

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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BOARD MEETING

IN THE MATTER OF:

Board Meeting

February 26, 2014

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

DONALD BROOKS, Member

HECTOR RODRIGUEZ, Member

JAMES SHORT, Member

NICK ALBERTI, member

MIKE SILVERSTEIN, member

HERMAN JONES, member

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

(1:18 p.m.)

CHAIRPERSON MILLER: Okay, we're back on the record to do the agenda for February 26th, 2014. And we'll start with our licensing agenda.

First on the licensing agenda is an application for a new retailer, Class B Grocery Store. That's Aldi, located at 901 17th Street Northeast. It's for a Retailer B Grocery, License Number 094098. And I move that we refer this application to licensing.

MEMBER RODRIGUEZ: I second it.

CHAIRPERSON MILLER: Okay, Mr. Rodriguez has seconded the motion. All those in favor say aye?

(Chorus of ayes)

CHAIRPERSON MILLER: All those opposed? All those abstaining? Motion passes 5-0-0.

Next is a request for a change of hours for a sidewalk café for Regent Thai

1 Cuisine located at 1910 18th Street Northwest.  
2 License Number 071021 in ANC 2B.

3 I move that we approve this  
4 request for a change of hours. Do I have a  
5 second?

6 MEMBER SHORT: Second.

7 CHAIRPERSON MILLER: Mr. Short has  
8 seconded the motion. All those in favor say  
9 aye?

10 (Chorus of ayes)

11 CHAIRPERSON MILLER: All those  
12 opposed? All those abstaining? Motions  
13 passes 5-0-0.

14 Number 3 is a request for change  
15 of hours operation for a grocery store. It's  
16 Thomas & Sons located at 3425 Benning Road  
17 Northeast. License Number 075185. Moving its  
18 hours to begin at 7:00 a.m. from 9:00 a.m.

19 Do I have a, I would move that we  
20 approve this request. Do I have a second?

21 MEMBER BROOKS: Second.

22 CHAIRPERSON MILLER: Mr. Brooks

1 has seconded the motion. All those in favor  
2 say aye?

3 (Chorus of ayes)

4 CHAIRPERSON MILLER: All those  
5 opposed? All those abstaining? Motion passes  
6 5-0-0.

7 Number 4 is a request for new  
8 Class CT licence and this is for Colony Club,  
9 LLC. located at 3118 Georgia Avenue,  
10 Northwest. And this request is actually  
11 moved, so no action is required.

12 Which brings us next to a  
13 supplemental licensing agenda. First on that  
14 agenda is a letter from a licensee requesting  
15 permission to operate within a temporary  
16 location. Has the landlord's support and it's  
17 in the same building, pending construction.

18 And this is in ANC 3D. It's  
19 Reyna's Market & Deli, located at 4201  
20 Massachusetts Avenue, Northwest. License  
21 Number 093799.

22 I move that we approve this

1 application, or the request. Do I have a  
2 second?

3 MEMBER BROOKS: Second.

4 CHAIRPERSON MILLER: Mr. Brooks  
5 has seconded the motion. All those in favor  
6 say aye?

7 (Chorus of ayes)

8 CHAIRPERSON MILLER: All those  
9 opposed? All those abstaining? Motion passes  
10 5-0-0.

11 And second on the supplemental  
12 licensing agenda is an application to add a  
13 coverage charge to an existing entertainment  
14 endorsement of Shaw's Tavern located at 520  
15 Florida Avenue Northwest. And the License  
16 Number is 088569.

17 I move that we approve this  
18 application. Do I have a second?

19 MEMBER BROOKS: Second.

20 CHAIRPERSON MILLER: Mr. Brooks  
21 has seconded the motion. All those in favor  
22 say aye?

1 (Chorus of ayes)

2 CHAIRPERSON MILLER: All those  
3 opposed? All those abstaining? Motion passes  
4 5-0-0.

5 That concludes our licensing  
6 agenda. We then have a legal agenda.

7 First on the legal agenda is a  
8 review of a Settlement Agreement dated  
9 February 4th, 2014 between ANC 5C and Ekho  
10 Events, Inc. It's related to EchoStage  
11 located at 2135 Queens Chapel Road Northeast.  
12 License Number 90250.

