

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF: :

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A.B.R.A. AGENDA :

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January 11, 2012

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, 2000 14th Street, N.W., Suite 400S Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

JEANNETTE MOBLEY, Member

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

2 (5:02 p.m.)

3 CHAIRPERSON MILLER: Okay. We are
4 back on the record. We have a full Board.
5 Mr. Jones will be joining us momentarily, so
6 we will have a full Board.

7 I apologize to anyone waiting out
8 in the audience, it seems there was an awful
9 lot of material for the Board to review since
10 we had the holidays.

11 So I'm going to first start with
12 we have some license cancellations that have
13 been requested and I'll read out specific ones
14 and then we can decide how to rule on them.

15 The first is ABRA 084466, Chidogo,
16 DR, and the address is 1934 14th Street, N.W.,
17 and we have had a request that it be canceled.
18 I believe that came from the licensee, if I'm
19 not mistaken.

20 MEMBER ALBERTI: That's correct.

21 CHAIRPERSON MILLER: Okay. Any
22 comments on this one? If not, then I'm going

1 to move that we approve the cancellation and
2 request that all those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON MILLER: All those
5 opposed say nay. All those abstaining? Okay.
6 So this is a vote of 6-0 to approve the
7 cancellation of the license for Chidogo.

8 The next three are licenses that
9 are pretty old. And the first one is ABRA
10 078857, Sake Club on 1400 Irving Street. They
11 haven't paid any or haven't had any activity
12 on this license since 2008. And the location
13 is currently occupied by a new license holder.

14 Then there is ABRA 76293, La Pata
15 Negra, it's a CR, it's 1612 14th Street, N.W.
16 No payment or activity on license since 2009.

17 And ABRA 071802, The Olympic at
18 1206 H Street, N.E., it's a CR. There has
19 been no payment or activity on license since
20 2004.

21 And they all are currently
22 occupied by a new license holder. In these

1 instances, there hasn't been a request by the
2 licensee to cancel. I think the Licensing
3 Division thought that they were ripe for
4 cancellation.

5 However, I would suggest that we
6 send notice to the licensees that they are
7 subject to cancellation and give them notice
8 in the event that they want to bring any
9 information to the Board's attention.

10 Are there more comments on this
11 one?

12 MEMBER MOBLEY: No.

13 CHAIRPERSON MILLER: Okay. On
14 these three. So then I would move in group
15 that we have the Agency send notices to these
16 three establishments that their licenses are
17 subject to cancellation.

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON MILLER: All those
21 opposed? All those abstaining? Then the vote
22 is 7-0 to send notices that they are subject

1 to cancellation. Okay.

2 The next one is ABRA 071893, John
3 Harvard's Brew House, CR, at 1299 Pennsylvania
4 Avenue, N.W. There has been no payment or
5 activity on the license since 2005. The
6 ownership entity has been dissolved, according
7 to DCRA records and the location is currently
8 occupied by a new license holder.

9 Since the ownership has been
10 dissolved in this case, I would move that we
11 cancel. And there has been no activity since
12 2005. I would move that we cancel this
13 license.

14 Any comments? Okay. All those in
15 favor say aye.

16 ALL: Aye.

17 CHAIRPERSON MILLER: All those
18 opposed? All those abstaining? Okay. Then
19 the vote on that is 7-0 to cancel.

20 The next one is ABRA 060777, Mt.
21 Pleasant Delicatessen at 3068 Mt. Pleasant
22 Street, N.W. The license is currently in

1 safekeeping. The licensee did not renew in
2 2011.

3 I would recommend on this one that
4 we send them a letter with respect to
5 safekeeping and cancellation before we take
6 any action to cancel. Any comments on that?

7 Okay. All those in favor of
8 sending a letter to Mt. Pleasant Delicatessen,
9 say aye.

10 ALL: Aye.

11 CHAIRPERSON MILLER: All those
12 opposed? All those abstaining? Okay. So
13 that's a 7-0 to send them a letter with
14 respect to the status and the possibility
15 subject of cancellation.

16 ABRA 080662, Griffin Market, B
17 License, 1425 28th Street, N.W. The license
18 is currently in safekeeping. The licensee did
19 not renew in 2011.

20 It's my recommendation that this
21 one should just be canceled. I think that the
22 Office had some knowledge that they were aware

1 of their being subject to cancellation.

2 Does anybody have any other
3 thoughts on this case that they recall? Okay.
4 Therefore, I would move to cancel the license
5 for Griffin Market.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON MILLER: All those
9 opposed? All those abstaining? And the vote
10 is 7-0 to cancel the license for Griffin
11 Market.

12 And finally on this list of
13 licenses subject to cancellation is ABRA
14 075391, Cardinal's Nest at 3748 10th Street,
15 N.E. The license is currently in safekeeping.
16 The licensee did not renew in 2010.

17 MEMBER MOBLEY: Madam Chair, I
18 think the consensus is that we sent them a
19 renewable package notification.

20 CHAIRPERSON MILLER: That's
21 correct. Do you remember what their status
22 was? I do have that same recollection myself

1 that this was someone that we have -- I think
2 that the Office was not sure about and hadn't
3 had any communication from them about --

4 MEMBER MOBLEY: Any
5 communications.

6 CHAIRPERSON MILLER: Correct,
7 okay.

8 MEMBER MOBLEY: Yes.

9 CHAIRPERSON MILLER: So any other
10 comments on this?

11 All those in favor then of sending
12 Cardinal's Nest a letter with respect to
13 giving them notice about their being subject
14 to cancellation, say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those
17 opposed? All those abstaining? Okay. Then
18 the vote is 7-0 in Cardinal's Nest.

19 And that is all of the license
20 cancellations that are at issue before us
21 today.

22 Next on our agenda, and this is an

1 extensive list of issues to go through,
2 because of the holidays, there are over 50
3 items. And we will go through them. There
4 have been requests by letter of the Board.

5 Okay. The first one is a review
6 of manager's application for Jeremy J.
7 Mancuso.

8 MEMBER MOBLEY: Madam Chair, may I
9 make a suggestion?

10 CHAIRPERSON MILLER: Yes.

11 MEMBER MOBLEY: That we handle
12 Item No. 33, since we have begun to go through
13 the rest of them? Counsel said that would be
14 okay to do it. Or which ever one.

15 MEMBER JONES: 32.

16 MEMBER MOBLEY: 32.

17 CHAIRPERSON MILLER: Oh, since we
18 have an interested --

19 MEMBER MOBLEY: Since we have an
20 interested party.

21 CHAIRPERSON MILLER: -- person,
22 right.

1 MEMBER MOBLEY: And she has been
2 waiting so long.

3 CHAIRPERSON MILLER: Okay. Okay.
4 We can do that.

5 MEMBER MOBLEY: Thank you, Madam
6 Chair.

7 CHAIRPERSON MILLER: Thank you.
8 Thank you for that suggestion.

9 Okay. I just want to take a
10 moment to refresh our memory on this. Are you
11 all ready? Is everyone ready to deal with 33?
12 Okay.

