

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF:

Agenda Hearing

A.B.R.A. Agenda

June 3, 2015

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

MICHAEL SILVERSTEIN, Member

HECTOR RODRIGUEZ, Member

JAMES SHORT, Member

ALSO PRESENT:

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

1:49 p.m.

1
2
3 CHAIR MILLER: Okay, the Board's going
4 to do its agendas right now. Starting with the
5 Legal Agenda.

6 First item on Legal Agenda is the
7 review of recommendations on the "Proposed Rules
8 in Board's Technical Amendment Rulemaking 2015",
9 dated May 11, 2015, submitted by Roger Moffat,
10 Chairperson, ANC 6D.

11 I'm going to move that we refer these
12 recommendations to Legal, to be included for our
13 Board discussion on Rulemaking.

14 MEMBER RODRIGUEZ: Second.

15 CHAIR MILLER: Mr. Rodriguez has
16 seconded the motion.

17 All those in favor say, aye.

18 (Multiple ayes)

19 CHAIR MILLER: All those opposed?

20 (No audible response)

21 CHAIR MILLER: All those abstaining?

22 (No audible response)

1 CHAIR MILLER: Motion passes 5-0-0.
2 Number 2, is a review of ANC 2B's
3 Resolution for the West Dupont Liquor License
4 Moratorium Zone, dated May 18, 2015, submitted by
5 Noah Smith, Chairperson, ANC 2B.

6 I move that we hold a public hearing
7 on this, on July 22nd, at 10:00 a.m. Do I have a
8 second?

9 MEMBER BROOKS: Second.

10 CHAIR MILLER: Mr. Brooks has seconded
11 the motion.

12 All those in favor say, aye.

13 (Multiple ayes)

14 CHAIR MILLER: All those opposed?

15 (No audible response)

16 CHAIR MILLER: All those abstaining?

17 (No audible response)

18 CHAIR MILLER: Motion passes 5-0-0.

19 Number 3, is a Letter of Concern,
20 regarding a shooting at Josephine, dated May 20,
21 2015, submitted by ANC 2F. Josephine is located
22 at 1008 Vermont Avenue, N.W., License No. 076906,

1 and this is an FYI, and no action is required at
2 this time. Okay, that completes our Legal
3 Agenda.

4 We have a Supplemental Legal Agenda.
5 First item on the Supplemental Legal Agenda is a
6 request for Board to allow police closure to
7 expire, submitted by Maken Shirafkan, Esq. on
8 behalf of The Park at 14th, dated June 2, 2015.
9 The Park at 14th is located at 920 14th Street,
10 N.W., License No. 075548.

11 This is an FYI, which you know the
12 Board has read and considered with respect to its
13 determination on that issue. It should be coming
14 out today. so this an FYI, no action is
15 required.

16 Number 2, is a request for
17 Reinstatement of Application, submitted by
18 Applicant, dated May 13, 2015. Touche is located
19 at 1250 U Street, N.W., License No. 09679.

20 She's requesting reinstatement because
21 she made a case as to why she was late for roll
22 call. She laid it all out, and she also laid out

1 the phone calls she made to ABRA. And so I think
2 she did show good cause.

3 And I would move that we grant the
4 request for reinstatement.

5 Do I have a second?

6 MEMBER SILVERSTEIN: Madam Chair, I
7 second.

8 CHAIR MILLER: Okay, any other
9 comments?

10 (No audible response)

11 CHAIR MILLER: All right, Mr.
12 Silverstein seconded the motion.

13 All those in favor say, aye.

14 (Multiple ayes)

15 CHAIR MILLER: All those opposed?

16 (No audible response)

17 CHAIR MILLER: All those abstaining?

18 (No audible response)

19 CHAIR MILLER: Motion passes 4-0-0.

20 Number 3, is a Protest Letter

21 submitted by ANC 2F, dated June 1, 2015, related
22 to XO Restaurant and Lounge located at 1426 L

1 Street, N.W., License No. 098370.

2 This is an FYI, and no action is
3 required.

4 Number 4, is a letter seeking
5 clarification of Board Order 2015-273, submitted
6 by Andre Barlow, Esq., on behalf of the Showtime,
7 dated June 2, 2015. The Showtime is located at
8 113 Rhode Island Avenue, N.W., 089196.

9 I move that we, I mean I don't move
10 but I suggest that we postpone this to later
11 today.

12 MEMBER SILVERSTEIN: To get --

13 CHAIR MILLER: To get some further
14 information.

15 MEMBER SILVERSTEIN: Legal advice.

16 CHAIR MILLER: Correct. Right to
17 consult with legal.

18 MEMBER SILVERSTEIN: Second.

19 CHAIR MILLER: You think this is --
20 we're going to come back to it today.

21 MEMBER SILVERSTEIN: Yes, okay.

22 CHAIR MILLER: So next is the review

1 of Emergency Rulemaking on MPD RDO Increased
2 subsidy.