13 I move that we refer this  
14 agreement to legal. Do I have a second?

15 MEMBER BROOKS: Second.

16 CHAIRPERSON MILLER: Mr. Brooks  
17 has seconded the motion. Any comments? All  
18 those in favor say aye?

19 (Chorus of ayes)

20 CHAIRPERSON MILLER: All those  
21 opposed? All those abstaining? Motion passes  
22 5-0-0.

1                   Number 2 is a Settlement Agreement  
2                   date February 4, 2014 between ANC 5C and  
3                   Premier Wines, LLC. Premier Wines is located  
4                   at 2414 Douglas Street Northeast. License  
5                   Number 93868.

6                   I move that we approve this  
7                   settlement agreement. Do I have a second?

8                   MEMBER RODRIGUEZ: Second.

9                   CHAIRPERSON MILLER: Mr. Rodriguez  
10                  has seconded the motion. All those in favor  
11                  say aye?

12                  (Chorus of ayes)

13                  CHAIRPERSON MILLER: All those  
14                  opposed? All those abstaining? Motion passes  
15                  5-0-0.

16                  Number 3 is a review of four  
17                  requests from E&J Gallo to provide retailers  
18                  with products valued at more than \$50 and less  
19                  than \$500. I move that we approve these  
20                  requests. Do I have a second?

21                  MEMBER ALBERTI: Second.

22                  CHAIRPERSON MILLER: Mr. Alberti

1 seconded the motion. All those in favor say  
2 aye?

3 (Chorus of ayes)

4 CHAIRPERSON MILLER: All those  
5 opposed? All those abstaining? Motion passes  
6 5-0-0.

7 And Number 4 is a request from  
8 North American Breweries to provide retailers  
9 with products valued at more than \$50 and less  
10 than \$500.

11 I move that we approve this  
12 request. Do I have a second?

13 MEMBER SHORT: Second.

14 CHAIRPERSON MILLER: Mr. Short has  
15 seconded the motion. All those in favor say  
16 aye?

17 (Chorus of ayes)

18 CHAIRPERSON MILLER: All those  
19 opposed? All those abstaining? Motion passes  
20 5-0-0.

21 And finally, we have a  
22 supplemental legal agenda with one item. And

1 that is a request to grandfather standing in  
2 second protest dated February 18th, 2014 from  
3 Chairman Will Stephens of ANC 2B protesting  
4 against renewal of 1215 CT LLC, related to  
5 Rosebar located at 1215 Connecticut Avenue  
6 Northwest. License Number 77883.

7 I move that we approve this  
8 request. Do I have a second?

9 MEMBER ALBERTI: Second.

10 CHAIRPERSON MILLER: Mr. Alberti  
11 has seconded the motion. All those in favor  
12 say aye?

13 (Chorus of ayes)

14 CHAIRPERSON MILLER: All those  
15 opposed? All those abstaining? Motion passes  
16 5-0-0.

17 And I believe that completes our  
18 agenda items for February 26th, 2014.

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20 CHAIRPERSON MILLER: So we have a  
21 hearing at 1:30 and it's 1:24 right now so the  
22 Board will recess and then come back for its

1 hearing.

2 MALE PARTICIPANT: Ruthanne, do you  
3 want to read the closed meetings for next  
4 week?

5 CHAIRPERSON MILLER: I can, I  
6 guess, we have time.

7 MALE PARTICIPANT: Well I mean,  
8 they're related to the agenda. We might as  
9 well do them so we don't have to come back.

10 CHAIRPERSON MILLER: Okay. So  
11 March -- What's the date of next Wednesday?  
12 March --

13 (Off the record discussion.)

