

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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BOARD

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IN THE MATTER OF: :

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A.B.R.A AGENDA :

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May 23, 2012

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C. 20009, Chairperson Miller, presiding.

PRESENT

RUTHANNE MILLER, CHAIRPERSON

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN Member

JEANNETTE MOBLEY, Member

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

1:11 p.m.

CHAIRPERSON MILLER: We are back on the record to do the meeting agenda for May 23rd, 2012.

First item on the agenda is a review of the Manager's Application for Yamiley Romero.

Do we have a motion on this?

MEMBER SILVERSTEIN: I move we approve.

CHAIRPERSON MILLER: Is there a second?

MEMBER NOPHLIN: Second.

CHAIRPERSON MILLER: Any comments?

All those in favor of approving this Manager's Application say aye.

(AYES)

CHAIRPERSON MILLER: All those opposed? All those abstaining?

The vote is 6-1-0 to approve the application.

1                   Okay. Number 2 on the agenda is a  
2 review of the Manager's Application for John  
3 M. Scott. I would move that we approve this  
4 application.

5                   Is there a second?

6                   MEMBER MOBLEY: Second.

7                   CHAIRPERSON MILLER: Any comments?

8                   All those in favor of approving  
9 this application say aye.

10                   (AYES)

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

13                   The motion passes, 7-0-0 to  
14 approve.

15                   Number 3. Is a request from  
16 Michael Fonseca on behalf of Licensee to store  
17 alcoholic beverage inventory in a locked sea  
18 container in an adjacent parking lot next to  
19 the boats. There no pending investigative  
20 matters. No outstanding citations or fines.  
21 No conflict with an amendment to a voluntary  
22 agreement. This is an ANC 6D. It's for Motor

1 Yacht Celebrith, License No. 84410. Motor  
2 Yacht Finished Business, License No. 084413  
3 and Virginia's Jewel, License No. 88738, 1300  
4 Main Avenue, SW.

5 I would suggest that we postpone  
6 this application. I believe that our legal  
7 staff is going to be taking a closer look at  
8 this issue.

9 Any objection to that?

10 MEMBER MOBLEY: No, Madam Chair.

11 CHAIRPERSON MILLER: Okay.

12 Then we'll move on to number 4  
13 which is a Change of Hours Application to  
14 change the hours of operation and hours of  
15 alcoholic beverage sales. The current hours  
16 of operation and hours of alcoholic beverage  
17 sales for this establishment which is Sav-on  
18 Liquors, Inc., 1414 14th Street, NW, License  
19 No. 178.

20 So, they're current hours of  
21 operation are 9:30 a.m. to 10:00 p.m., and  
22 they want to change it to 9:30 a.m. to 12:00

1 a.m.

2 I would move that we approve the  
3 application. This was allowed under the law  
4 to go to those hours.

5 Do I have a second?

6 MEMBER NOPHLIN: Second.

7 CHAIRPERSON MILLER: Any comments?

8 All those in favor of approving  
9 the motion that's been seconded say aye.

10 (AYES)

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

13 The vote is 7-0-0 to approve the  
14 change in hours.

15 Number 5 is a request from EC  
16 Restaurants Corp. for approval of involuntary  
17 transfer pursuant to an order from the United  
18 States Bankruptcy Court District of  
19 Massachusetts approving the asset purchase  
20 agreement of 14 legal entities, two of which  
21 are holders of Class "C" restaurant licenses.  
22 No pending investigative matters. No

1 outstanding citations or fines. No voluntary  
2 agreements. This is an ANC 2F, Elephant &  
3 Castle Pub Restaurant at 1201 Pennsylvania  
4 Avenue, NW. License No. 70714.

5 I would move that we approve this  
6 application but I would suggest that legal  
7 take a further look at it with respect to  
8 exactly identifying whether it's voluntary or  
9 involuntary. But it should be approved in any  
10 event.