13 MEMBER ALBERTI: Yes.

14 CHAIRPERSON MILLER: Item No. 32
15 on our agenda is a letter from the West End
16 Citizens Association dated December 9, 2011
17 opposing Foggy Bottom Grocery's Class B
18 License renewal.

19 And they have set forth objections
20 to the renewal and they have asked that it be
21 for a shorter time as possible. The letter
22 goes into many details that I think are

1 helpful to the Board's consideration.

2 But at this point, it's my
3 understanding that we are primarily
4 acknowledging that we got this letter and that
5 we will definitely be considering it.

6 Are there any comments on this
7 letter? Yes?

8 MEMBER ALBERTI: Only that we
9 appreciate getting letters from the community
10 and take all of those letters very seriously.
11 I appreciate that citizens take the time to
12 weigh in with the Board.

13 CHAIRPERSON MILLER: Any other
14 comments? Okay. Okay. Well, it's a very
15 comprehensive letter and I look forward to
16 dealing with it in the context.

17 At this point then, I think what
18 we will do is go back to our order. And
19 starting with No. 1, which is a review of a
20 manager's application and the manager's name
21 is Jeremy Mancuso.

22 And the Board has reviewed all the

1 information in the application. And I think
2 that this one can be approved, but I would
3 see. Is that the consensus of the Board that
4 it can be approved?

5 MEMBER ALBERTI: That's fine.

6 CHAIRPERSON MILLER: Okay. All
7 right then. All those in favor of approving
8 the application say aye.

9 ALL: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining? And the vote
12 is 7-0 to approve this manager's application.

13 No. 2 is another manager's
14 application for Miguel Dominguez and the Board
15 has looked at the application and has some
16 questions, I believe, with respect to this
17 application.

18 And, therefore, it's my suggestion
19 that we schedule a Fact-Finding Hearing for
20 consideration of this application. Are there
21 comments?

22 MEMBER ALBERTI: I agree.

1 MEMBER MOBLEY: Madam Chair, I
2 think that's appropriate.

3 CHAIRPERSON MILLER: Okay. Then
4 all those in favor of scheduling a Fact-
5 Finding on this application --

6 MEMBER ALBERTI: Aye.

7 CHAIRPERSON MILLER: -- say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? Okay. The
11 vote is 7-0 to schedule a Fact-Finding.

12 Okay. No. 3 is an entertainment
13 endorsement application to add entertainment
14 and dancing. And this is for the Jamaican
15 Joe's Famous Jerk Chicken at 2420 18th Street,
16 N.W.

17 I believe, in this case, and
18 please correct me if I'm wrong, that this
19 appears to be a substantial change and,
20 therefore, I would recommend that this be
21 placard for a hearing. Is that the consensus
22 of the Board?

1 MEMBER ALBERTI: Yes.

2 MEMBER MOBLEY: Yes.

3 CHAIRPERSON MILLER: Okay. Then--

4 MEMBER ALBERTI: I think you vote
5 on that one. You can vote for placard. You
6 will vote.

7 CHAIRPERSON MILLER: Do a vote or
8 no?

9 MEMBER ALBERTI: No, we are going
10 to placard this?

11 CHAIRPERSON MILLER: Right.

12 MEMBER ALBERTI: Just your --

13 CHAIRPERSON MILLER: Okay.

14 MEMBER ALBERTI: -- recommendation
15 to placard and then we will vote on that.

16 CHAIRPERSON MILLER: Okay. Let's
17 do that then.

18 Okay. Then I would move to
19 placard for Jamaican Joe's Famous Jerk Chicken
20 for the entertainment endorsement.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON MILLER: All those
2 opposed? All those abstaining? Okay. Then
3 the motion passes to placard.

4 Okay. No. 4 is a request from Mr.
5 Andrew Kline, attorney, on behalf of the
6 licensee requesting an increase in seating
7 capacity from 240 to 369 seats and an increase
8 in total occupancy load from 290 to 395. And
9 this is for the District Commons/Burger Tap &
10 Shake at 2200 Pennsylvania Avenue, N.W.,
11 License No. 85365. And there is no voluntary
12 agreement in this case.

13 Not seeing any problems with this
14 request, I would move that we approve it,
15 unless anyone has any concerns.

16 MEMBER MOBLEY: No.

17 CHAIRPERSON MILLER: Okay. All
18 those in favor of approving this request say
19 aye.

20 ALL: Aye.

21 CHAIRPERSON MILLER: All those
22 opposed? All those abstaining? Okay. Then

1 the vote is 7-0 to approve the request
2 regarding License 85365.

3 All right. Okay. No. 5 is a
4 review of another request from Andrew Kline
5 also on behalf of District Commons/Burger Tap
6 & Shake, License No. 85365. And this is for
7 approval of an off-premises storage permit.
8 I think this is pretty straightforward.

9 Anyone have any concerns about
10 this?

11 MEMBER ALBERTI: The placement of
12 the records will be stored is within the
13 District. Is that correct?

14 CHAIRPERSON MILLER: Yes.

15 MEMBER ALBERTI: Okay. Then I
16 approve. I have no other comment. I'm fine.

17 CHAIRPERSON MILLER: Okay. Any
18 other comments?

19 Okay. All those in favor of
20 granting this request regarding off-site, off-
21 premises storage say aye.

22 ALL: Aye.

1 CHAIRPERSON MILLER: All those
2 opposed? All those abstaining? Okay. And
3 then the measure passes 7-0 approving the
4 request regarding off-premises storage.

5 No. 6 is a review of change of
6 hours application to change the hours of
7 operation and hours of alcoholic beverage
8 sales/services. There is no voluntary
9 agreement in this case. It is in ANC-2A,
10 Restaurant Associates at 2700 F Street, N.W.,
11 and License No. 1133.

12 I think this is pretty
13 straightforward. If anyone has any comments?

14 MEMBER MOBLEY: I don't have any,
15 Madam Chair.

16 CHAIRPERSON MILLER: You do?

17 MEMBER MOBLEY: I don't.

18 CHAIRPERSON MILLER: Okay.

19 Anybody? Okay.

20 Then all those in favor of
21 granting the request for change of hours say
22 aye.

1 ALL: Aye.

2 CHAIRPERSON MILLER: All those
3 opposed? All those abstaining? And the
4 measure passes by a vote of 7-0 regarding
5 change of hours for License No. 1133.

6 No. 7 on our agenda is a review of
7 an amended entertainment endorsement
8 application to add dancing and cover charge.
9 There is no voluntary agreement in this case.
10 It is in ANC-2B. It is for the Sign of the
11 Whale at 1825 M Street, N.W., License No.
12 85120.

13 So they have an entertainment
14 license and all that is being requested is
15 adding permission to have dancing.

16 Anybody have any concerns with
17 this application?

18 Not hearing any, I would move to
19 approve this amended entertainment endorsement
20 application to add dancing.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON MILLER: All those
2 opposed? All those abstaining? And then the
3 vote is 7-0 approving the request to amend the
4 entertainment endorsement to add dancing.

