

February 9, 2012

To: Chairperson, Alcoholic Beverage Control Board

From: Secretary, Alcoholic Beverage Control

Subject: Minutes of Alcoholic Beverage Control Board Meeting on **February 8, 2012**

Cy R. Thompson
APPROVED
Feb. 22, 2012

Meeting called to order by Chairperson Perez on **February 8, 2012 at 17:10**. In attendance were Board members John Ilao, Lucia Perez, John Ray Taitano and Craig Thompson. ABC personnel present were John Garrido, Michael Certeza, David Santos and Gerald Salas.

I. Old Business:

The minutes of the January 25, 2012 meeting were unanimously approved.

II. New Business:

A. Alcoholic Beverage License Applications

The application for a general on sale alcoholic beverage license by the following business was approved by unanimous vote of the Board. The owners of Diva Café provided pictorial proof of kitchen facilities and an upgraded menu that included standard lunch and dinner fare beyond sandwiches and salads. The Board elected to reverse their decision of last meeting based on the additional information.

Guang Li Sheng, Inc. dba: Diva Café. A class 4, General On Sale Alcoholic Beverage License, application on Lot 5116-1-5 Ste 101 San Vitores Plaza, Tumon.

The application for a general off sale alcoholic beverage license by the following business was conditionally approved by unanimous vote of the Board. The applicant must meet three outstanding conditions per the recommendation of the Compliance Staff before the license will be issued.

Yong Tae Kim dba: Hafa Hafa Market. A class 5, General Off Sale Alcoholic Beverage License, application on Lot 1119-1-3-R1New #1142 Rt-9 Mongmong.

The general off-sale alcoholic beverage license applications of the following three businesses were unanimously given conditional approval by the Board provided all conditions are met before the actual license is issued:

- Precision Systems Inc, dba Shell Barrigada, A Class 5 General Off Sale Alcoholic Beverage License, application on Lot 1143-R1 #446 W. Route 8, Barrigada.
- Precision Systems Inc. dba: Shell Hagatna. A Class 5 Off-Sale Alcoholic Beverage License, application on Lot 2035-7-1New #380 E. Marine Corps Drive, Hagatna.
- Precision Systems Inc. dba: Shell Tumon. A Class 5 General Off Sale Alcoholic Beverage License, application on Lot 5138-2-3New #280 North Marine Corps Drive, Tumon

B. Manager/Assistant Manager Applications

The applications of the following four managers were given unanimous approval by the Board:

- | | |
|--------------------------------|-----------------------------------|
| • Manibusan, Brian | Club Xscape |
| • Presto, Samantha | Cloud 9 |
| • Santos, Reyman D. | Fuji Ichiban Ramen |
| • Seki, Shinobu | Fuji Ichiban Ramen |
| • Penalosa-Chong, Rhea A. | Good Cheers |
| • Wai, Clayton | Jamaican Grill – Hagatna |
| • Penaflor, Nellie Joigette T. | Lucky Too Lounge |
| • Calvo II, Dennis M. | Mac&Marti Blue Lagoon |
| • Calimlim, McErnie | Muzik Sing a Song |
| • Lubas, Julio E. | Onward Beach Resort – All Outlets |
| • Cura, Rodelie O. | Onward Beach Resort – All Outlets |
| • Bautista, Mark L. | Onward Beach Resort – All Outlets |
| • Saure, Avlin T. | Onward Beach Resort – All Outlets |
| • Legaspi, Rommel C. | Nikko Hotel – All Outlets |
| • Manibusan, Nathan J.D. | Club Xscape |
| • Sugatan, Jennifer C. | Tony Roma's - Hagatna |

C. Other Items For Discussion(s): New Business

A. Temporary License:

The temporary alcoholic beverage license applications of the following three businesses were unanimously given conditional approval by the Board provided all conditions are met before the actual license is issued:

- Edward M. Calvo Cancer Foundation dba: same, A Temporary Class 4 General On-Sale Alcoholic Beverage License, for UOG Football Field for 10 days through the period February 18 through April 25..
- NYK Cruise Company Ltd dba: M/S Asuka II (Cruise Vessel) c/o Norton Lilly International, A Temporary Class 4 On Sale Alcoholic Beverage License on Vessel mooring at Port Authority on March 25, 2012.
- Sang Hui Shargots dba: Club Sk. A Temporary Class 4, General On Sale Alcoholic Beverage License #11156 for a temporary consumption area 20 feet by 40 feet on February 25, 2012.

D. Violations

The Board revisited the fines passed last week on various clubs and markets. The Board unanimously elected to determine or pursue the following actions:

- Major violations of ABC laws are deemed to be:
 - Serving underage
 - Serving after hours
 - In the case of Oh Maganda, use of underage and inebriated bar hostess to encourage consumption of alcohol
 - Violation of Fire Code by locking the entry/exit door(s) at any time patrons are in the establishment
- Minor violations of ABC laws are deemed to be
 - Improper posting of ABC license and health certificate
 - Improper serving licenses by bar tenders
- All establishments cited for no more than one major violation and or other minor violations will be subject to a \$1.500 fine and possible closure up to 48 hours for a first offense.
- All establishments cited for two or more major violation may be subject to additional fines pending review of applicable law by the AG's office. The Board will determine precise fines for the relevant establishments when it receives the AG's opinion

F. Meeting Adjourned at 18:10