11 Is there a second?

12 MEMBER NOPHLIN: Second.

13 CHAIRPERSON MILLER: Comments?

14 All those in favor say aye.

15 (AYES)

16 CHAIRPERSON MILLER: All those  
17 opposed? All those abstaining?

18 The vote is 7-0-0 to approve.

19 Number 6, is a Change of Hours  
20 Application to change the ours of application  
21 and hours of alcoholic beverage sales for  
22 Lion's Fine Wine & Spirits located at 3614

1 Georgia Avenue, NW. License No. 88221.

2 The current hours of operation and  
3 hours of alcoholic beverage sales for this  
4 establishment are Monday through Saturday 9:00  
5 to 10:00 p.m. and they want to extend it to  
6 9:00 a.m. to 12:00 a.m.

7 No pending investigative matters.  
8 No outstanding citations or fines. There's no  
9 voluntary agreement and I would move that we  
10 approve it for the legal hours like the  
11 earlier one.

12 Is there a second?

13 MEMBER NOPHLIN: Second.

14 CHAIRPERSON MILLER: Any comments?

15 Okay.

16 All those in favor say aye.

17 (AYES)

18 CHAIRPERSON MILLER: All those  
19 opposed? All those abstaining?

20 The vote on the motion is 7-0-0-  
21 to approve.

22 Number 7 on our agenda is an

1 Amended Entertainment Endorsement Application  
2 to add a cover charge.

3 This is for Uniontown Bar and  
4 Grill and they are located at 2200 Martin  
5 Luther King Jr. Avenue, SE. It's License No.  
6 84348. Their hours of operation are Sunday  
7 11:00 a.m. to 9:00 p.m. Monday 4:00 p.m. to  
8 11:00 p.m. Tuesday through Thursday 11:00  
9 a.m. to 11:00 p.m. Friday 11:00 to 2:00 a.m.  
10 Saturday 4:00 a.m. to 2:00 a.m. And their  
11 current hours of entertainment are Sunday 6:00  
12 p.m. to 9:00 p.m. Monday through Thursday  
13 6:00 p.m. to 11:00 p.m. Friday and Saturday  
14 6:00 p.m. to 2:00 a.m.

15 There is a pending investigative  
16 matter in this case. There are no outstanding  
17 citations or fines. No conflicts with a  
18 voluntary agreement.

19 I think the only problem here is  
20 that there an investigative matter. It  
21 doesn't bear directly upon this application.

22 Does anybody have a motion on this

1 one?

2 MEMBER NOPHLIN: Second.

3 CHAIRPERSON MILLER: I didn't put  
4 forth a motion. I want to know if anyone  
5 wants to move to approve this one. It's for  
6 Uniontown Bar and Grill.

7 MEMBER NOPHLIN: I move we  
8 approve.

9 CHAIRPERSON MILLER: It's an  
10 application for a cover charge. This is a  
11 case where there is a criminal complaint  
12 related to the owner of the establishment but  
13 it's not related to the operations of the  
14 establishment.

15 Did you move to approve it?

16 Is there a second?

17 MEMBER MOBLEY: Second.

18 CHAIRPERSON MILLER: Are there any  
19 comments?

20 There's a motion that's been  
21 seconded. Those in favor of approving the  
22 motion say aye.

1 (AYES)

2 CHAIRPERSON MILLER: All those  
3 opposed

4 CHAIRPERSON MILLER: Opposed.

5 MEMBER JONES: Opposed.

6 CHAIRPERSON MILLER: All those  
7 abstaining?

8 MEMBER NOPHLIN: Abstain.

9 CHAIRPERSON MILLER: Why don't I  
10 take a roll call so I can get the vote down.  
11 Mr. Nophlin?

12 MEMBER NOPHLIN: I abstain.

13 CHAIRPERSON MILLER: Mr. Brooks?

14 MEMBER BROOKS: I agree.

15 CHAIRPERSON MILLER: Agree. Do  
16 you approve?

17 MEMBER BROOKS: Yes.

18 CHAIRPERSON MILLER: Okay. Mr.  
19 Alberti?

20 MEMBER ALBERTI: I agree. I  
21 approve.

22 CHAIRPERSON MILLER: Okay. Ms.

1 Miller opposes.

2 Mr. Silverstein?

3 MEMBER SILVERSTEIN: I approve.

4 CHAIRPERSON MILLER: Mr.

5 Silverstein approves. Okay.

6 And Ms. Mobley?

7 MEMBER MOBLEY: I approve.

8 CHAIRPERSON MILLER: Ms. Mobley

9 approves.