5 Okay. No. 8 is another
6 application for a change of hours. And this
7 is in ANC-6C for Subway Liquors II at 500 K
8 Street, N.W., and the License No. is 60423.

9 Okay. And the hours are being
10 changed. The request of hours, it is
11 currently 9:00 to 10:00 and it's being
12 requested that they be changed to 9:00 to
13 12:00 a.m., Monday through Saturday.

14 Anybody want to express any
15 concerns with respect to this request?

16 MEMBER ALBERTI: No.

17 CHAIRPERSON MILLER: Okay. Then I
18 would move to grant this request for a change
19 of hours.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON MILLER: All those

1 opposed? All those abstaining? And then I
2 would record the vote as 7-0 approving the
3 request for the change of hours for Subway
4 Liquors II.

5 No. 9 is a request from the
6 licensee for approval of an increase in
7 seating capacity by an additional 30 seats and
8 summer garden/sidewalk cafe endorsement.

9 The applicant is proposing the
10 addition of a summer garden with 25 seats and
11 a sidewalk cafe with 20 seats.

12 MEMBER MOBLEY: Madam Chair,
13 because of my familiarity with the
14 establishment and the owners of the cafe, I'm
15 recusing myself.

16 CHAIRPERSON MILLER: Okay. Thank
17 you. All right. This is in 5A, ANC-5A. And
18 it is License No. 83121. I think that this
19 application raises a question that what they
20 are requesting to do may be considered a
21 substantial change and that this should be
22 placarded.

1 Are there any comments that the
2 Board Members might want to express? Is there
3 agreement that that would be your
4 understanding?

5 MEMBER ALBERTI: Yes.

6 MEMBER BROOKS: Yes.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER ALBERTI: I agree, Madam
9 Chair.

10 CHAIRPERSON MILLER: Then I would
11 move that we have this one be placarded
12 because of what appears to be a substantial
13 change.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those
17 opposed? Mr. Jones, I'm not sure of your
18 vote. In favor? Abstaining? In favor.
19 Okay. So we have one, two, three, four, Mr.
20 Silverstein is not here, so we have 5 in favor
21 and one absent and one recused. So the motion
22 passes 5-1-1.

1 Okay. No. 10 on our agenda is an
2 amended entertainment endorsement application
3 to add a cover charge. And that's basically
4 all that I believe the applicant is
5 requesting. It's in ANC-2B. The
6 establishment is The Meeting Place at 1100
7 17th Street, N.W., License No. 74661.

8 Any comments? I would then move
9 that we approve the request to add a cover
10 charge for this establishment.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON MILLER: All those
14 opposed? All those abstaining? It passes by
15 a vote of 6-0.

16 No. 11 is an application to change
17 hours of operation and hours of alcoholic
18 beverage sales/service for Cathedral Liquors
19 which is located at 3000 Connecticut Avenue in
20 ANC-3C. It is Retail License No. 16425.

21 It wants to change its hours
22 Monday through Saturday, which are currently

1 9:00 a.m. to 10:00 p.m. to 9:00 a.m. to 12:00
2 a.m.

3 I don't see any problems with this
4 application. Does anybody? Okay.

5 And then all those in favor of
6 granting the change of hours of operation and
7 hours of alcoholic beverage sale/service say
8 aye.

9 ALL: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining? It passes and
12 the vote is 6-0.

13 No. 12 is a letter from the
14 licensee clarifying the number of seats in the
15 establishment, a total of 92 seats, based on
16 a newly issued Certificate of Occupancy for
17 purposes of calculating the food sales
18 requirement.

19 This establishment is in ANC-2B.
20 It is One Lounge at 1606 20th Street, N.W.,
21 License No. 83468.

22 Okay. In general, this just was

1 for seating which estimated a much higher
2 capacity and they have just now clarified what
3 the capacity really is. Anybody have any
4 issues on this? Okay.

5 Then I would move that we approve
6 clarifying the total number of seats to 92.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? And the vote
11 is 6-0 approving the request to clarify the
12 number of seats.

13 No. 13 on our agenda is an
14 application for a change of hours to change
15 Sunday hours of the alcoholic beverage sales/
16 service from Sunday 11:00 a.m. to 2:00 a.m. to
17 Sunday 8:00 a.m. to 2:00 a.m. And this is in
18 ANC-6B. It's at the Hyatt Regency Washington
19 Hotel and its at 400 New Jersey Avenue, N.W.,
20 License No. 75037.

21 Any concerns with this
22 application? Not hearing any, I would move

1 that we approve the application to change the
2 hours for this retailer.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed say nay. All those abstaining? Okay.
7 And the vote is 6-0 to approve the request for
8 the change of Sunday hours.

9 No. 14 is an application for
10 safekeeping and the reason given is so that
11 the licensee can negotiate a new lease. I
12 will say that there is a voluntary agreement
13 and it's in ANC-2E. And the establishment is
14 Saloun at 3239 M Street, N.W., Retail License
15 No. 22973.

16 And I believe this license is in
17 the Georgetown area where there is a
18 moratorium on licensees right now. So I would
19 suggest that we grant the request for
20 safekeeping for a period of six months. And,
21 at that time, if the applicant hasn't
22 completed his negotiation of a lease or

1 whatever to use the license, that he come
2 before the Board for a Status Hearing or a
3 Fact-Finding Hearing on that issue.

4 Comments?

5 MEMBER MOBLEY: No comments, Madam
6 Chair.

7 CHAIRPERSON MILLER: Okay. Then I
8 would move approval of this application for
9 safekeeping for a period of six months.

10 And all those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON MILLER: All those
13 opposed? Okay. All those abstaining? Okay.

14 Mr. Alberti, did you vote on this?

15 MEMBER ALBERTI: Yes, I did.

16 CHAIRPERSON MILLER: Okay.

17 MEMBER ALBERTI: Yes.

18 CHAIRPERSON MILLER: Then the vote
19 is 7-0. Okay.

20 Okay. No. 15 is a request for a
21 change of hours to open earlier for Rosa
22 Mexicano, which is at 575 7th Street, N.W.,

1 and it is in ANC-2C, License No. 60757.

2 Does anybody have concerns with
3 this application?

4 Okay. Not hearing any, I would
5 move that we grant the application to change
6 the premise hours of operation and hours of
7 alcoholic beverage sales/service and sidewalk
8 cafe hours, as proposed in the application.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON MILLER: All those
12 opposed? All those abstaining?

13 MEMBER ALBERTI: Mr. Alberti, did
14 you vote?

15 MEMBER ALBERTI: No, I did not.
16 Which was this?

17 CHAIRPERSON MILLER: This is No.
18 15 for changing the hours of operation for
19 Mexicano.

20 MEMBER ALBERTI: I approve.

21 CHAIRPERSON MILLER: Okay.

22 MEMBER ALBERTI: I approve.

1 CHAIRPERSON MILLER: Then I
2 believe that the vote is 7-0 to approve.

3 Okay. No. 16 is a request from
4 Mr. Lyle Blanchard on behalf of the licensee
5 requesting approval of an involuntary transfer
6 of the license to the landlord. This is in
7 ANC-1D. It is the Woodner Grocery at 3636
8 16th Street, N.W., Retailer Class B, License
9 No. 1784.

