always one guard from the front desk  
12 that comes to the roof during the events. So I  
13 don't know if there is going to be additional  
14 guards or it's just the one guard you are  
15 contracting an additional guard to make the two,  
16 but she stated that it's only one guard during  
17 the events.

18 And I think that's it.

19 CHAIRPERSON ANDERSON: Well, Ms.  
20 O'Keefe, can you respond to the guard situation?  
21 Can you also respond to Mr. Townsend saying  
22 whether or not these guests, do they have access

1 to the field or will they be confined? Because  
2 if they have access to the farming, that is a  
3 major area of concern for this Board. So that's  
4 something that you need to address.

5 MS. O'KEEFE: Yeah. So I'll start  
6 with that. They don't ever have access to  
7 outside of the railing. We -- first of all,  
8 those are our crops, that's part of how we make  
9 money, so we don't want anyone who doesn't know  
10 what they are doing out there.

11 And it's unsafe. We tie-in when we  
12 are out there, so we know that that's  
13 unacceptable to have people out there. So the  
14 railings are always locked.

15 We do -- I think you can see in the  
16 photos, we installed some planters up there and  
17 we do have edible flowers in those planters which  
18 are in the event side, so maybe that's what Mindy  
19 was talking about where people -- we do let  
20 people go and pick edible flowers out of those  
21 planters and they can put them on whatever food  
22 they have or get to taste edible flowers. So

1 that could be what she was mentioning.

2 CHAIRPERSON ANDERSON: Okay.

3 MS. O'KEEFE: But no, we never let  
4 people outside of the railings.

5 As with regard -- so we always hire --  
6 there is always a guard in the lobby and we hire  
7 an additional guard. So we have someone in the  
8 lobby and someone on the roof with us, so there  
9 are two guards on-site that we pay for.

10 CHAIRPERSON ANDERSON: Now, since you  
11 are having all these events, why can't -- why not  
12 apply for a permanent license?

13 MS. O'KEEFE: You know, when we  
14 started this a while ago, we were told the best  
15 way forward was temporary licenses, so we just  
16 have been going that way. I have asked -- I  
17 think I asked, you know, early last year if there  
18 was a limit to the number of temporary licenses  
19 we could get and I was told that there wasn't and  
20 that it was okay just to apply for them as  
21 needed.

22 So we applied -- we probably applied

1 for maybe around 30 last year, so but I was, you  
2 know, a lot more unorganized and couldn't --

3 CHAIRPERSON ANDERSON: You applied for  
4 30 last year? The Board -- Mr. Alberti, had the  
5 Board approved all 30? And the Board wasn't  
6 aware that we had provided 30 licenses to you?

7 MS. O'KEEFE: The number --

8 MEMBER ALBERTI: Like I said, I came  
9 to my senses this year. I was a little slow on  
10 the uptake.

11 CHAIRPERSON ANDERSON: And the reason  
12 why I'm calling out Mr. Alberti, okay, is because  
13 Mr. Alberti keeps the Board on its toes. So  
14 that's one of the reasons why I'm publicly  
15 calling him out on this.

16 MEMBER ALBERTI: I will admit that may  
17 be one of the reasons you are here.

18 MS. O'KEEFE: But yes. So we -- I  
19 never had my act together enough with our events  
20 to be able to come and give you all of May at a  
21 time, so I think that's probably why we slipped  
22 through the cracks.

1 MEMBER ALBERTI: Yeah.

2 MS. O'KEEFE: But so we are trying to  
3 just have everything set, have an event calendar  
4 planned throughout the year now to make our lives  
5 easier. We were definitely in start-up mode, but  
6 we have hired some employees.

7 CHAIRPERSON ANDERSON: But I'm saying,  
8 but could you -- because we have been requesting  
9 -- our demand is that other similar like yourself  
10 or having ongoing activities in that  
11 neighborhood, that they apply for a permanent  
12 license if they can.

13 So I guess that I'm trying to find out  
14 is is that something that you are able to do?  
15 Since your -- since from what I'm told, you have  
16 now what, is it, 50 or 82, Mr. Townsend?

17 INVESTIGATOR TOWNSEND: 50 alcohol.

18 CHAIRPERSON ANDERSON: They have 50  
19 alcohol events so far for the year.

20 MS. O'KEEFE: To note some of those  
21 are with catering companies, so they use their  
22 catering license for those events.