10 And, Mr. Jones?

11 MEMBER JONES: I approve.

12 CHAIRPERSON MILLER: You approve.

13 Okay.

14 So, the vote is 5-1-1 to approve

15 the application for the cover charge.

16 Number 8 on our agenda is an

17 Entertainment Endorsement Application to

18 include entertainment in the form of a DJ.

19 Current hours of operation are Sunday through

20 Thursday 9:00 a.m. to 2:00 a.m., Friday and

21 Saturday 9:00 a.m. to 3:00 a.m. Current hours

22 of alcoholic beverage sales consumption are

1 Sunday 10:00 a.m. to 2:00 a.m. Monday through  
2 Thursday 9:00 a.m. to 2:00 a.m. Friday and  
3 Saturday 9:00 a.m. to 3:00 a.m.

4 Proposed hours of entertainment  
5 are Sunday 9:00 p.m. to 1:30 a.m. Thursday  
6 9:00 p.m. to 1:30 a.m. Friday and Saturday  
7 10:00 p.m. to 2:30 a.m.

8 No pending investigative matters.  
9 No, I think there may be one actually. Okay.

10 This is for El Sauce Restaurant  
11 and Carry Out at 1227 11th Street, NW.  
12 License No. 72654.

13 There is no voluntary agreement in  
14 this case.

15 I would move that we placard this  
16 application for the entertainment endorsement.

17 Do I have a second?

18 MEMBER NOPHLIN: Second.

19 CHAIRPERSON MILLER: Any comments?

20 MEMBER MOBLEY: Just for the  
21 record, Madam Chair, this is ANC 2F.

22 CHAIRPERSON MILLER: That's right,

1       ANC 2F. Thank you.

2                   And also I believe there may be a  
3 pending investigative matter. Is that  
4 correct?

5                   MEMBER MOBLEY: Correct.

6                   CHAIRPERSON MILLER: Okay. So,  
7 that was stated wrong on the description.  
8 Okay.

9                   So, there's been a motion  
10 proffered. It's been seconded.

11                   All those in favor say aye.

12                   (AYES)

13                   CHAIRPERSON MILLER: All those  
14 opposed?

15                   MEMBER ALBERTI: I oppose.

16                   CHAIRPERSON MILLER: All those  
17 abstaining?

18                   Okay. The vote is 6-1-0 to  
19 placard.

20                   Number 9 on our agenda is a review  
21 of a request from the Licensee to expand  
22 operations to second floor to accommodate an

1 additional 70 patrons for a total occupancy  
2 load of 173. This is for Bistro La Bonne at  
3 1340 U Street, NW. License No. 75284.

4 There are no pending investigative  
5 matters. No outstanding citations or fines.  
6 No conflicts with existing voluntary  
7 agreement. It's located in ANC 1B.

8 I would move that we placard this  
9 application to expand the operations.

10 Do I have a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Okay. Any  
13 comments? Okay.

14 There's been a motion that's been  
15 seconded to placard.

16 All those in favor say aye.

17 (AYES)

18 CHAIRPERSON MILLER: All those  
19 opposed?

20 MEMBER ALBERTI: I oppose. I  
21 think we should approve it.

22 CHAIRPERSON MILLER: Okay. All

1 those abstaining?

2 I'm not sure I got the vote so I'm  
3 going to take a roll call.

4 This is to placard, okay. The  
5 motion is to placard.

6 MEMBER ALBERTI: I know.

7 CHAIRPERSON MILLER: So, I just  
8 want to be clear for everybody. So, I'm going  
9 to take a roll call. I didn't hear all the  
10 votes.

