

UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

PLEASE NOTE: Based on the Chair's written determination (attached),
an anchor location for on-premise attendance will not be available.

Public attendance is available by audio:

Phone: 1-646-749-3122

PIN: 409-814-133

Commission Meeting
Tuesday, December 22, 2020 – 10:00 a.m.
1625 South 900 West, Salt Lake City, Utah

[Commissioners will participate electronically]

FINAL AGENDA

- I. CALL MEETING TO ORDER – JOHN T. NIELSEN, CHAIRMAN.
2. APPROVAL OF THE MINUTES OF THE COMMISSION MEETINGS: *[action item]*
 - November 24, 2020 Commission Meeting.
 - December 9, 2020 Special Commission Meeting.
3. ANNOUNCEMENTS:
 - a. Proposed Future Meeting Schedule: *(subject to change)*
 - Tuesday, January 26, 2021
 - Tuesday, February 23, 2021
 - b. Public Comments:
 - Those wishing to comment on this meeting may email hotline@utah.gov .
Comments will be addressed at the end of the meeting.
 - c. Holiday Closures:
 - Liquor stores and the DABC administrative office and warehouse will be closed on the following holidays:

Friday, December 25, 2020 (Christmas Day)
Friday, January 1, 2021 (New Year's Day)
Monday, January 18, 2021 (Martin Luther King Jr. Day)

- d. Store Hours:
 - Thursday, December 24, 2020 (Christmas Eve)
All state liquor stores will close at 6:00 p.m.
 - Thursday, December 31, 2020 (New Year's Eve)
All state liquor stores will close at 7:00 p.m.
- e. License Renewals:
 - Monday, February 1, 2021
Deadline for filing all renewal materials and paying fees for the following license types:
 - On-Premise Beer Recreational Amenity
 - On-Premise Beer Only Restaurants
 - On-Premise "Tavern"
 - Off-Premise Beer Retailers

4. PARENTS EMPOWERED UPDATE. (Doug Murakami)

5. VIOLATIONS:

**Referral Source – State Bureau of Investigation (SBI), Salt Lake Police Department (SLPD)*

a. Consent Calendar: (Sheila Page) [action item]

[The following Consent Calendar items include uncontested letters of admonishment (written warnings) and settlement agreements that have been agreed to and accepted by the licensees. They are considered as a block with one vote unless one of the commissioners requests that any item be removed for individual discussion.]

- | | | | |
|-----|--|------|-------|
| (1) | SH & Sons, Clearfield and Andy Martinez (employee). | *SBI | (OP) |
| (2) | Boneyard Saloon & Wine Dive, Park City. | *SBI | (BAR) |
| (3) | Kent's Market, Clearfield and Charles Rand (employee). | *SBI | (OP) |
| (4) | Mariscos Las Islitas De Las Vegas, West Valley City. | *SBI | (RE) |
| (5) | No Name Saloon & Grill, Park City. | *SBI | (BAR) |
| (6) | Twist, Salt Lake City. | *SBI | (BAR) |
| (7) | Walmart #4272, Logan and "Hannah" (employee). | *SBI | (OP) |

- (8) Walmart #1572, Vernal and Peggy Patton *SBI (OP)
(employee).
 - b. Order to Show Cause: (Stephne Hanson) [action item]
 - (1) Los Coyotes, Kearns. (RB)
- 6. SINGLE EVENT PERMIT DENIAL APPEAL:
 - a. Jen Gilroy – Porch Restaurant, South Jordan.
- 7. REQUEST FOR CHANGE OF LOCATION: [action items]
 - a. Bistro 412 (Erin Hinkel) (BAR)
 - From: 412 Main Street, Park City.
 - To: 508 Main Street, Park City.
 - b. Moab Grill/Canyon Steak & Waffle House (Stephne Hanson) (RE)
 - From: 540 South Main, Moab.
 - To: 196 South Main, Moab.
- 8. EXTENDED CLOSURE REQUESTS: [action items]
 - a. Hat Rock Cafe, Mexican Hat. (RE) (Stephne Hanson) (March Meeting)
 - b. Roughlock Resort, Monticello. (RE) (Stephne Hanson) (March Meeting)
 - c. Hyatt House Place, Pleasant Grove. (BC & RE) (Stephne Hanson) (March Meeting)
 - d. State Room, Salt Lake City. (BAR) (Stephne Hanson) (March Meeting)
 - e. Common Wealth, Salt Lake City. (BAR) (Stephne Hanson) (March Meeting)
 - f. Atomic Bar, Moab. (BAR) (Stephne Hanson) (March Meeting)
 - g. Koral Kafe & Entertainment, Washington. (RE & BAR) (Rob Hansen) (June Meeting)
 - h. The Daily, Salt Lake City. (RE) (Mike Bishop) (March Meeting)
 - i. Amour Café, Salt Lake City. (RL) (Mike Bishop) (March Meeting)