1 MEMBER ALBERTI: Okay.

2 INVESTIGATOR TOWNSEND: So yeah, that  
3 was my next question, because I noticed that  
4 there are some more here in May that you didn't  
5 apply for, so --

6 MS. O'KEEFE: Yeah.

7 INVESTIGATOR TOWNSEND: -- those would  
8 be like the Blue Jacket Dinner.

9 MS. O'KEEFE: Blue Jacket is using  
10 their catering license --

11 INVESTIGATOR TOWNSEND: Those would  
12 be-- okay.

13 MS. O'KEEFE: -- for that event.

14 INVESTIGATOR TOWNSEND: Gotcha. Okay.

15 MS. O'KEEFE: So I would say I don't  
16 know the breakdown off the top of my head, but of  
17 the 50, there is probably 20 of those that are  
18 going to be catered events, those the catering  
19 license will be used.

20 But I mean, we are open to whatever  
21 works best. I don't know, I feel like I have to  
22 talk with the property -- the building owner to

1 see if they are willing to have a -- receive like  
2 a full license. I don't know what that -- what  
3 they need to do for that, if they need to do  
4 anything.

5 CHAIRPERSON ANDERSON: Now, let me ask  
6 you another question, Mr. Townsend. You had  
7 mentioned that when you pulled the C of O, it  
8 doesn't have capacity for the rooftop. Is that  
9 something that is typical? Do they typically  
10 have a Certificate of Occupancy for a roof?

11 INVESTIGATOR TOWNSEND: Yes, typically  
12 they do and when I didn't see anything, you know,  
13 about a rooftop on the C of O, that was  
14 concerning to me. So I reached out to friends at  
15 DCRA and I'm waiting for a response from Zoning.

16 CHAIRPERSON ANDERSON: All right.  
17 Now, Ms. O'Keefe, normally when you have these  
18 events, what's the expectation for crowds?

19 MS. O'KEEFE: So there is a sign when  
20 you walk to -- like out onto the event space,  
21 there is a sign that says "Maximum Capacity 170  
22 People." I don't know where that came from, but



1 there is a placard there.

2 Typically when we host events, I mean,  
3 I think our largest has been maybe 120 people for  
4 like a four hour event. Our average size is  
5 going to be like 40, 50 people.

6 CHAIRPERSON ANDERSON: Okay.  
7 Questions, Board Members?

8 MEMBER ALBERTI: I have a few.

9 CHAIRPERSON ANDERSON: Mr. Short?

10 MEMBER SHORT: Ms. O'Keefe, it sounds  
11 like a mighty great thing and a mighty great  
12 site. But as -- and I might as well be very  
13 honest with you, I know a little bit about public  
14 safety. And I would think that you would want to  
15 get a C of O for up there to protect yourself and  
16 the organization.

17 Speaking of alcohol and people  
18 sometimes just doesn't mix that well.

19 MS. O'KEEFE: Right.

20 MEMBER SHORT: But when you have all  
21 the proper licenses and all the proper pulls from  
22 the city, then it makes for this Board's job a

1 lot easier and your's.

2 MS. O'KEEFE: Right.

3 MEMBER SHORT: And my suggestion would  
4 be to you that you apply for a permanent license  
5 as soon as practical.

6 MS. O'KEEFE: Okay.

7 MEMBER SHORT: And I think if you did  
8 that, just using other cases that have been  
9 before us recently, when those persons worked  
10 along with the Board and went and applied for a  
11 permanent license, it made so know that they were  
12 on track. And so we kind of allowed them to use  
13 temporary licenses until the permanent one is  
14 approved, based on some information that and we  
15 would -- our Investigator had to be involved in  
16 that process, but I would just think -- how many  
17 stories is that building?

18 MS. O'KEEFE: 10.

19 MEMBER SHORT: 10 stories.

20 MS. O'KEEFE: Yeah.

21 MEMBER SHORT: I'm very -- I'm kind of  
22 familiar with the building, M Street pretty much.

1 And I saw the railings up and I saw those other  
2 things. And again, when people get a little  
3 alcohol in them, sometimes they -- even with two  
4 security guards if you have got 140 people up  
5 there, they can't --

6 MS. O'KEEFE: Sure.

7 MEMBER SHORT: And I would think that  
8 if you had the Certificate of Occupancy from --  
9 which would give you a fire inspection, would get  
10 you an inspection from the building inspector and  
11 that way when you get your license, everything  
12 would be lined up. And if you need more than two  
13 security guards at times, then that information  
14 would be readily available to the Investigator,  
15 because I would think if you have 150 people up  
16 there, two security guards and a rooftop --

17 MS. O'KEEFE: Yeah, we got -- we do  
18 more --

19 MEMBER SHORT: -- probably isn't  
20 sufficient.

21 MS. O'KEEFE: -- guards.

22 MEMBER SHORT: How is that?

1 MS. O'KEEFE: Yeah, we do more guards  
2 when we have that many people. There is some  
3 ratio, I think, that the lovely ladies at the  
4 desk help me with, so we will hire more people.