14 MALE PARTICIPANT: I've got one  
15 right here.

16 CHAIRPERSON MILLER: March 5th?

17 MALE PARTICIPANT: March 5th, yes.

18 CHAIRPERSON MILLER: Okay.

19 MALE PARTICIPANT: As long as you  
20 remember.

21 CHAIRPERSON MILLER: No, I can do  
22 it. We're just sitting here, we might as well

1 do it.

2 Okay, as Chairperson of the  
3 Alcoholic Beverage Control Board for the  
4 District of Columbia and in accordance with  
5 Section 405 of the Open Meetings Amendment Act  
6 of 2010, I move that the ABC Board hold a  
7 closed meeting on March 5th, 2014 for the  
8 purpose of seeking legal advice from our  
9 counsel on the matters identified on the  
10 Board's agenda for March 5th, 2014 as  
11 published in the DC Register on February 28th,  
12 2014. Is there a second?

13 MEMBER RODRIGUEZ: Second.

14 CHAIRPERSON MILLER: I will now  
15 take a roll call vote on the motion before us  
16 now that it's been seconded. Mr. Brooks?

17 MEMBER BROOKS: I agree.

18 CHAIRPERSON MILLER: Mr.  
19 Rodriguez?

20 MEMBER RODRIGUEZ: I agree.

21 CHAIRPERSON MILLER: Ms. Miller  
22 agrees. Mr. Short?

1 MEMBER SHORT: I agree.

2 CHAIRPERSON MILLER: It appears  
3 that the motion has passed by a 4-0-0 vote.  
4 I hereby give notice that the ABC Board will  
5 hold this aforementioned closed meeting.

6 Pursuant to the Open Meetings  
7 Amendment Act of 2010 notice will also be  
8 posted on the ABC Board hearing room bulletin  
9 board, place on the electronic calendar on  
10 ABRA's website and published in the DC  
11 Register in as timely a manner as practicable.

12 As Chairperson for the Alcoholic  
13 Beverage Control Board for the District of  
14 Columbia, in accordance with Section 405 of  
15 the Open Meetings Amendment Act of 2010, I  
16 move that the ABC Board hold a closed meeting  
17 on March 5th, 2014 for the purpose of  
18 discussing and hearing reports concerning  
19 ongoing or planned investigations of alleged  
20 criminal or civil misconduct or violations or  
21 law or regulations and seeking legal advise  
22 from our Counsel on the Board's investigative

1 agenda for March 5th, 2014 as published in the  
2 DC Register on February 28th, 2014. Is there  
3 a second?

4 MEMBER BROOKS: Second.

5 CHAIRPERSON MILLER: Mr. Brooks  
6 has seconded the motion. I will now take a  
7 roll call motion, vote on the motion before us  
8 now that it's been seconded. Mr. Brooks?

9 MEMBER BROOKS: I agree.

10 CHAIRPERSON MILLER: Mr.  
11 Rodriguez?

12 MEMBER RODRIGUEZ: I agree.

13 CHAIRPERSON MILLER: Ms. Miller  
14 agrees. Mr. Short?

15 MEMBER SHORT: I agree.

16 CHAIRPERSON MILLER: As it appears  
17 the motion has passed by a 4-0-0 vote. I  
18 hereby give notice that the ABC Board will  
19 hold this aforementioned closed meeting.

20 Pursuant to the Open Meetings  
21 Amendment Act of 2010 notice will also be  
22 posted on the ABC Board hearing room bulletin

1 board, placed on a electronic calender on  
2 ABRA's website and published in the DC  
3 Register in as timely matter as practicable.

4 Okay, good. And it's 1:28,  
5 there's still time to recess. So since the  
6 other party's not here yet. All right, well  
7 we'll see you shortly.

8 (Whereupon, the hearing in the  
9 above-entitled matter went off the record at  
10 1:28 p.m.)