11 Mr. Nophlin?

12 MEMBER NOPHLIN: I agree.

13 CHAIRPERSON MILLER: That's to  
14 placard, correct?

15 MEMBER NOPHLIN: Yes.

16 CHAIRPERSON MILLER: Okay. Mr.  
17 Nophlin agrees.

18 Mr. Brooks?

19 MEMBER BROOKS: I disagree.

20 CHAIRPERSON MILLER: Mr. Brooks  
21 disagrees.

22 Mr. Alberti?

1 MEMBER ALBERTI: I disagree.

2 CHAIRPERSON MILLER: Mr. Alberti  
3 disagrees.

4 Ms. Miller agrees.

5 Mr. Silverstein?

6 MEMBER SILVERSTEIN: I agree.

7 CHAIRPERSON MILLER: Agree.

8 Ms. Mobley?

9 MEMBER MOBLEY: I disagree.

10 CHAIRPERSON MILLER: Ms. Mobley  
11 disagrees.

12 And, Mr. Jones?

13 MEMBER JONES: I disagree.

14 CHAIRPERSON MILLER: Mr Jones  
15 disagrees.

16 The vote is 3-4-0 to approve the  
17 placard. The motion fails.

18 Do we have another motion?

19 MEMBER SILVERSTEIN: I move we  
20 approve the request? What? You want to  
21 approve this request? Okay.

22 Is there a second?

1 MEMBER NOPHLIN: Second.

2 CHAIRPERSON MILLER: Okay.

3 MEMBER ALBERTI: I'm sorry, which  
4 one?

5 CHAIRPERSON MILLER: We are on  
6 number 9 and it was to expand upstairs and the  
7 motion to placard failed.

8 Okay. So, now it's on the table  
9 is just a motion to approve the request --

10 MEMBER ALBERTI: Okay.

11 CHAIRPERSON MILLER: -- to expand  
12 the operations. Okay.

13 MEMBER ALBERTI: I'll abstain.

14 CHAIRPERSON MILLER: And, I  
15 believe, it's been seconded. Correct?

16 MEMBER MOBLEY: Correct.

17 CHAIRPERSON MILLER: Okay. So,  
18 all those in favor of approving the request to  
19 expand operations to the second floor say aye.

20 (AYES)

21 CHAIRPERSON MILLER: All those  
22 opposed? All those abstaining?

1                   Okay. So, the vote is --

2                   MEMBER ALBERTI: I'll abstain.

3 I'll abstain.

4                   CHAIRPERSON MILLER: The vote is  
5 6-0-1 to approve the request to expand the  
6 operations.

7                   Number 10 on our agenda is a  
8 letter dated May 9, 2012, from Louis Courembis  
9 on behalf of the landlord requesting an  
10 involuntary transfer of the license held by  
11 Bouzid, Inc., pursuant to Section 10 of the  
12 Lease Agreement. This is for Marrakesh Palace  
13 Pasha Lounge, 2147 P Street, NW. License No.  
14 60695.

15                   I would move that we deny the  
16 request because it doesn't meet the  
17 requirements of 25-361 of the Statute.

18                   Do I have a second?

19                   MEMBER NOPHLIN: Second.

20                   CHAIRPERSON MILLER: Any comments?

21 Okay.

22                   All those in favor of denying this

1 request say aye.

2 (AYES)

3 CHAIRPERSON MILLER: All those  
4 opposed? All those abstaining?

5 Motion to deny the request passes  
6 by a vote of 7-0-1.

7 Which brings us to item number 11  
8 for which I think we have many individuals in  
9 the audience here concerned about. That is a  
10 review of an email dated May 9, 2012, from  
11 Susie Taylor expressing her concerns about  
12 McFadden's Restaurant moving into space  
13 currently occupied by Ireland's Four Fields.  
14 McFadden's is located at 2401 Pennsylvania  
15 Avenue, NW. License No. 60591.