- j. La Puente, Sandy. (RE) (Anita Knowley) *(March Meeting)*
- k. Tin Angel, Salt Lake City. (RE) (Anita Knowley) *(March Meeting)*
- l. Double Tree by Hilton, Salt Lake City. (BC, RE, BAR) (Margaret Hardie) *(March Meeting)*
- m. Thistle & Thyme @ University Park Marriott. (RE) (Margaret Hardie) *(January Meeting)*
- n. Hyatt House H Bar, Salt Lake City. (RE) (Margaret Hardie) *(March Meeting)*
- o. Union Event Center, Salt Lake City. (BC & BAR) (Nicole Tarelton) *(March Meeting)*
- p. Publik Ed's, Salt Lake City. (RB) (Miraz Rasoul) *(March Meeting)*
- q. The Rose Establishment, Salt Lake City. (RL) (Miraz Rasoul) *(May Meeting)*
- r. Legends Bar & Grill, Park City. (RE) (Miraz Rasoul) *(May Meeting)*
- s. The Public House at Mid Mountain, Park City. (BAR) (Miraz Rasoul) *(May Meeting)*
- t. Hyatt Summerfield Suites, Sandy. (BC & RE) (Erin Hinkel) *(March Meeting)*
- u. Leonardo, Salt Lake City. (BC & RL) (Erin Hinkel) *(June Meeting)*
- v. Saltair Sky, Magna. (BAR) (Erin Hinkel) *(May Meeting)*
- w. We Olive, Salt Lake City. (RL) (Erin Hinkel) *(June Meeting)*
- x. Hyatt Place SLC Airport, Salt Lake City. (RE) (Erin Hinkel) *(March Meeting)*
- y. Saola, Salt Lake City. (RE) (Erin Hinkel) *(January Meeting)*
- z. Boltcutter, Salt Lake City. (RE) (Bonnie Bills) *(March Meeting)*
- aa. Hotel RL, Salt Lake City. (BC & RE) (Bonnie Bills) *(March Meeting)*
- bb. Porter's Smokehouse & Grill, Springdale. (RE) (Abe Kader) *(June Meeting)*
- cc. Juniper Pizza, Springdale. (RL) (Abe Kader) *(March Meeting)*

9. REQUEST FOR CHANGE OF RESTAURANT LICENSE FROM FULL YEAR TO

SUMMER SEASONAL: (Abe Kader) *[action item]*

a. Kolob Marketplace, Virgin. (RE)

10. REQUEST FOR ADDITIONAL SUBLICENSES FOR RESORT LICENSE: (Abe Kader)
[action item]

a. St. Regis Deer Valley Bar, Park City. (BAR, RE, HA)

11. INDUSTRIAL/MANUFACTURING APPLICANT: (Abe Kader) *[action item]*

a. Intrepid Alchemy, Salt Lake City.

12. LOCAL INDUSTRY REPRESENTATIVE APPLICANT: (Abe Kader) *[action item]*

a. Millcreek Imports, Salt Lake City.

13. MANUFACTURE DISTILLERY APPLICANT: (Dan Oberg) *[action item]*

a. Simplicity Cocktails, Salt Lake City.

14. OFF-PREMISE BEER RETAILER APPLICANTS: (Stephne Hanson) *[action items]*

a. Completed Applications. *(list attached)*

b. Conditional Applications. *(list attached)*

15. RESTAURANT LICENSE RENEWALS: (Chris Johnson) *[action items]*

Full Service Restaurants (RE)

Licensed as a Restaurant (LR)

Limited Service Restaurants (RL)

Banquet Catering Licenses (BC)

Reception Center Licenses (RC)

Hotel Licenses (HL)

Airport Lounge Licenses (AL)

16. MANUFACTURING LICENSE AND CERTIFICATE RENEWALS:
(Chris Johnson) *[action items]*

Manufacture Breweries, Distilleries and Wineries Licenses.

Local Industry Representative Licenses.
Public Service Licenses.
Liquor Warehouse Licenses.
Beer Wholesaling Licenses.
Brewers Located Outside of Utah Certificates of Approval.

17. LICENSE APPLICATIONS:

***Information on License Transfers can now be found on the Utah Public Notice Website.**

[Issues highlighted in light blue are explained on the corresponding spreadsheet. Issues highlighted in yellow require an in-depth explanation.]

a. License Transfer Applications: (Margaret Hardie) *[action items]*

Full Transfers:

- (1) Foodfirst Global Restaurants, Inc., DBA Brio Tuscan Grille. To Bravo Brio Italian Restaurants, LLC., DBA Brio Tuscan Grille, Salt Lake City. (RE) *(Conditional)*
- (2) Foodfirst Global Restaurants, Inc., DBA Brio Tuscan Grille. To Bravo Brio Italian Restaurants, LLC., DBA Brio Tuscan Grille, Murray. (RE) *(Conditional)*
- (3) Marriott Hotel Services, Inc., To: DiamondRock Salt Lake Tenant, LLC., Salt Lake City. (RE, BC, & BAR) *(Conditional)*
- (4) Tosh's Ramen Corp., DBA Tosh's Ramen, Salt Lake City. To Tokunga, DBA Tosh's Ramen, Salt Lake City.
- (5) Wee Blu Inn Supper Club, Payson, to Wee Blu inn Bar & Grill DBA Wee Blu Inn Bar & Grill, Payson. (BAR)