5 MEMBER SHORT: Okay.

6 MS. O'KEEFE: Can you -- could you  
7 tell me more about a permanent license and like  
8 what the process is for that?

9 CHAIRPERSON ANDERSON: Well, we will  
10 have you -- there is a Mr. Gordy, who is sitting  
11 at the back of the room.

12 MS. O'KEEFE: Okay.

13 CHAIRPERSON ANDERSON: And so he could  
14 -- the gentleman with his, I think it's a blue  
15 suit and red tie back there, although he is not--

16 MEMBER ALBERTI: The one not paying  
17 attention.

18 CHAIRPERSON ANDERSON: -- although he  
19 is not paying attention to me, but you can sit  
20 and talk to him.

21 MS. O'KEEFE: Okay.

22 CHAIRPERSON ANDERSON: And he will let

1 you know what the feasibility is of what is it  
2 that you need to do to apply for a permanent  
3 license.

4 MS. O'KEEFE: Okay.

5 CHAIRPERSON ANDERSON: And I think the  
6 Board would -- if you can qualify and apply for a  
7 permanent license, if you are going to have this  
8 amount of events in this location, and to be  
9 consistent with the standard that we are  
10 utilizing for other applicants in this area, the  
11 Board would prefer you to apply for a permanent  
12 license if you can, rather than submitting all  
13 these temporary.

14 MS. O'KEEFE: Okay.

15 CHAIRPERSON ANDERSON: Mr. Alberti?

16 MEMBER ALBERTI: So my questions are  
17 going to go directly to the feasibility of  
18 getting a permanent license, because I'm a little  
19 curious about your relationship to the building  
20 owners.

21 MS. O'KEEFE: Right.

22 MEMBER ALBERTI: And the like. So

1 what is your arrangement with the building  
2 owners? Well, just tell me that and then I'll  
3 ask --

4 MS. O'KEEFE: Yeah.

5 MEMBER ALBERTI: -- I'll follow-up.

6 MS. O'KEEFE: So we are technically a  
7 maintenance contract. So we are a green roof  
8 maintenance company. And so and then we have  
9 arranged with them in our agreement, it's lot a  
10 lease, that we have access to that rooftop space.

11 MEMBER ALBERTI: Okay. So you  
12 actually have a formal agreement that you have  
13 access to the --

14 MS. O'KEEFE: Yes.

15 MEMBER ALBERTI: -- that pedestrian/  
16 table and seating area?

17 MS. O'KEEFE: Yes.

18 MEMBER ALBERTI: All right. You said  
19 something about the building occupants can go up  
20 there and have lunch. So --

21 MS. O'KEEFE: Yes.

22 MEMBER ALBERTI: -- does your

1 arrangement speak to when you have access and  
2 when you don't have access or when --

3 MS. O'KEEFE: I --

4 MEMBER ALBERTI: I know that's vague.

5 MS. O'KEEFE: Yeah. At this point, we  
6 have priority for the use of the space up there,  
7 but, you know, if DDOT, who is a tenant of the  
8 building, if they wanted to use the roof for  
9 something, they are allowed to do that as well.  
10 And so we can't hold an event the day of that.

11 MEMBER ALBERTI: Okay. Part of the  
12 reason I'm asking and Sean is in the back, so he  
13 is going to -- to alert you Sean, this is a  
14 unique situation where we have someone who -- if  
15 you were to get a permanent license, we would be  
16 licensing -- we license premises.

17 MS. O'KEEFE: Right.

18 MEMBER ALBERTI: All right. And  
19 usually it is the sole use of those premise is  
20 the licensee.

21 MS. O'KEEFE: Right.

22 MEMBER ALBERTI: I mean, no one else

1 can come in and just have access. So now we have  
2 a space here where if you were to get a permanent  
3 license, I'm not sure what would be required,  
4 because I'm sure the landlord still wants access  
5 to that space, I would imagine.

6 MS. O'KEEFE: Right. And I think it's  
7 part of the agreement with the other -- in the  
8 other leases that they can have access.

9 MEMBER ALBERTI: So this is kind of an  
10 anomaly and --

11 MS. O'KEEFE: Yeah.

12 MEMBER ALBERTI: -- just alerting  
13 licensing that this is going to have to be  
14 discussed and thought about. So that's just a  
15 glitch, but I'm sure we will work out something,  
16 because we want people, you know, to have events  
17 and to do these sorts of events.