3 I move that we approve this Emergency
4 Rulemaking.

5 MEMBER SILVERSTEIN: Second.

6 CHAIR MILLER: Mr. Silverstein
7 seconded the motion.

8 All those in favor say, aye.

9 (Multiple ayes)

10 CHAIR MILLER: All those opposed?

11 (No audible response)

12 CHAIR MILLER: All those abstaining?

13 (No audible response)

14 CHAIR MILLER: Motion passes 4-0-0.

15 Okay, Licensing Agenda. First item on
16 the Licensing Agenda is a request to extend
17 Safekeeping Status of a license. This is by the
18 Roberts Law Group, PLLC., located at 1029 Vermont
19 Avenue N.W., License No. 083738.

20 I move that we approve an extension of
21 six months. Second?

22 MEMBER RODRIGUEZ: Second.

1 CHAIR MILLER: Mr. Rodriguez seconded
2 the motion.

3 All those in favor say, aye.

4 (Multiple ayes)

5 CHAIR MILLER: All those opposed?

6 (No audible response)

7 CHAIR MILLER: All those abstaining?

8 (No audible response)

9 CHAIR MILLER: Motion passes 4-0-0.

10 Number 2, is request to extend
11 Safekeeping status of a license. To Be
12 Determined located on 1206 Wisconsin Avenue N.W.,
13 License No. 095913.

14 I move in view of the fact finding
15 here on this request. Do I have a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIR MILLER: Mr. Silverstein
18 seconded the motion.

19 All those in favor say, aye.

20 (Multiple ayes)

21 CHAIR MILLER: All those opposed?

22 (No audible response)

1 CHAIR MILLER: All those abstaining?

2 (No audible response)

3 CHAIR MILLER: Motion passes 4-0-0.

4 Number 3, is a request for a change of

5 hours from Malcolm Liquors located at 3845

6 Minnesota Aveue, N.E., License No. 094779.

7 I move that we approve this request

8 for change of hours. Do I have a second?

9 MEMBER SILVERSTEIN: Second.

10 CHAIR MILLER: Mr. Silverstein

11 seconded the motion.

12 All those in favor say, aye.

13 (Multiple ayes)

14 CHAIR MILLER: All those opposed?

15 (No audible response)

16 CHAIR MILLER: All those abstaining?

17 (No audible response)

18 CHAIR MILLER: Motion passes 4-0-0.

19 And Number 4, is also a request for

20 change of hours. And this is for Brookland

21 Market located at 3736 10th Street N.E., License

22 No. 088495.

1 I move that we approve this request.

2 Do I have a second?

3 MEMBER BROOKS: Second.

4 CHAIR MILLER: Mr. Brooks has seconded
5 the motion.

6 All those in favor say, aye.

7 (Multiple ayes)

8 CHAIR MILLER: All those opposed?

9 (No audible response)

10 CHAIR MILLER: All those abstaining?

11 (No audible response)

12 CHAIR MILLER: Motion passes 4-0-0.

13 Number 5, is an application for a
14 sidewalk cafe endorsement for Arol Thai Cuisine
15 located at 1832 1st Street N.W., License No.
16 090174.

17 I move that we placard this request.

18 MEMBER RODRIGUEZ: Second.

19 CHAIR MILLER: And Mr. Rodriguez has
20 seconded the motion.

21 All those in favor say, aye.

22 (Multiple ayes)

1 CHAIR MILLER: All those opposed?

2 (No audible response)

3 CHAIR MILLER: All those abstaining?

4 (No audible response)

5 CHAIR MILLER: Motion passes 4-0-0.

6 Number 6 is a review of an application
7 for a Manager's License for Duan T. Cobbs, ABRA
8 No. 098917. I move to deny this application. Do
9 I have a second?

10 MEMBER BROOKS: Second.

11 CHAIR MILLER: Mr. Brooks has seconded
12 the motion.

13 All those in favor say, aye.

14 (Multiple ayes)

15 CHAIR MILLER: All those opposed?

16 (No audible response)

17 CHAIR MILLER: All those abstaining?

18 (No audible response)

19 CHAIR MILLER: Motion passes 4-0-0.

20 Number 7, is an application for
21 Manager's License for Jose L. Ramirez, ABRA No.
22 096572.

1 I move that we approve this
2 application. Do I have a second?

3 MEMBER BROOKS: Second.

4 CHAIR MILLER: Mr. Brooks has seconded
5 the motion.

6 All those in favor say, aye.

7 (Multiple ayes)

8 CHAIR MILLER: All those opposed?

9 (No audible response)

10 CHAIR MILLER: All those abstaining?

11 (No audible response)

12 CHAIR MILLER: Motion passes 4-0-0.

13 Supplemental Licensing Agenda, first
14 item is an application and floor plans for a new
15 full-service grocery store for The Mediterranean
16 Way Gourmet Market located at 1717 Connecticut
17 Avenue N.W., License No. 098845.