10 My understanding is that 25-361
11 governs involuntary transfer of licenses. And
12 that it lists instances where that applies and
13 that this situation is not listed in the code
14 at that section.

15 So do the Board Members have views
16 on this? Where I would be going is would be
17 denying because it doesn't fall in the
18 categories listed.

19 MEMBER BROOKS: You said deny,
20 right?

21 CHAIRPERSON MILLER: Yes.

22 MEMBER BROOKS: Yes.

1 MEMBER ALBERTI: Yes, I agree.

2 MEMBER BROOKS: Okay.

3 MEMBER ALBERTI: Mr. Blanchard or
4 the license -- all right. The person
5 requesting the involuntary transfer doesn't
6 have any legal basis, any claim to that. I
7 think is the point, right?

8 CHAIRPERSON MILLER: It's my
9 understanding because it's not listed in the
10 section of the code.

11 MEMBER ALBERTI: Well, yes. Fine,
12 I approve. All right. I'm sorry, I deny the
13 request.

14 CHAIRPERSON MILLER: Do you agree?

15 MEMBER ALBERTI: I agree to deny
16 the request.

17 CHAIRPERSON MILLER: Okay. Any
18 other comments on this request?

19 MEMBER MOBLEY: No, Madam Chair.

20 CHAIRPERSON MILLER: Okay. Then I
21 would move to deny the request to the licensee
22 for the involuntary transfer of the license to

1 the landlord.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON MILLER: All those
5 opposed? All those abstaining? Okay. Then
6 the vote is 6-0 to deny the request.

7 No. 17 is another request for a
8 change of hours. And this establishment is
9 located in ANC-2F. It is called Sav-on
10 Liquors at 1414 14th Street, N.W., and it's a
11 Retailer A License, License No. 178.

12 MEMBER MOBLEY: Madam Chair, I
13 think there was some questions about this
14 particular request in that there needs to be
15 a licensing review. So we need to -- I would
16 make a recommendation that we postpone it
17 until we have that review, the results of that
18 review.

19 CHAIRPERSON MILLER: Okay. I
20 think that's correct. Actually, there are
21 more facts that we needed to get on this case.
22 And I just can't recall how long we wanted to

1 postpone this for.

2 MEMBER ALBERTI: Which one is
3 this, No. 18?

4 CHAIRPERSON MILLER: This is No.
5 17.

6 MEMBER BROOKS: Until the next
7 meeting.

8 CHAIRPERSON MILLER: Next meeting
9 next week?

10 MEMBER BROOKS: I think so.

11 MEMBER ALBERTI: The next meeting.

12 MEMBER BROOKS: Yes.

13 MEMBER MOBLEY: Okay.

14 CHAIRPERSON MILLER: Okay. I
15 don't think we have to vote on a postponement.

16 MEMBER ALBERTI: No.

17 CHAIRPERSON MILLER: Okay. So
18 this one will be postponed until next week.

19 No. 18 is a review of a letter
20 from the licensee requesting approval of a
21 change of address from 1100 Eastern Avenue,
22 N.E., to 1102 Eastern Avenue, N.E.

1 The establishment is Uncle Lee's
2 Seafood and the License No. is 85918. It
3 involves an establishment that was one
4 business and now they are dividing into two.
5 And the one which would have alcohol will be
6 or is at the changed address that is being
7 requested.

8 Any comments? Okay. All those in
9 favor?

10 Then I would move then to approve
11 the request for the change of address for
12 Uncle Lee's Seafood.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON MILLER: All those
16 opposed? All those abstaining? And the vote
17 is 6-0 approving the request.

18 No. 19 is a letter from Andrew
19 Kline on behalf of the licensee requesting
20 approval to add dancing to the entertainment
21 endorsement. It's for Lounge 201 at 201 D
22 Street, N.E., in ANC-6B, License No. 60457.

1 Any concerns? Okay. All those in
2 favor to grant the request to add dancing say
3 aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed? All those abstaining? Okay. I
7 believe the vote is 6-0, unless someone wants
8 to correct me on that. Okay.

9 No. 20 is a letter dated December
10 9, 2011 from a group of residents protesting
11 All Souls because of their concerns about its
12 proximity to a school, real property values
13 and parking. All Souls is located at 725 T
14 Street, N.W., License No. 88179.

15 So as I understand it, this is a
16 letter for our information and we will
17 probably consider it later in the context of
18 the Protest Hearing. And, therefore, no
19 action is required, except to acknowledge that
20 we have received this letter. Okay.

21 No. 21, this is a letter from ANC-
22 1B dated December 13, 2011 in which it

1 indicates that it is withdrawing its protest
2 against Eleven Market at 1936 11th Street,
3 N.W., License No. 60236.

4 Again, this is nothing that we
5 grant or deny. It is just we acknowledge that
6 we have received this letter of withdrawal.

7 Any comments, anybody? Okay.

8 No. 22 is a letter dated December
9 19, 2011 from ANC-6C protesting Xclusive
10 Restaurant and Lounge on the basis of peace,
11 order and quiet. Xclusive Restaurant and
12 Lounge is located at 707 H Street, N.E., and
13 License No. 88205.

14 If I understand correctly,
15 actually, this was identified on our agenda as
16 a letter from ANC-6C, but it looks to me like
17 it's actually a letter from Concerned
18 Residents Around 707 H Street, N.E.

19 In any event, it's a letter that
20 has come to us. It will be in our files and
21 that will be considered with respect to
22 Xclusive Restaurant and Lounge's application.

1 Any comments?

2 MEMBER ALBERTI: What item was
3 that again, 22?

4 CHAIRPERSON MILLER: 19? No, this
5 is 22.

6 MEMBER ALBERTI: I believe that
7 was from ANC-6C and Item 23 is from the group
8 of residents.

9 MEMBER MOBLEY: That's correct.

10 CHAIRPERSON MILLER: Oh, thank
11 you. 23 is from -- I misread that.

12 MEMBER ALBERTI: Right. So we
13 have two letters with regard to --

14 CHAIRPERSON MILLER: Oh, thank
15 you.

16 MEMBER ALBERTI: -- Xclusive
17 Restaurant and Lounge.

18 CHAIRPERSON MILLER: Thank you
19 very much.

20 MEMBER ALBERTI: You're welcome.

21 CHAIRPERSON MILLER: Okay. So
22 that's 22 and 23. Okay.

1 MEMBER ALBERTI: So I think 22, I
2 think we need to just note that we will give
3 the ANC-6C great weight in this matter.

4 CHAIRPERSON MILLER: We certainly
5 will.

6 MEMBER ALBERTI: Okay.

7 CHAIRPERSON MILLER: And I'm sorry
8 I don't have it in front of me to comment any
9 further on it. I don't know if anybody else
10 does, but I know that we will be commenting on
11 it in the context of the case.

