



# News Release

Oregon Liquor Control Commission  
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## OLCC Commissioners Appoint Retail Agent Contracts, Ratify Stipulated Alcohol Settlements

Commissioners also took initial action on rules and heard presentations from industry

**PORTLAND, OR.** – At its monthly meeting August 15, 2019, Commissioners heard invited testimony:

**Oregon Restaurant and Lodging Association Update**  
**Oregon Wine Industry Update**

Commissioners heard a presentation for selection of new and renewing agents:

**Agent Contract Renewals** – 14 agents have met the terms of “satisfactory” or higher and are renewed.

### Five-Year Renewals

Medford East, Store 1217, **Charles Horton**  
Portland West Slope, Store 1216, **William Halleran**  
Bend North, Store 1163, **John Biber**  
Springfield West, Store 1195, **Thomas Hammond**  
Sunriver North, Store 1249, **John Audia**  
Dayville Store 1135, **Simon Graves**  
Hillsboro TV Hwy, Store 1239, **Glenna Bartlett**  
Klamath Falls Downtown, Store 1152, **Susan Noud**

### Six-Year Renewals

Silverton, Store 1008, **Genie Stoll**  
Grants Pass Downtown, Store 1076, **Patrick Voris**  
Clackamas Sunnyside, Store 1238, **Debbie McDougall**  
Beaverton Progress, Store 1086, **Richard McGregor**  
West Linn South, Store 1240, **Troy Dean**  
Madras, Store 1148, **Jered Toomey**

### **Agent Appointments**

- Albany East, Store 1103 - **He Got All the Whiskey, Inc. (Kirk Triance)**
- Salem East, Store 1157 - **Stafford Beverage LLC (Jesse Stafford)**

Commissioners ratified the following alcohol violation fines and suspensions based on stipulated settlement:

**Omar's**, 1380 Siskiyou Blvd, Ashland, will pay a \$3,795 civil penalty or serve a 23-day suspension for licensee permitting its employee, agent or representative to mix, sell and serve alcoholic beverages, or supervise those who do, without a valid service permit (2<sup>nd</sup> violation in two years). Licensee is Omar's, Inc.; Jennifer Sink, President/Secretary/Treasurer/Director/Stockholder.

**Mama San Soul Shack**, 8037 N. Lombard St., Portland, will pay a \$2,805 civil penalty or serve a 17-day suspension for licensee permitting its employees, agents or representatives to mix, sell and serve alcoholic beverages, or supervise those who do, without a valid service permit. Licensee is Redbone, LLC; Andrew Boggs, Managing Member; Christopher Hopkins, Member.

**Nite Hawk Café & Lounge**, 6423 N. Interstate, Portland, will pay a \$4,125 civil penalty or serve a 25-day suspension for licensee permitting its employees, agents, servants or representatives to mix, sell and serve alcoholic beverages, or supervise those who do, without a valid service permit (2<sup>nd</sup> violation in two years). Commission staff added four days of aggravation because more than one employee was involved and one of the employees worked without a service permit for more than six months. Licensee is NH, Inc.; William Mildenberger, President; Elaine Mildenberger, Vice President/Secretary/Director/Stockholder.

**Silver Moon Brewery and Brew Pub**, 24 NW Greenwood Ave., Bend, will either pay a \$4,950 civil penalty AND serve a 21-day suspension OR serve a 51 day suspension. The violation is for the licensee or licensee's employees, agents, servants or representatives selling or offering for sale alcoholic beverages in a manner other than the license permitted when they sold or offered for sale alcoholic beverages at a location other than the licensed premises without a Temporary Use of an Annual License for the location. The penalty was aggravated because the violation was repeated. Licensee is Silver Moon Brewing Acquisition Company, Inc.; Matthew Barrett, President/Director/Stockholder; James Watts, Secretary/Treasurer/Director/Stockholder.

**Bambuza Vietnam Kitchen**, 4811 Meadows Rd, #113, Lake Oswego, will pay a \$1,815 civil penalty or serve an 11-day suspension if age verification equipment that meets all the standards identified in OAR 845-009-0140(2) is in use by August 1 OR pay a \$2,970 civil penalty or serve an 18-day suspension if age verification equipment that meets all the standards identified in OAR 845-009-0140(2) is NOT in use by August 1. The violations are: 1) Licensee's employees, agents or representatives failing to verify the age of a minor before allowing her to buy or to be served an alcoholic beverage when she reasonably appeared to be under 26 years of age; 2) Licensee permitting its employees, agents or representatives to mix, sell and serve alcoholic beverages, or supervise those who do, without a valid permit issued by the Commission. Commission staff added four days of aggravation because more than one employee was involved in each violation. Licensee is Bambuza Lake Oswego, LLC; Daniel Nguyen, Managing Member; Katherine Lam, Member.

**Roy's Pioneer Club**, 217 E. Pine Street, Central Point, will pay a \$4,125 civil penalty or serve a 25-day suspension for the following violations: 1) License and/or licensee's employee, agent or representatives failed to have a food preparation area and equipment adequate to prepare, cook and serve food to meet the food service requirements of the Commission; 2) Licensee's employee, agent, or representatives failed to make available to its patrons in all areas where alcohol service is available an offering of at least five different meals during a regular meal period, at least three of which was prepared or cooked on the premises in some manner beyond simple re-heating of a pre-cooked frozen food or carry-out item obtained from a business other than the licensed premises; 3) Licensee failed to have at least 30 dining seats during required meal periods when only 24 seats were available; 4) Licensee failed to notify the Commission in writing and failed to provide an updated floor plan within 30

days of licensee making changes to the physical dimensions of the licensed premises when a portion of the floor space and kitchen were leased to a separate business. Commission staff added two days of aggravation because Violation Number Three was repeated. Licensee is Roy's Pioneer Club, LLC; Jacqueline Foley, Managing Member.