51% Ownership change:

- (1) Phong Duc Thinh Food Service, LLC DBA Indochine Vietnamese Bistro, Salt Lake City. (RE) *(Conditional)*

Off Premise Beer transfer Application:

- (1) Silver Eagle Center #80182, Panguitch.
- (2) Sunny Shopper Silver Eagle Center #80187, Richfield.
- (3) Scenic Quick Stop #80185, Salina.
- (4) Wasatch Eagle Stop, Heber City.
- (5) Silver Eagle Main #80181, Panguitch.

b. Bar Establishment Applicants: (Mike Bishop) *[action items]*

Ready to Operate:

- (1) Calavera Cantina, Salt Lake City.
- (2) Unspoken, Ogden.
- (3) Aces High Saloon, Salt Lake City.
- (4) Rye, Salt Lake City. *(violation history)*

Projected Future Opening:

- (1) Fife Brewing Company, Salt Lake City. *(Conditional)*
- (2) Garage Grill, Herriman. *(Conditional)*
- (3) The Spoke, Moab. *(Conditional)*

- (4) Park City Brewery, Park City. *(Conditional)*
- (5) Hive 435 Taphouse, St. George. *(Conditional)*

New Applicant:

- (1) Why Kiki, Salt Lake City. *(Conditional)*

c. Full Service Restaurant Applicants: (Cori Price) *[action items]*

New Applicants:

- (1) Santos, Logan.
- (2) Red Banjo Pizza, Park City.
- (3) The Brick, Park City. *(Conditional)*
- (4) Mount Majestic Manor @ Brighton Resort, Salt Lake City.

d. Limited Service Restaurant Applicant: (Nicole Tarleton) *[action items]*

New Applicant:

- (1) Canyon Country Grill, Escalante. *(Conditional)*
- (2) Dave's Place @ Panguitch Lake, Panguitch. *(Conditional)*
- (3) Nosh, Park City. *(Conditional)*
- (4) Sumo, Provo
- (5) Tappo, Salt Lake City. *(Conditional)*
- (6) Kao Thai, Salt Lake City. *(Conditional)*
- (7) O-Ku Sushi & Poke, Sandy.
- (6) Koi Japanese Steakhouse & Sushi, Sandy.

e. On-Premise Beer Recreational Applicant: (Erin Hinkel): *[action item]*

New Applicant:

- (1) Copper Rock Golf Course, Hurricane.

f. Package Agency Applicant: (Erin Hinkel): *[action item]*

- (1) Simplicity Cocktails, Salt Lake City. *(Type 5)*

18. OPERATIONS UPDATE.

a. Department Update. (Sal Petilos/Cade Meier)

b. Package Agency Consignment Increase Requests: (Jeff Colvin) *[action item]*

- (1) PA 393, Payson *(Type 3)*
- (2) PA429, Richmond *(Type 3)*
- (3) PA392, Morgan *(Type 3)*
- (4) PA123, Kanab *(Type 3)*

19. FINANCIAL UPDATE: (Man Diep)

a. Financial Statement.

20. COMMENTS FROM COMMISSIONERS AND PUBLIC.

- Email public comments to: HOTLINE@UTAH.GOV

21. ADJOURN.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING ACCOMMODATIONS DURING THIS MEETING SHOULD CONTACT VICKIE ASHBY AT (801) 977-6800 AT LEAST THREE WORKING DAYS PRIOR TO THE MEETING. HEARING IMPAIRED INDIVIDUALS SHOULD CALL UTAH RELAY SERVICE AT 801-298-9484 OR 1-800-364-4128.

COMMISSION CHAIR'S ELECTRONIC MEETING DETERMINATION
PURSUANT TO UTAH CODE ANN. §52-4-207(4)

I, John T. Nielsen, Chairman of the Utah Alcoholic Beverage Control Commission, have determined that the December 9, 2020 and December 22, 2020 meetings of the Utah Alcoholic Beverage Control Commission will be held electronically without an anchor location.

This determination is based on the following facts:

1. Utah is currently dealing with COVID-19, which has been determined to be a pandemic. COVID-19 is extremely contagious and can be deadly to those who contract it, especially those of advanced age and underlying health conditions.
2. The DABC offices are in Salt Lake County, which is currently in the State's high transmission category. This limits the size of public gatherings to fewer than 50 people. Salt Lake County is also under a public order requiring the wearing of masks and social distancing.
3. A vast majority of DABC staff and the Commission are teleworking to avoid unnecessary contact with others.
4. The Commission chamber within the DABC office is insufficient to allow social distancing and reasonably safe accommodation of the Commission and the public.
5. The Commission uses an electronic platform which allows interested parties to view the meeting, hear discussions and provide written comment.

Dated 12/04/2020.

JOHN T. NIELSEN
JOHN T NIELSEN (Dec 4, 2020 19:13 MST)

John T. Nielsen, Chairman
Utah Alcoholic Beverage Control Commission