12 MEMBER ALBERTI: Yes.

13 CHAIRPERSON MILLER: So, okay.

14 MEMBER ALBERTI: Correct.

15 CHAIRPERSON MILLER: No. 24 is a
16 letter dated December 15, 2011 from John
17 Wesley African Methodist Episcopal Zion Church
18 protesting the Parc Deux Restaurant and that's
19 at 1601 14th Street, N.W., License No. 88243.

20 So again, I think that this is a
21 letter that we want to acknowledge that we
22 have received and we will be considering in

1 the context of the case.

2 Any comments?

3 Okay. Looking at my notes, it
4 looks like we have a few more of those types
5 of letters that have just been sent to us with
6 respect to concerns in the context of the
7 protest and I'm just going to reference those
8 letters. I don't want to repeat for each one
9 what they are about, because that is basically
10 what they are.

11 No. 25 is a letter dated December
12 20, 2011 from a group of residents protesting
13 Matchbox on the basis if peace, order, quiet,
14 overconcentration, parking and pedestrian and
15 vehicle safety. Matchbox is on 14th Street,
16 N.W., License No. 88258.

17 No. 26 is a letter dated December
18 5, 2011 from ANC-2E protesting Blue Gin on the
19 basis of peace, order and quiet. And ANC-2E
20 also has concerns that the substantial change
21 request for a summer garden with 120 seats may
22 violate the existing voluntary agreement.

1 This is for Blue Gin, 1206 Wisconsin Avenue,
2 N.W.

3 And the Board will be giving the
4 ANC great weight in its consideration of that
5 case later down the road. So we are not going
6 to address right in here all their issues, but
7 we will be addressing them later.

8 No. 27 is review of -- there is a
9 letter dated December 20, 2011 from the
10 Citizens Association of Georgetown protesting
11 Blue Gin's application for the summer garden.

12 Then No. 28 there is a letter
13 dated November 26, 2011 from the Blaguard
14 requesting approval -- oh, this is something
15 different. Okay.

16 So through 27 are these letters
17 with requests that we will consider at a later
18 date in the context of the protestants. Okay.
19 Anybody have any concerns, comments on them?

20 MEMBER ALBERTI: No. We are on
21 Item 28 or?

22 CHAIRPERSON MILLER: 27.

1 MEMBER ALBERTI: Okay. Okay.

2 CHAIRPERSON MILLER: Oh, 27 is
3 also a letter from Citizens Association of
4 Georgetown with respect to the summer garden
5 at Blue Gin.

6 All right. No. 29, we are on now,
7 which is a letter dated November 18, 2011 from
8 ANC-3/4G supporting Broad Branch Market's
9 Class B License renewal at 5608 Broad Branch
10 Road, N.W., License No. 81331.

11 MEMBER ALBERTI: We'll give them
12 great weight.

13 CHAIRPERSON MILLER: Okay. It's
14 just a -- oh, this is from their ANC, right.
15 We will be giving it great weight in the
16 context of our consideration of the renewal.

17 MEMBER MOBLEY: Madam Chair, I'm
18 sorry, did you speak to address Item 28?

19 MEMBER ALBERTI: You had not. We
20 have not added 28, Madam Chair.

21 CHAIRPERSON MILLER: I'm sorry.

22 MEMBER ALBERTI: That's okay.

1 CHAIRPERSON MILLER: Okay.

2 MEMBER MOBLEY: Okay.

3 CHAIRPERSON MILLER: We are on 29.

4 Now, we can go back to 28.

5 Do you have any concerns with 29?

6 MEMBER MOBLEY: No.

7 CHAIRPERSON MILLER: It's from the

8 ANC.

9 MEMBER MOBLEY: No, Madam Chair.

10 CHAIRPERSON MILLER: Okay. All

11 right.

12 No. 28, going back, sorry, is a
13 letter dated November 26, 2011 from the
14 Blaguard requesting approval to store invoices
15 and sales reports at the owner's home office.
16 The Blaguard is located at 2003 18th Street,
17 N.W., and the License No. is 86012.

18 Does anybody have any concerns
19 with their request to store these invoices and
20 sales reports at the owner's home office?

21 MEMBER ALBERTI: I'll just note
22 that I'm in favor of this because the location

1 at which the records will be stored is within
2 the District.

3 CHAIRPERSON MILLER: Oh, very good
4 point. Thank you. Okay. And this one, I
5 believe, requires our action to approve this
6 request.

7 MEMBER ALBERTI: Yes.

8 CHAIRPERSON MILLER: So all those
9 in -- I would move that we approve this
10 request.

11 All those in favor of approving
12 the request say aye.

13 ALL: Aye.

14 CHAIRPERSON MILLER: All those
15 opposed? All those abstaining? And the vote
16 is 7-0 to approve the request to store the
17 documents in the owner's home office in the
18 District of Columbia.

19 Okay. No. 29 is a letter dated
20 November 18, 2011 from ANC-3/4G. Oh, we did
21 that.

22 MEMBER ALBERTI: We did that.

1 CHAIRPERSON MILLER: We did that,
2 that's right.

3 MEMBER MOBLEY: We did that.

4 CHAIRPERSON MILLER: That's why I
5 went back to 28. Okay.

6 MEMBER ALBERTI: It's a lot of
7 paper.

8 CHAIRPERSON MILLER: Moving along.
9 30 is a letter dated December 8, 2011 from
10 ANC-7B supporting Lee's Mini Mart's renewal of
11 its Class B License upon the Board's approval
12 of a voluntary agreement. Lee's Mini Mart is
13 located at 3853 Alabama Avenue, S.E., License
14 No. 71750.

15 And it says they have attached
16 their resolution to this request, which is in
17 a fax. It says at a regularly scheduled
18 public meeting of ANC-7B on November 15, 2011
19 with a quorum of Commissioners present, ANC-7B
20 Commissioners voted unanimously to approve the
21 renewal of the alcoholic beverage license for
22 Lee's Mini Mart, Inc. on condition of approval

1 of voluntary agreement.

2 Okay. That's what this said and
3 we will give it great weight in our
4 consideration of the renewal. Any comments?
5 Okay. I don't think that requires any action
6 on our part.

7 MEMBER ALBERTI: No.

8 CHAIRPERSON MILLER: Okay. 31 is
9 a letter dated December 19, 2011 from ANC-6C
10 withdrawing its protest for Meatballs, which
11 is located at 624 E Street, N.W., License No.
12 87909.

13 MEMBER ALBERTI: Just FYI.

14 CHAIRPERSON MILLER: Just FYI,
15 okay. So okay, we have a letter setting forth
16 the reasons for doing this and we will
17 consider them in the context of the
18 application. And we acknowledge that we have
19 received their letter.