16 Okay. I just want to get the  
17 letter in front of me.

18 And I would like to disclose that,  
19 while I'm looking for this letter, that this  
20 is in my neighborhood and for the most part I  
21 haven't really listened to too much  
22 conversation about the establishment, but I am

1 aware that there are a lot of concerns  
2 regarding McFadden's taking over the license  
3 of the Four Fields.

4 And I believe the Board does have  
5 before it an application to transfer the  
6 license from Four Fields to McFadden's.

7 MEMBER SILVERSTEIN: Madam Chair,  
8 I believe, to the people that own the license  
9 for McFadden's.

10 CHAIRPERSON MILLER: Okay. You're  
11 right. You're right. McFadden's is the name  
12 of one of the establishments. Correct?

13 MEMBER SILVERSTEIN: Correct.

14 CHAIRPERSON MILLER: Okay. And so  
15 this falls under the provision which says  
16 involves the transfer of license from one  
17 operation to another and there isn't a  
18 proceeding that is before the Board at this  
19 point at which the community would necessarily  
20 participate. My understanding is when a  
21 license comes through for renewal, which will  
22 be in 2013, then the Board will have the

1 opportunity to evaluate the establishment  
2 under the appropriateness standard. And at  
3 that point the community will have a full  
4 opportunity to protest should it find at that  
5 point that that's appropriate.

6           However, I would say this that I  
7 understand that there is a concern based on  
8 the McFadden establishment's history. And so  
9 I would suggest that when the license is  
10 actually transferred and the new operation  
11 begins that we have our investigators go out  
12 and monitor how the establishment is working  
13 periodically as they will do when the Board  
14 has an occasion to ask them to investigate  
15 cases.

16           MEMBER JONES: What? Can we  
17 discuss that or is that just a recommendation?

18           CHAIRPERSON MILLER: It's a  
19 recommendation I'm making that, you know,  
20 sometimes when we have a special event or  
21 whatever, we can call upon our investigators  
22 to just go check it out and monitor and make

1       sure that, you know, there's no problem.  It's  
2       an informal thing if they just go out, you  
3       know, go around the town and go to certain  
4       places and I would suggest that for a certain  
5       comfort level that, you know, that this be one  
6       of those places that they just check it out.

7                   And I'd also say that, you know,  
8       if there are problems, the community will  
9       bring it to ABRA's attention in any event.

10                   MEMBER JONES:  I'm not sure I'm in  
11       agreement with that approach based on the  
12       nature of what I understand to be what we're  
13       looking at today in terms of this operation  
14       and this establishment.  This establishment as  
15       it stands has no record, has no history, has  
16       no basis for us to call any special attention  
17       to them for our investigators in any way,  
18       shape or form as I understand it.  So, I'm a  
19       little taken aback at this point by that  
20       recommendation.  But you can call for a vote  
21       if you'd like on that or call for whatever  
22       mechanism you'd like on that but I'm not sure

1 I'm in agreement with calling upon our  
2 investigators to make this a special interest  
3 at this point in time.

4 CHAIRPERSON MILLER: Okay. I  
5 don't think that I'm ready to call a vote.  
6 I'm just saying that that is a tool that the  
7 agency employs periodically when there's any  
8 concern expressed by the community or by Board  
9 Members or whatever then it's often the case  
10 that an investigator will go out and check it  
11 out. So, I'm not even asking for a vote. As  
12 far as I can say that this letter is an FYI.  
13 It's putting the Board and ABRA on notice that  
14 the community is concerned. And that will  
15 stay in the file. And then, you know, at some  
16 point if we want to ask an investigator to  
17 check it out, fine. But we don't need to be  
18 premature at this point.

19 Yes?

20 MEMBER ALBERTI: Madam Chair, what  
21 do we know about the -- what we're discussing  
22 here is an establishment transfer of a license

1 to a new owner. Is that correct?