18 MS. O'KEEFE: Yes.

19 MEMBER ALBERTI: I will tell you that  
20 for the size of your place, a permanent license,  
21 do you serve spirits at all or just --

22 MS. O'KEEFE: Very rarely, yeah.



1                   MEMBER ALBERTI: Okay. But if you  
2 were wanting to get spirits, I guess it would  
3 probably be, I'm looking at this map, well, there  
4 are different -- if there were no spirits  
5 involved, your license, annual license would be  
6 \$1,300 --

7                   MS. O'KEEFE: Okay.

8                   MEMBER ALBERTI: -- for up to 200  
9 people, which is 10 one-days.

10                  MS. O'KEEFE: Yeah.

11                  MEMBER ALBERTI: If you were to go to  
12 -- and it would be \$2,080 right now for -- if you  
13 were to include spirits --

14                  MS. O'KEEFE: Okay.

15                  MEMBER ALBERTI: -- in that. So it's  
16 still a far cheaper than all the one-days.

17                  MS. O'KEEFE: Yeah.

18                  MEMBER ALBERTI: When you talk to  
19 Sean, he can tell you that there will be some  
20 recordkeeping requirements.

21                  MS. O'KEEFE: Okay.

22                  MEMBER ALBERTI: There will be some

1 restrictions on where you can buy alcohol. You  
2 will have to buy alcohol from wholesalers. You  
3 just can't go down to that local liquor store  
4 that you probably do now or Costco.

5 MS. O'KEEFE: Yes, Costco.

6 MEMBER ALBERTI: You will have to have  
7 arrangements with a wholesaler. So those are  
8 things to think about.

9 MS. O'KEEFE: Yeah.

10 MEMBER ALBERTI: But Sean can fill you  
11 in more, but I just sort of wanted to alert  
12 everybody, so that we have this anomaly with how  
13 do we license a space? Do we license it for  
14 certain parts of the day and then not allow  
15 alcohol other parts of the day? But we can work  
16 this out.

17 MS. O'KEEFE: All right.

18 MEMBER ALBERTI: That's all I have  
19 right now.

20 CHAIRPERSON ANDERSON: Any other  
21 questions by any other Board Members?

22 MEMBER ISAAC: Yeah, I just have one

1 question --

2 CHAIRPERSON ANDERSON: Mr. --

3 MEMBER ISAAC: -- about the use of  
4 the --

5 CHAIRPERSON ANDERSON: -- hold on,  
6 hold on.

7 MEMBER ISAAC: I'm sorry.

8 CHAIRPERSON ANDERSON: Mr. Isaac. I  
9 need to recognize you for the record.

10 MEMBER ISAAC: Oh, I'm sorry.

11 CHAIRPERSON ANDERSON: Go ahead, Mr.  
12 Isaac.

13 MEMBER ISAAC: Yeah, just one question  
14 on the use agreement with the owner. So they  
15 compensate you or do you pay -- make -- do you  
16 pay them?

17 MS. O'KEEFE: And so it's neither.

18 MEMBER ISAAC: Okay.

19 MS. O'KEEFE: We get to have access to  
20 the space and we get to own all of the produce  
21 that we grow and they no longer have to pay a  
22 green roof maintenance contract. So we,

1 basically, cancel the cost out. There is no  
2 financial exchange.

3 MEMBER ISAAC: Okay.

4 CHAIRPERSON ANDERSON: Any other  
5 questions by any other Board Members? All right.  
6 Mr. Townsend, do you have any other questions  
7 that you wanted to ask and clarify?

8 INVESTIGATOR TOWNSEND: No, nope.  
9 Just looking at the calendar of events, it looks  
10 like you will be applying for one, two, three,  
11 four, five in June.

12 MS. O'KEEFE: Are there five Fridays  
13 in June?

14 INVESTIGATOR TOWNSEND: A coincidence.  
15 Yep, yep.

16 MS. O'KEEFE: Yep.

17 INVESTIGATOR TOWNSEND: Okay.

18 MS. O'KEEFE: Yeah.

19 MEMBER ALBERTI: I think the Chair is  
20 going to speak to that.

21 CHAIRPERSON ANDERSON: Right.

22 INVESTIGATOR TOWNSEND: Okay. Okay.

1 All right.

2 CHAIRPERSON ANDERSON: All right.  
3 What I will do, I'm in favor and I'll ask the  
4 Board to approve the five events that you have.  
5 I think there are five events that you have for  
6 May?