20 Any comments? Okay.

21 We did 32, correct?

22 MEMBER MOBLEY: Correct.

1 MEMBER ALBERTI: Correct.

2 CHAIRPERSON MILLER: Okay. No. 33
3 is a motion for a clarification or, in the
4 alternative, request for reinstatement of the
5 National Community Church as a protestant in
6 the 7th and 11 Street Market protest. And 7th
7 and 11 Street Market --

8 MEMBER MOBLEY: L Street.

9 CHAIRPERSON MILLER: Oh, I'm
10 sorry, 7th and L Street Market, thank you, is
11 at 700 L Street, S.E., and License No. 60537.

12 Given this is a motion, I think we
13 wanted to postpone.

14 MEMBER ALBERTI: Yes.

15 CHAIRPERSON MILLER: Until next
16 week and give it a little more attention.
17 Okay. So we will postpone this.

18 No. 34 and 35 are related to cases
19 which the Board heard before Ms. Mobley and I
20 got on the Board.

21 Mr. Alberti, how did you want to
22 do this?

1 MEMBER ALBERTI: No. 34 is a
2 review of a letter from GII Restaurant and
3 Lounge, License No. 84055.

4 It's a letter of support for their
5 application. We were going to postpone
6 consideration of that until next week.

7 CHAIRPERSON MILLER: Yes.

8 MEMBER ALBERTI: Item 35 --
9 actually, that letter is just for our
10 information only. It's a letter of support
11 just for our information. There is no action
12 required.

13 Item 35 is a letter from Zewdit
14 Meskel requesting reconsideration of the
15 Board's December 14, 2011 decision to deny GII
16 Restaurant and Lounge's application for a CR
17 License. Again, this is License No. 84055.
18 This matter will be postponed until next week.

19 CHAIRPERSON MILLER: Okay. So
20 it's 35 that is postponed, right? And 34?

21 MEMBER ALBERTI: And 34 is just
22 for the Board's information.

1 CHAIRPERSON MILLER: Okay. Thank
2 you. No. 36 is an email dated December 23,
3 2011 from Esubalew Wondimu stating that ABRA's
4 front desk refused to take his protest letter
5 and considered it untimely.

6 And I understand that this matter
7 has been resolved with the Office with respect
8 to the process and the timeliness.

9 Are there any comments? So there
10 is no action that is required by the Board.

11 MEMBER ALBERTI: Correct, yes.

12 CHAIRPERSON MILLER: Any comments?
13 Okay. No. 37 is a letter dated December 19,
14 2011 from Emanuel Mpras requesting off-premise
15 storage for Cafe Japone. The records would be
16 kept at 3740 12th Street, N.E. Cafe Japone,
17 if that's how you pronounce it, is at 2032 P
18 Street, N.W., and the License No. is 10581.

19 Any comments on this one? This is
20 for off-site storage, but in the District.

21 MEMBER ALBERTI: I'm in favor of
22 it.

1 CHAIRPERSON MILLER: Okay. Any
2 comments, questions? Okay. All right.

3 Then I would move that we approve
4 this request.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON MILLER: All those
8 opposed? All those abstaining? And the vote
9 is 7-0 to grant the request for the off-
10 premise storage.

11 No. 38 is a letter dated December
12 7, 2011 from ANC-4B supporting Georgia Avenue
13 Food Barn's request for a change of license
14 class from B to A. Georgia Avenue Food Barn
15 is located at 6205 Georgia Avenue, N.W., and
16 this is License No. 71950.

17 And we will be giving the ANC's
18 letter great weight in our consideration of
19 Georgia Avenue Food Barn's request.

20 MEMBER MOBLEY: To approve that,
21 Madam Chair?

22 CHAIRPERSON MILLER: What?

1 MEMBER MOBLEY: Are we not
2 approving that?

3 MEMBER SILVERSTEIN: It's just
4 great weight.

5 CHAIRPERSON MILLER: It's just a
6 letter.

7 MEMBER MOBLEY: Just great weight.
8 Oh, okay. Thank you.

9 CHAIRPERSON MILLER: They say -- I
10 would read a little bit more of it.

11 MEMBER MOBLEY: That's okay.

12 CHAIRPERSON MILLER: They had a
13 regular scheduled meeting on November 28,
14 2011, notice was properly given, a quorum of
15 7 of 9 members was present and the voted
16 unanimously 7-0 to support the application.

17 MEMBER MOBLEY: All right. Thank
18 you, Madam Chair.

19 CHAIRPERSON MILLER: Okay. With a
20 tasting endorsement. Any other comments?
21 Okay. I'm sure we will come back to that in
22 the renewal process or request process. Okay.

1 No. 39 is a letter dated December
2 14, 2011 from Paul Pascal requesting approval
3 to give Bacardi mirrors to 50 on/off premise
4 accounts during February. And the cost of the
5 item is \$58. And we have pictures attached to
6 our letter requesting that they be allowed to
7 do this.

8 Anybody have any problems with
9 that?

10 MEMBER ALBERTI: They are lovely
11 mirrors.

12 CHAIRPERSON MILLER: Okay. All
13 those in favor of granting the request for
14 them to give the Bacardi mirrors say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those
17 opposed? All those abstaining? Okay. The
18 motion passes 7-0.

19 No. 40 is a letter dated December
20 9, 2011 from Lindsay McCarthy requesting
21 approval to give Kendall-Jackson signage to
22 retailers. The cost of this item is \$117.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON MILLER: All those
4 opposed? All those abstaining? Okay. 7-0
5 passes. Okay.

6 No. 41 is a letter dated December
7 16, 2011 from Safeway requesting reinstatement
8 after being dismissed at Roll Call for not
9 attending. And this is the Safeway at 2845
10 Alabama Avenue and License No. 60504.

11 My observation of this request,
12 it's deficient in the sense that it didn't
13 serve the ANC and so --

14 MEMBER SILVERSTEIN: It did not
15 serve Safeway.

16 CHAIRPERSON MILLER: Did not serve
17 Safeway?

18 MEMBER ALBERTI: No. I think --
19 no, in this case, I think Safeway is -- and we
20 have confirmed this that we did not notify
21 Safeway's designated legal representative.
22 However, Safeway's motion for reconsideration

1 was not served to the opposing protestants and
2 so we are going to postpone.

3 I think our discussion was to
4 postpone this one week, so that the opposing
5 protestants could be notified. Is that
6 correct?

7 CHAIRPERSON MILLER: Okay.

8 MEMBER JONES: Yes, that's
9 correct.

10 CHAIRPERSON MILLER: My
11 understanding, just is that I don't know if
12 they are opposing protestants, but --

13 MEMBER ALBERTI: Well, they --

14 CHAIRPERSON MILLER: Oh, the one
15 is ANC. The ANC.

16 MEMBER ALBERTI: Yes.

17 CHAIRPERSON MILLER: It's the same
18 thing.

19 MEMBER ALBERTI: Yes.

20 CHAIRPERSON MILLER: The ANC
21 wasn't notified and you are correct that there
22 was a protest filed. So I think that we were

1 going to postpone it, but have OGC determine
2 when we should postpone it to. I think they
3 were going to deal with the parties.