2 CHAIRPERSON MILLER: Well, it's  
3 been done. I mean --

4 MEMBER ALBERTI: I'm asking. Is  
5 that --

6 CHAIRPERSON MILLER: No, I think  
7 we're discussing a letter from Susie Taylor in  
8 which they are concerned about the transfer  
9 and they want the agency to conduct a full  
10 review of the license transfer. And I think  
11 that the agency, you know, conducts its  
12 review. So, there's nothing more to do. I  
13 think this is just a -- I'm saying it's an FYI  
14 that they're concerned and they set forth in  
15 their letter certain violations that have  
16 occurred at McFadden's.

17 MEMBER ALBERTI: I guess my  
18 question is, because I'm surprised by your  
19 suggestion so I haven't had a chance to take  
20 a closer look at this. So, I'll ask you since  
21 you have concerns here. Is it the company --  
22 is it the same company that runs McFadden's

1 that is seeking to own this new license or to  
2 take over this license? Or is it members of  
3 that company? Who exactly is it that is  
4 applying to take over that license? Because  
5 I think that would have bearing on our  
6 concerns.

7 CHAIRPERSON MILLER: I believe  
8 it's the same owners but I don't -- I haven't  
9 dealt into --

10 MEMBER ALBERTI: Well, I suggest  
11 that --

12 CHAIRPERSON MILLER: Okay.

13 MEMBER ALBERTI: I suggest then  
14 that we hold our concerns, that we put our  
15 concerns on hold until we can fully  
16 investigate who it is that will be the owners  
17 of this -- the new owners of this license.

18 CHAIRPERSON MILLER: Mr. Jones?

19 MEMBER JONES: I certainly want to  
20 make it clear that we have not agreed to apply  
21 endorsement to this establishment beyond the  
22 normal course of duties associated with

1 looking at regulatory issues as they relate to  
2 licensed establishments. So, although you  
3 made reference to a mechanism that we use in  
4 special instances or special events, I don't  
5 know that we have agreed that this applies to  
6 this new or this establishment that will be  
7 under new ownership. So, I just wanted to  
8 make it clear that it hasn't been agreed that  
9 we would be applying any special type of  
10 review of oversight from an enforcement  
11 standpoint above and beyond their normal  
12 course of duty.

13 CHAIRPERSON MILLER: Okay. And I  
14 wasn't really suggesting anything that I  
15 thought was above the normal course. But I  
16 thought that when there are concerns, that's  
17 often how the agency responds. The send out  
18 an investigator to check it out. So, we don't  
19 have to vote on that at this point. It's just  
20 a tool that the agency has and it's a tool  
21 that the community can request at a later time  
22 if they want it, you know. At this point,

1 it's not in yet but I think it would be a fine  
2 or inspection.

3 So, anyway, I do believe that this  
4 letter brings to the Board's attention  
5 concerns of the community. There's no action  
6 required at this point.

7 Anything else? Okay.

8 Then we can move on to number 12  
9 which is a request for a single sales  
10 moratorium exception for Good Libations, dated  
11 May 1, 2012. ANC supposed the request of Good  
12 Libations at 1201 5th Street, NW. License No.  
13 73063.

14 I would move that we postpone  
15 consideration of this request. Okay.

16 Is there a second?

17 MEMBER SILVERSTEIN: Second.

18 CHAIRPERSON MILLER: Okay. Any  
19 comments on this one?

20 Okay. All those in favor -- oh,  
21 no. We don't need to vote on postponing.

22 Number 13 is a letter dated May

1 8th, 2012, from Ari Gejdenson requesting  
2 permission to store invoices off site at  
3 another location in the District. It's  
4 Mindful Catering, 212 7th Street, SE.  
5 License No. 89441.

6 I would move that we approve this  
7 request.

8 Do we have a second?

9 MEMBER NOPHLIN: Second.

10 CHAIRPERSON MILLER: Any comments?

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

13 (AYES)

14 CHAIRPERSON MILLER: All those  
15 opposed? All those abstaining?

16 The vote is 7-0-0 to approve this  
17 request.

18 Number 14. Number 14 on our  
19 agenda is a letter dated May 8th, 2012, from  
20 Ari Gejdenson requesting permission to store  
21 invoices off site at another location in the  
22 District. This is for Acqua al 2, located at

1 212 7th Street, SE. License No. 80056.