**Portland Food Mart**, 2419 SE Powell Blvd., Portland, will either pay a \$9,405 civil penalty or serve a 57-day suspension for the following violations: 1) Licensee or licensee's employees, agents, servants or representatives permitted unlawful activities on the licensed premises or in areas the licensee controls that are adjacent to or outside the premises, when licensee's employee gave marijuana to and consumed marijuana with minors, made alcoholic beverages accessible to juveniles and vandalized the premises causing substantial damage to inventory and was subsequently arrested for criminal mischief; 2) Licensee and/or licensee's employees, agents, servants or representatives permitted the use, consumption, ingestion or inhalation of marijuana items on a premises licensed to sell or serve alcoholic beverages when licensee's employees and multiple juveniles smoked marijuana inside the premises and in the premises parking lot; 3) Licensee and/or licensee's employees, agents, servants or representatives destroyed, damaged, altered, removed or concealed potential evidence or attempted to do so, or refused to give a Commission regulatory employee or police officer this evidence when lawfully requested; 4) Licensee's employee sold, gave, or otherwise made alcohol beverages available to minors at the licensed premises; 5) Licensee and/or licensee's employees, agents, servants or representatives permitted unlawful activities on the licensed premises or in areas the licensee controls that are adjacent to or outside the premises when OLCC inspectors observed that the premises was in possession of a gambling device. Commission staff added eight days of aggravation because Violations Number One and Two were repeated and involved juveniles. Licensee is Portland Food Mart, LLC; Marek Zamojski, Managing Member.

**SKINN**, 4523 NE 60<sup>th</sup> Ave., Portland, will surrender its license on the date of the sale of the business, or on Sept. 30, 2019, whichever is earlier. The violations are as follows: 1) License and/or licensee's employees, agents, servants or representatives failed to follow an approved enforceable compliance plan when they failed to maintain a security video surveillance system with digital video recording capabilities of areas controlled by the licensee and make that video surveillance footage available upon request to an OLCC inspector; 2) Licensee and/or licensee's employees, agents, servants or representatives failed to have at least 30 dining seats during required meal periods; 3) Licensee and/or licensee's employees, agents, servants or representatives failed to follow an approved enforceable compliance plan when they failed to document in an incident log an incident that occurred inside or within the immediate vicinity or the premises; 4) Licensee and/or licensee's employees, agents, servants or representatives failed to follow an approved enforceable compliance plan when they failed to ensure that violent activity observed within or outside the premises was immediately reported to the Portland Police. These are licensee's fifth through ninth Category III violations within two years. Licensee is West Coast Entertainment, LLC; Oxbow Enterprises, LLC, Managing Member; Tarisa Whitney, Managing Member; Steve Hopkins, Member.

**Impulse Bar and Grill**, 1425 NW Monroe Ave., Suite M, Corvallis, will surrender its license. The violations are as follows: 1) There is a history of serious and persistent problems involving disturbances, unlawful activities or noise either in the licensed premises or involving patrons of the establishment in the immediate vicinity; 2) Licensee's employees or representatives permitted a minor to be in an area of the licensed premises prohibited to minors; 3) Licensee drank alcoholic beverages while on duty at the licensed premises; 4) Licensee permitted disorderly activity on the licensed premises or in areas the licensee controls that are adjacent to or outside the premises; 5) Licensee was convicted of Disorderly Conduct in the Second Degree committed on the licensed premises; 6) Licensee failed to give the Commission written notice that the licensed premises had been closed, including the reasons for the

closure and the estimated reopening date; 7) Licensee failed to maintain liquor liability insurance or a bond with a corporate surety authorized to transact business in this state in the amount of not less than \$300,000 for Impulse Bar and Grill. Commission staff recommended aggravation because licensee personally committed Violations Three, Four and Five. Commission staff also recommended aggravation for three or more violations in a two-year period. Licensees are Sebastian Gallegos and Marcela Garcia.

**Spice N Steam**, 165 W 11<sup>th</sup> Ave., Eugene, will pay a \$2,970 civil penalty or serve an 18-day suspension. The violations are: 1) Licensee's employees, agents or representatives failing to verify the age of a minor before allowing him to buy or to be served an alcoholic beverage when he reasonably appeared to be under 26 years of age; 2) Licensee permitting its employees, agents or representatives to mix, sell and serve alcoholic beverages, or supervise those who do, without a valid permit issued by the Commission. Staff added four days of aggravation because two employees were involved in Violation Number One and the employee worked without a service permit for over six months in Violation Number Two. Licensee is Spice N Steam, LLC; Jiaxiang Li, Managing Member.

Commissioners also held discussion and rendered initial action on administrative rules:

**Alcohol Bill and Technical Package** – Amend alcohol rules to implement legislation that:

- Designates SENTRI and NEXUS cards and passports issued by foreign governments as acceptable identification to purchase alcohol.
- Increases licensing fees.
- Eliminates \$2.60 annual fee on licenses subject to alcohol server education requirement.
- Allows OLCC to adopt content rules for malt beverages custom order agreements.
- Eliminates a prohibition on designating certain malt beverages as "beer".
- Allows airlines to have off-site storage locations.

**Bottle Bill Rules Package** – Amend Division 20 rules to implement legislation that:

- Requires distributors to register with the Oregon Beverage Recycling Cooperative and pay a registration fee.
- Designates kombucha and hard seltzer as redeemable beverages.
- Determines what constitutes retail space for the purpose of a dealer's obligation to redeem beverage containers.

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