4 Right. Okay. So we will postpone
5 it and then they will be given -- they will
6 need to serve the ANC.

7 MEMBER ALBERTI: Correct.

8 CHAIRPERSON MILLER: And then we
9 will get and they will get a date as to when
10 they should come back before us.

11 MEMBER ALBERTI: Okay.

12 CHAIRPERSON MILLER: If they
13 should, which I think they should.

14 MEMBER ALBERTI: Right.

15 CHAIRPERSON MILLER: Because there
16 is a motion here. Okay. Okay.

17 42 is a letter dated October 13,
18 2011 from the Phillips Collection requesting
19 a refund in the amount of \$1,950, which was a
20 late fee for failure to pay second year
21 license fee. The request came from Susan
22 Nichols, Chief Operating Officer, of the

1 Phillips Collection stating that no notices
2 were sent to them regarding the required fees
3 before the cease and desist letter.

4 Okay. Apparently, the Board has
5 denied the request, according to my notes, on
6 October 26, 2011.

7 MEMBER ALBERTI: No, we haven't.

8 CHAIRPERSON MILLER: Okay.

9 MEMBER ALBERTI: We are to vote on
10 it today.

11 CHAIRPERSON MILLER: Yes, I
12 understand that.

13 MEMBER SILVERSTEIN: We did once
14 before.

15 CHAIRPERSON MILLER: Maybe you did
16 once before, according to this record.

17 MEMBER SILVERSTEIN: It says to
18 reconsider.

19 CHAIRPERSON MILLER: And Ms.
20 Nichols is requesting a hearing before the
21 Board. So we have a request for a hearing and
22 we have a request for a hearing, basically, on

1 the refund.

2 Do Members have comments?

3 MEMBER SILVERSTEIN: Deny.

4 MEMBER MOBLEY: Madam Chair, we --
5 I would make a motion that we deny the request
6 for a refund as well as deny the request for
7 a hearing.

8 CHAIRPERSON MILLER: Is there a
9 second?

10 MEMBER ALBERTI: I'll second that.

11 CHAIRPERSON MILLER: Okay. I just
12 want to make a comment then. You know, I
13 sympathize with this request if they didn't
14 get notice. However, what frustrates me to go
15 along with the motion is that the licenses
16 have dates of expiration and renewal on them,
17 so that even if she didn't get a notice in the
18 mail, she had -- they had notice.

19 So I would go along with that
20 motion. Any other comments before we vote?

21 MEMBER MOBLEY: Just for the
22 record, Madam Chair.

1 CHAIRPERSON MILLER: Yes.

2 MEMBER MOBLEY: I would say the
3 reason I suggested that we deny --

4 CHAIRPERSON MILLER: Yes.

5 MEMBER MOBLEY: -- the request is
6 that we have no proof that they did not
7 receive notice, understanding that notice was
8 sent to this person.

9 CHAIRPERSON MILLER: Right. It's
10 hard to prove that, but, okay. Any other
11 comments? All right.

12 Then all those in favor of the
13 motion to deny the request for the hearing --

14 MEMBER MOBLEY: And the refund.

15 CHAIRPERSON MILLER: -- and the
16 refund say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed? All those abstaining? Okay. Then
20 the vote is 7-0 to deny the requests.

21 No. 43 is a request dated December
22 10, 2011 from Bernard Sietz requesting a hold

1 be placed on Crown Liquors' application for a
2 Class A License. And Crown Liquors is located
3 at 1325 Connecticut Avenue, N.W., License No.
4 88121.

5 Are there comments?

6 MEMBER JONES: Just for
7 clarification, that's Bernard Dietz.

8 MEMBER MOBLEY: Dietz.

9 MEMBER ALBERTI: Dietz.

10 CHAIRPERSON MILLER: Okay. Thank
11 you. There is a motion to deny?

12 MEMBER SILVERSTEIN: Yes.

13 CHAIRPERSON MILLER: Okay. Is
14 there a second?

15 MEMBER ALBERTI: I'll second that.
16 I'll speak to that.

17 CHAIRPERSON MILLER: Yes, okay.

18 MEMBER ALBERTI: It's my
19 understanding the person requesting the hold
20 does not have -- has not shown legal basis
21 that would require the hold. They have not
22 shown legal basis to have a claim on the

1 license.

2 CHAIRPERSON MILLER: Okay. I
3 would agree that they didn't provide legal
4 authority upon which we could do that. So any
5 other comments? Okay.

6 All those in favor then of denying
7 the request that a hold be placed on Crown
8 Liquors' application say aye.

9 ALL: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining? And the vote
12 is 7-0 for denial.

13 No. 44 is a request for ANC-6B
14 dated December 19, 2011 for review of a
15 voluntary agreement amendment. And ANC-6B
16 states that it supports the 18th Amendment
17 request for additional seating for a sidewalk
18 cafe. The establishment is 18th Amendment at
19 613 Pennsylvania Avenue, S.E., License No.
20 72643.

21 It's my understanding that we will
22 be giving this voluntary agreement amendment

1 great weight in the context of the case.

2 MEMBER SILVERSTEIN: I thought we
3 were approving.

4 MEMBER ALBERTI: We are approving.

5 CHAIRPERSON MILLER: We are
6 approving it today?

7 MEMBER ALBERTI: Yes. I move that
8 we approve.

9 CHAIRPERSON MILLER: So what is --

10 MEMBER ALBERTI: I move that we
11 approve the voluntary agreement.

12 MEMBER MOBLEY: I second that.

13 CHAIRPERSON MILLER: Okay.

14 MEMBER SILVERSTEIN: Yes, this is
15 the voluntary agreement amendment.

16 CHAIRPERSON MILLER: Oh, okay. So
17 this is the time to approve it, okay.

18 MEMBER ALBERTI: Yes.

19 MEMBER SILVERSTEIN: Yes.

20 CHAIRPERSON MILLER: Oh, excuse
21 me. Okay.

22 MEMBER ALBERTI: Okay.

1 MEMBER SILVERSTEIN: Call the
2 question.

3 CHAIRPERSON MILLER: Is this time
4 to give it great weight? Is that correct?

5 MEMBER SILVERSTEIN: Yes, this is
6 the time for great weight.

7 MEMBER ALBERTI: No, we have
8 reviewed the -- we have seen and reviewed the
9 voluntary agreement. And we approve the
10 voluntary agreement. And so by our approval,
11 it will be attached to the license and become
12 a condition of the license.

13 CHAIRPERSON MILLER: Okay. Okay.
14 Excuse me, because I'm new on the Board. I
15 didn't, you know, approve anything earlier, so
16 I thought this was new. Okay.

17 Then does the Board have any other
18 comments with respect to approving the
19 voluntary agreement amendment? Okay.

20 Then all those in favor of this
21 amendment say aye.

22 ALL: Aye.

1 CHAIRPERSON MILLER: All those
2 opposed? All those abstaining? Okay. Then
3 the vote is 7-0 to approve.

4 Number --

5 MEMBER ALBERTI: No. 45.

6 CHAIRPERSON MILLER: No. 45 is a
7 review of the voluntary agreement amendment
8 dated September 15, 2011 between Georgia Line
9 Convenience Store and Annie Wallace, Tawana
10 Waugh.