2 I would move that we approve this  
3 application.

4 Do I have a second?

5 MEMBER MOBLEY: Second.

6 CHAIRPERSON MILLER: Any comments?

7 Okay.

8 All those in favor say aye.

9 (AYES)

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

12 The vote is 7-0-0 to approve.

13 The next is a voluntary agreement  
14 dated March 7, 2012, between Good Libations  
15 and ANC 2C. Good Libations is located at 1201  
16 5th Street, NW. License No. 73063.

17 I move that we postpone this  
18 review as well as we have for the previous  
19 Libations. Okay.

20 Do I have a second?

21 MEMBER NOPHLIN: second.

22 CHAIRPERSON MILLER: Any comments?

1 All those in favor of -- we don't  
2 have to vote on this one. Sorry. We're just  
3 going to postpone. Okay.

4 Moving on to number 16 which is --  
5 16, 17 -- 16 and 17 are also review of  
6 voluntary agreements. And I would move that  
7 we also postpone the voluntary agreements.  
8 We're going to be looking at a certain issue  
9 and have that resolved.

10 So, we move on to number 18. If  
11 you all agree to postponing those? Okay.

12 18. Review of voluntary agreement  
13 dated March 12th, 2012 between Willie's Sports  
14 Brew and Que and ANC 6D. Willie's Sports Brew  
15 & Que is located at 300 Tingey Street, SE.  
16 License No. 89141. Okay.

17 I move that we approve this  
18 voluntary agreement. There are just a few  
19 provisions where the Board historically takes  
20 out a couple of these. One is on page 1, the  
21 ANC sends a representative to meetings and  
22 meetings in good faith. Board takes that out

1 as -- because I think it's too harsh to have  
2 something like that in it. I think for a Show  
3 Cause I kind of support letting that in but  
4 I'm going to move it with what I think the  
5 Board would like to have say in.

6 The next one -- the last paragraph  
7 about a substantial change. The substantial  
8 change is to be determined by the Board.  
9 Okay. And Section 8.

10 According to Section 8 there  
11 aren't any Board -- it calls for a Board-  
12 approved trained employee and they're really  
13 aren't those besides those employees trained  
14 by the Board. Okay. So, with those few  
15 changes to be made, I would move that we  
16 approve this voluntary agreement.

17 Do I have a second?

18 MEMBER MOBLEY: I second.

19 CHAIRPERSON MILLER: Any comments?

20 All those in favor say aye.

21 (AYES)

22 CHAIRPERSON MILLER: All those

1       opposed? All those abstaining?

2                   The motion passes to approve this  
3       voluntary agreement with the proposed changes.  
4       Okay.

5                   Number 19 is a voluntary agreement  
6       dated May 14th, 2012, between BreadSoda and  
7       ANC 3B. BreadSoda is located at 2233  
8       Wisconsin Avenue, NW. License No. 78085.

9                   I would move that we approve with  
10       modifications to Section 7 and Section 9.

11                   MEMBER MOBLEY: I second.

12                   CHAIRPERSON MILLER: Okay. Any  
13       comments?

14                   CHAIRPERSON MILLER: All those in  
15       favor say aye.

16                   (AYES)

17                   CHAIRPERSON MILLER: All those  
18       opposed? All those abstaining?

19                   Then the vote is 7-0-0 to approve  
20       with the modifications.

21                   I think we have a supplemental --

22                   MEMBER MOBLEY: Madam Chair, may I

1 make a suggestion?

2 CHAIRPERSON MILLER: Yes.

3 MEMBER MOBLEY: Since it's 1:30  
4 that we move on with our hearing today and  
5 come back to it?

6 CHAIRPERSON MILLER: I think we're  
7 almost done.

8 MEMBER MOBLEY: Okay. All right.

9 CHAIRPERSON MILLER: I think  
10 there's four items or something.

11 MEMBER MOBLEY: Okay. All right.

12 (Whereupon, the above matter was  
13 concluded at 1:43 p.m.)