7 MS. O'KEEFE: Yes.

8 INVESTIGATOR TOWNSEND: Right, yes,  
9 right.

10 CHAIRPERSON ANDERSON: Is that -- to  
11 approve the five events that you have for May.  
12 However, we need to find out from you before we  
13 are going to approve the June events whether or  
14 not it is feasible to get a permanent license.  
15 And so therefore, you need to have -- I strongly  
16 suggest that you have some conversation with Mr.  
17 Townsend -- I'm sorry, with Mr. Gordy. And if  
18 it's feasible to apply for a permanent license,  
19 that you do that. If it's not feasible to apply  
20 for the permanent license, if you are applying --  
21 if you are going to apply for additional events  
22 in June, then you need to justify to us why is it

1 that it's not feasible for you to apply for a  
2 permanent license.

3 I know that it is not going to say  
4 that if you apply, you are going to get a  
5 permanent license will be approved in June.

6 MS. O'KEEFE: Right.

7 CHAIRPERSON ANDERSON: But so you  
8 probably would have to continue applying for one-  
9 days for June. And but if it's -- if you can  
10 apply for a permanent license and you have  
11 started the process to apply for a permanent,  
12 then the Board will continue, I would assume,  
13 approving those.

14 MS. O'KEEFE: Okay.

15 CHAIRPERSON ANDERSON: But I think  
16 once -- if you are going to apply for more  
17 temporaries in June, then you need to tell the  
18 Board why is it not feasible for you to apply for  
19 a permanent.

20 Now if you come and say the landlord  
21 says that they are not going to agree to that,  
22 then well, we can't tell the landlord -- and if

1 that's what we require, then --

2 MS. O'KEEFE: Right.

3 CHAIRPERSON ANDERSON: So it has to be  
4 some reason. Okay. So if -- with that said,  
5 then I make a motion that the Board approve --

6 MEMBER ALBERTI: I think Mr. Townsend  
7 has --

8 CHAIRPERSON ANDERSON: Mr. Townsend,  
9 yes?

10 INVESTIGATOR TOWNSEND: I just had one  
11 question.

12 CHAIRPERSON ANDERSON: Yes, go ahead.

13 INVESTIGATOR TOWNSEND: All of these  
14 events are from 5:00 to 9:00 that you are  
15 applying for?

16 MS. O'KEEFE: The happy hours are from  
17 5:00 to 8:00.

18 INVESTIGATOR TOWNSEND: 5:00 to 8:00?

19 MS. O'KEEFE: Yeah.

20 INVESTIGATOR TOWNSEND: Okay. So  
21 alcohol service would stop at 8:00?

22 MS. O'KEEFE: Yeah.

1 INVESTIGATOR TOWNSEND: Okay.

2 MS. O'KEEFE: Yeah.

3 INVESTIGATOR TOWNSEND: So between  
4 these hours if an ABRA Investigator wanted to  
5 come and observe, monitor, do we just contact the  
6 front desk and they will notify somebody or of --

7 MS. O'KEEFE: Yes.

8 INVESTIGATOR TOWNSEND: -- what was up  
9 there?

10 MS. O'KEEFE: Yeah. So we always have  
11 someone at the front desk and then we have an  
12 employee down checking people in --

13 INVESTIGATOR TOWNSEND: Okay.

14 MS. O'KEEFE: -- as well, so if you  
15 just tell that employee --

16 INVESTIGATOR TOWNSEND: Okay.

17 MS. O'KEEFE: -- then that would be  
18 fine, yeah.

19 INVESTIGATOR TOWNSEND: Okay. Thank  
20 you.

21 MS. O'KEEFE: Yes.

22 CHAIRPERSON ANDERSON: All right.



1 Then I make a motion that we approve the events  
2 for May 4th, May 11th, May 13th, May 18th and May  
3 25th. Is there a second?

4 MEMBER ALBERTI: Second.

5 CHAIRPERSON ANDERSON: Mr. Alberti has  
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON ANDERSON: Those opposed?  
10 The matter passes 5-0-0.

11 As soon as three Members sign-off on  
12 this, you can go pick up the license.

13 MS. O'KEEFE: Great. Thank you.

14 CHAIRPERSON ANDERSON: Okay. Thank  
15 you for being here today. And that's Mr. Gordy  
16 sitting in the back. So you can wait until we  
17 will give this to you and then you can take it to  
18 the front desk.

19 MS. O'KEEFE: Okay. Thank you.

20 CHAIRPERSON ANDERSON: You're welcome.

21 (Whereupon, the Fact-Finding Hearing  
22 was concluded at 2:45 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Kathleen O'Keefe

Before: Alcoholic Beverage Control Board

Date: 05-02-18

Place: Washington, D.C.

was duly recorded and accurately transcribed under  
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