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<b>A</b>	<b>Avenue</b> 4:9,20 5:15 9:5 <b>aye</b> 2:16 3:9 4:2 5:6 5:22 6:18 7:11 8:2,16 9:12 <b>eyes</b> 2:17 3:10 4:3 5:7 6:1,19 7:12 8:3,17 9:13	<b>change</b> 2:21 3:4,14 <b>Chapel</b> 6:11 <b>charge</b> 5:13 <b>Chorus</b> 2:17 3:10 4:3 5:7 6:1,19 7:12 8:3,17 9:13 <b>civil</b> 12:20 <b>Class</b> 2:8 4:8 <b>closed</b> 10:3 11:7 12:5,16 13:19 <b>Club</b> 4:8 <b>Colony</b> 4:8 <b>Columbia</b> 1:1 11:4 12:14 <b>come</b> 9:22 10:9 <b>comments</b> 6:17 <b>completes</b> 9:17 <b>concerning</b> 12:18 <b>concludes</b> 6:5 <b>Connecticut</b> 9:5 <b>construction</b> 4:17 <b>Control</b> 1:2,10,11 11:3 12:13 <b>counsel</b> 11:9 12:22 <b>coverage</b> 5:13 <b>criminal</b> 12:20 <b>CT</b> 4:8 9:4 <b>Cuisine</b> 3:1	<b>electronic</b> 12:9 14:1 <b>endorsement</b> 5:14 <b>entertainment</b> 5:13 <b>Events</b> 6:10 <b>existing</b> 5:13	<b>J</b> <b>JAMES</b> 1:15 <b>JONES</b> 1:18
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<b>N.W</b> 1:12 <b>new</b> 2:8 4:7 <b>NICK</b> 1:16 <b>North</b> 8:8 <b>Northeast</b> 2:10 3:17 6:11 7:4 <b>Northwest</b> 3:1 4:10 4:20 5:15 9:6 <b>notice</b> 12:4,7 13:18 13:21 <b>Number</b> 2:11 3:2 3:14,17 4:7,21 5:16 6:12 7:1,5,16 8:7 9:6	<b>P-R-O-C-E-E-D-...</b> 2:1 <b>p.m</b> 2:2 14:10 <b>PARTICIPANT</b> 10:2,7,14,17,19 <b>party's</b> 14:6 <b>passed</b> 12:3 13:17 <b>passes</b> 2:19 3:13 4:5 5:9 6:3,21 7:14 8:5,19 9:15 <b>pending</b> 4:17 <b>permission</b> 4:15 <b>place</b> 12:9 <b>placed</b> 14:1 <b>planned</b> 12:19 <b>posted</b> 12:8 13:22 <b>practicable</b> 12:11 14:3 <b>Premier</b> 7:3,3 <b>PRESENT</b> 1:13 <b>presiding</b> 1:12 <b>products</b> 7:18 8:9 <b>protest</b> 9:2 <b>protesting</b> 9:3 <b>provide</b> 7:17 8:8 <b>published</b> 11:11 12:10 13:1 14:2 <b>purpose</b> 11:8 12:17 <b>Pursuant</b> 12:6 13:20	<b>second</b> 2:13 3:5,6 3:20,21 5:2,3,11 5:18,19 6:14,15 7:7,8,20,21 8:12 8:13 9:2,8,9 11:12 11:13 13:3,4 <b>seconded</b> 2:15 3:8	<b>take</b> 11:15 13:6 <b>Tavern</b> 5:14 <b>temporary</b> 4:15 <b>Thai</b> 2:22 <b>Thomas</b> 3:16 <b>time</b> 10:6 14:5 <b>timely</b> 12:11 14:3	<hr/> <b>Y</b> <hr/>
<hr/> <b>O</b> <hr/>	<hr/> <b>Q</b> <hr/>	<hr/> <b>U</b> <hr/>	<hr/> <b>V</b> <hr/>	<hr/> <b>Z</b> <hr/>
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