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<b>A</b>	<b>alcoholic</b> 1:2,12,13 3:17 4:15,16 6:21 7:3 11:22 <b>allowed</b> 5:3 <b>Amended</b> 8:1 <b>amendment</b> 3:21 <b>ANC</b> 3:22 6:2 12:21 13:1 14:7 27:11 29:15 30:14 30:21 32:7 <b>anybody</b> 8:22 <b>anyway</b> 27:3 <b>application</b> 2:7,17 2:22 3:2,4,9 4:6 4:13 5:3 6:6,20,20 8:1,21 9:10 11:15 11:17 12:16 14:9 20:5 29:3 <b>applies</b> 26:5 <b>apply</b> 25:20 <b>applying</b> 25:4 26:9 <b>approach</b> 22:11 <b>appropriate</b> 21:5 <b>appropriateness</b> 21:2 <b>approval</b> 5:16 <b>approve</b> 2:11,21 3:3,14 5:2,13 6:5 6:18 7:10,21 9:5,8 9:15 10:16,21 11:3,7,11,12,14 14:21 16:16,20,21 17:9 18:5 28:6,16 29:2,12 30:17 31:16 32:2,9,19 <b>approved</b> 6:9 31:12 <b>approves</b> 11:5,9 <b>approving</b> 2:16 3:8 5:8,19 9:21 17:18 28:12 <b>Ari</b> 28:1,20 <b>asking</b> 23:11 24:4 <b>asset</b> 5:19 <b>associated</b> 25:22 <b>attention</b> 22:9,16 27:4 <b>audience</b> 19:9	<b>Avenue</b> 4:4 6:4 7:1 8:5 19:15 32:8 <b>aware</b> 20:1 <b>aye</b> 2:17 3:9 5:9 6:14 7:16 9:22 13:11 14:16 17:19 19:1 28:12 29:8 31:20 32:15 <b>AYES</b> 2:18 3:10 5:10 6:15 7:17 10:1 13:12 14:17 17:20 19:2 28:13 29:9 31:21 32:16 <b>A.B.R.A</b> 1:7 <b>a.m</b> 4:21,22 5:1 7:6 7:6 8:7,9,9,10,10 8:14 11:20,20,21 11:21 12:1,1,2,2,3 12:3,5,6,7	<b>BreadSoda</b> 32:6,7 <b>Brew</b> 30:14,14 <b>bring</b> 22:9 <b>brings</b> 19:7 27:4 <b>Brooks</b> 1:18 10:13 10:14,17 15:18,19 15:20 <b>Building</b> 1:13 <b>Business</b> 4:2	27:18 28:10,14 29:6,10,22 31:19 31:22 32:12,14,17 33:2,6,9 <b>chance</b> 24:19 <b>change</b> 4:13,14,22 5:14 6:19,20 31:7 31:8 <b>changes</b> 31:15 32:3 <b>charge</b> 8:2 9:10 11:15 <b>check</b> 21:22 22:6 23:10,17 26:18 <b>citations</b> 3:20 6:1 7:8 8:17 14:5 <b>Class</b> 5:21 <b>clear</b> 15:8 25:20 26:8 <b>closer</b> 4:7 24:20 <b>COLUMBIA</b> 1:1 <b>come</b> 33:5 <b>comes</b> 20:21 <b>comfort</b> 22:5 <b>comments</b> 2:15 3:7 5:7 6:13 7:14 9:19 12:19 14:13 18:20 27:19 28:10 29:6,22 31:19 32:13 <b>community</b> 20:19 21:3 22:8 23:8,14 26:21 27:5 <b>company</b> 24:21,22 25:3 <b>complaint</b> 9:11 <b>concern</b> 21:7 23:8 <b>concerned</b> 19:9 23:14 24:8,14 <b>concerns</b> 19:11 20:1 24:21 25:6 25:14,15 26:16 27:5 <b>concluded</b> 33:13 <b>conduct</b> 24:9 <b>conducts</b> 24:11 <b>conflict</b> 3:21 <b>conflicts</b> 8:17 14:6
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