11 MEMBER ALBERTI: This is a group
12 of more than five.

13 CHAIRPERSON MILLER: Okay. This
14 is a group of more than five.

15 MEMBER ALBERTI: Yes.

16 CHAIRPERSON MILLER: Okay. This
17 is your case. Okay. It's my understanding
18 that we are going to postpone the review of
19 this one until next week?

20 MEMBER ALBERTI: Yes.

21 MEMBER MOBLEY: That's correct,
22 Madam Chair.

1 CHAIRPERSON MILLER: Okay.

2 No. 46 is a review of a voluntary
3 agreement amendment dated December 16, 2011
4 between Komi and ANC-2B amending restrictions
5 on hours and seating capacity. Komi is
6 located at 1509 17th Street, N.W., and the
7 License No. is 60765.

8 Do the Board Members have any
9 comments or concerns with respect to this
10 amendment?

11 MEMBER SILVERSTEIN: The motion is
12 to approve.

13 CHAIRPERSON MILLER: Motion to
14 approve. Is there a second?

15 MEMBER JONES: Second.

16 MEMBER ALBERTI: Second.

17 CHAIRPERSON MILLER: Okay. All
18 those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON MILLER: All those
21 opposed? All those abstaining? And the vote
22 is 7-0 to approve the agreement with respect

1 to the Komi restaurant. Okay.

2 No. 47 is a voluntary agreement
3 between Kearney's Grocery and ANC-5C. Okay.
4 Okay. Okay.

5 The Board has decided that we are
6 going to postpone No. 47 through 56 and
7 consider them next week. Correct?

8 MEMBER ALBERTI: Correct.

9 MEMBER MOBLEY: That's correct.
10 We will move that block.

11 CHAIRPERSON MILLER: Okay. So I
12 don't think we need to move them actually,
13 because we are just postponing.

14 MEMBER ALBERTI: Yes.

15 CHAIRPERSON MILLER: Okay. But we
16 agree in block, we agree that with respect
17 to --

18 MEMBER ALBERTI: Well, maybe you
19 should just read the name of the licensee and
20 the license number for the ones we are
21 postponing?

22 CHAIRPERSON MILLER: Okay.

1 MEMBER SILVERSTEIN: Yes.

2 MEMBER ALBERTI: Just so it's on
3 the record, please.

4 MEMBER MOBLEY: I agree.

5 MEMBER SILVERSTEIN: Thank you. I
6 agree.

7 MEMBER MOBLEY: I agree.

8 MEMBER ALBERTI: 47. Okay. For
9 47, it's Kearney's Grocery, License No. 78591.

10 And then for 48 it's Dangerously
11 Delicious Pies, License No. 87422.

12 Item 49 is It's Called INCEPTION,
13 License No. 87890.

14 Item 50 is a voluntary agreement
15 for K&H Grocery, License No. 74359.

16 Item 51 is a voluntary agreement
17 for Sonya's Market, License No. 85570.

18 Item 52 is a voluntary agreement
19 for Pho Bar and Grill, License No. 87813.

20 Item 53 is a voluntary agreement
21 for Maranon Cafe, License No. 88264.

22 Item 54 is a voluntary agreement

1 for Da Luft Restaurant & Lounge, License No.
2 87780.

3 Item 55 is a voluntary agreement
4 for Jake's American Grille, License No. 86013.

5 And Item 56 is a voluntary
6 agreement for Jamaican Joe's Famous Jerk
7 Chicken, License No. 86871.

8 I believe, unless there is any
9 objection, the Board has agreed to postpone
10 until next week consideration of all those
11 VAs.

12 MEMBER MOBLEY: That's correct.

13 CHAIRPERSON MILLER: Thank you,
14 yes.

15 MEMBER SILVERSTEIN: Thank you.

16 CHAIRPERSON MILLER: Thank you for
17 reading that.

18 MEMBER ALBERTI: Yes, it was hard.
19 I'm sure you are losing your voice.

20 CHAIRPERSON MILLER: Thank you. I
21 appreciate it.

22 I think that that concludes the

1 Board's business for today. Is that correct?
2 Anybody else have anything on the agenda?

3 MEMBER MOBLEY: No, Madam Chair.

4 CHAIRPERSON MILLER: Okay. Then
5 I'm going to read the language for the closed
6 meeting laws.

7 MEMBER ALBERTI: I'm going to
8 excuse myself. Go ahead.

9 CHAIRPERSON MILLER: Because I'm
10 sure we are going to be considering some
11 requests and cases with our counsel in between
12 now and the next hearing.

13 So as Chairperson of the Alcoholic
14 Beverage Control Board for the District of
15 Columbia and in accordance with ^U 405 of the
16 Open Meetings Amendment Act of 2010, I move
17 that the ABC Board hold a closed meeting that
18 would be on today, January 11th, to finish
19 some business and then next Wednesday would be
20 January 18th, for the purpose of seeking legal
21 advice from our counsel on the matters
22 identified on the Board's agenda for that

1 date, as published in the DC Register.

2 Is there a second?

3 MEMBER SILVERSTEIN: Second.

4 MEMBER MOBLEY: Second.

5 CHAIRPERSON MILLER: Okay. All
6 those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON MILLER: All those
9 opposed? All those abstaining? Okay. Then
10 the vote is 7-0.

11 And I believe I need to read one
12 more instruction.

13 And that is as Chairperson of the
14 Alcoholic Beverage Control Board for the
15 District of Columbia and in accordance with ^U
16 405 of the Open Meetings Amendment Act of
17 2010, I move that the ABC Board hold a closed
18 meeting on January 11th and/or the 18th for the
19 purpose of discussing and hearing reports
20 concerning ongoing or planned investigations
21 of alleged criminal or civil misconduct or
22 violations of law or regulations and seeking

1 legal advice from our counsel on the Board
2 investigating agenda or other matters as
3 published in the DC Register.

4 Is there a second?

5 MEMBER SILVERSTEIN: Second.

6 MEMBER JONES: Second.

7 CHAIRPERSON MILLER: All those in
8 favor say aye.

9 ALL: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining? Okay. I need
12 to read one more position, I think.

13 The measure passes by vote of 7-0.
14 And, therefore, I give notice that the ABC
15 Board will hold this aforementioned closed
16 meeting.

17 Pursuant to the Open Meetings
18 Amendment Act of 2010, notice will be posted
19 on the ABC Board hearing room bulletin board,
20 placed on the electronic calendar and ABRA's
21 website and published in the DC Register in as
22 timely a manner as practicable.

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MEMBER SILVERSTEIN: Thank you.

MEMBER MOBLEY: Thank you, Madam
Chair.

CHAIRPERSON MILLER: So that
concludes, I think, our business today. And
this meeting is adjourned. Okay.

(Whereupon, the A.B.R.A. Agenda in
the above-entitled matter was concluded at
6:15 p.m.)

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