18 I move we refer to Licensing. Do I
19 have a second?

20 MEMBER RODRIGUEZ: Second.

21 CHAIR MILLER: MR. Rodriguez has
22 seconded the motion.

1 All those in favor say, aye.

2 (Multiple ayes)

3 CHAIR MILLER: All those opposed?

4 (No audible response)

5 CHAIR MILLER: All those abstaining?

6 (No audible response)

7 CHAIR MILLER: Motion passes 4-0-0.

8 CHAIR MILLER: Number 2, is a review
9 suitability for licensure of applicant, and
10 that's related to Christopher Nwaeze.

11 I move that we postpone consideration
12 of this review a week. Do I have a second?

13 MEMBER BROOKS: Second.

14 CHAIR MILLER: Mr. Brooks has seconded
15 the motion.

16 All those in favor say, aye.

17 (Multiple ayes)

18 CHAIR MILLER: All those opposed?

19 (No audible response)

20 CHAIR MILLER: All those abstaining?

21 (No audible response)

22 CHAIR MILLER: Motion passes 4-0-0.

1 Number 3, is an application for wine
2 and beer purchasing permit for Schneider's of
3 Capitol Hill located at 300 Massachusetts Avenue
4 N.E., License No. 000252.

5 I move we approve this application.

6 Do I have a second?

7 MEMBER BROOKS: Second.

8 CHAIR MILLER: Mr. Brooks has seconded
9 the motion.

10 All those in favor say, aye.

11 (Multiple ayes)

12 CHAIR MILLER: All those opposed?

13 (No audible response)

14 CHAIR MILLER: All those abstaining?

15 (No audible response)

16 CHAIR MILLER: Motion passes 4-0-0.

17 Number 4, is a request for involuntary
18 transfer from Burger 1931, LLC., to SRF, LLC.,
19 Boss Burgers located at 1931 14th Street N.W.,
20 License No. 098831.

21 I move that we refer this to Legal.

22 Do I have a second?

1 MEMBER SILVERSTEIN: Second.

2 CHAIR MILLER: Mr. Silverstein

3 seconded the motion.

4 All those in favor say, aye.

5 (Multiple ayes)

6 CHAIR MILLER: All those opposed?

7 (No audible response)

8 CHAIR MILLER: All those abstaining?

9 (No audible response)

10 CHAIR MILLER: Motion passes 4-0-0.

11 Number 5, is a letter from Attorney
12 Andrew J. Kline requesting a waiver of late fees
13 associated with the establishment's third year
14 payment. The Washington Club is the
15 establishment. It's located at 15 Dupont Circle
16 N.W., License No. 000741.

17 I move that we affirm our prior
18 decision not waiving the fees. Do I have a
19 second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIR MILLER: Mr. Silverstein

22 seconded the motion.

1 All those in favor say, aye.

2 (Multiple ayes)

3 CHAIR MILLER: All those opposed?

4 (No audible response)

5 CHAIR MILLER: All those abstaining?

6 (No audible response)

7 CHAIR MILLER: Motion passes 4-0-0.

8 Number 6, is a review of an updated
9 floor drawing related to Centrolina.

10 I would like for us to come back to
11 this, like the other one. Mr. Jones isn't here
12 right now. He's most involved in this and I
13 believe he will be here this afternoon. So I'd
14 want to come back to this one as well. And since
15 there is no objection?

16 MALE PARTICIPANT: No.

17 CHAIR MILLER: Okay, and then finally
18 we have a Second Supplemental Licensing Agenda
19 item which is request for stipulated license with
20 letter by ANC support for Texas de Brazil located
21 at 4555 Massachusetts Avenue N.W., License No.
22 098330.

1 I move that we approve this request
2 for stipulated license. Do I have a second?

3 MEMBER RODRIGUEZ: Second.

4 CHAIR MILLER: Mr. Rodriguez seconded
5 the motion.

6 All those in favor say, aye.

7 (Multiple ayes)

8 CHAIR MILLER: All those opposed?

9 (No audible response)

10 CHAIR MILLER: All those abstaining?

11 (No audible response)

12 CHAIR MILLER: Motion passes 4-0-0.

13 Okay that concludes our Agendas except
14 for those two items, which we'll take up a little
15 later this afternoon.

16 (Whereupon, the above-entitled matter
17 went off the record at 2:01 p.m.)
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20
21
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