

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF: :
: :
L'Enfant Enterprises, LLC :
T/A L'Enfant Cafe & Bar : Fact
License #60658 : Finding
Retailer CR : Hearing
ANC-1C :
One Day Substantial Change :
Application :
Date of Event: July 13, 2013 :
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July 10, 2013

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

PRESENT

- RUTHANNE MILLER, Chairperson
- NICK ALBERTI, Member
- DONALD BROOKS, Member
- MIKE SILVERSTEIN, Member

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10:23 a.m.

CHAIRPERSON MILLER: Next case on our calendar is L'Enfant Cafe & Bar, 2000 18th Street, N.W., License No. 60658. It's a one day substantial change application for an event on July 13, 2013.

MR. BALL: Good morning.

CHAIRPERSON MILLER: Good morning. You want to introduce yourselves for the record?

MR. BALL: Sure. I'm Jim Ball, one of the owners of L'Enfant Cafe.

MR. LYNCH: And I'm Christopher Lynch, the other owner.

CHAIRPERSON MILLER: I'm sorry, Jim. What's your last name?

MR. BALL: Ball, B-A-L-L.

CHAIRPERSON MILLER: Okay. So I understand that this is related to a street festival to celebrate Bastille Day?

MR. LYNCH: That's correct.

1 CHAIRPERSON MILLER: Okay. You
2 want to get an entertainment endorsement.
3 You're also extending the use of your premises
4 or something?

5 MR. LYNCH: Yes.

6 CHAIRPERSON MILLER: Why don't you
7 actually explain it.

8 MR. LYNCH: This is our cultural
9 event for the celebration of Bastille Day.
10 This is the ninth year that we've been doing
11 this party, the fourth year that we've
12 actually taken over the street and made it a
13 block party. Once again, we are asking
14 permission to do this again.

15 MR. BALL: This will be our fourth
16 year of doing this with zero incident.

17 CHAIRPERSON MILLER: Okay. Great.

18 MR. BALL: We've never had any
19 incident whatsoever. We do have some maps
20 here if we can pass them to you to show you
21 the layout of the street.

22 MEMBER ALBERTI: Ms. Jenkins.

1 Thank you.

2 CHAIRPERSON MILLER: Is it the
3 same amount of attendance? Do you expect the
4 same as you've had in the past?

5 MR. LYNCH: We can only hold so
6 many people so it's pretty much the same
7 containment and the same amount of people.
8 Unfortunately, it's a one-way street, only one
9 city block long, and you can't really get any
10 more people.

11 MR. BALL: Well, fortunately, or
12 unfortunately, yes.

13 What we've done on this map you
14 can see on the top here is our actual premise,
15 the building, and our patio. We use that as
16 the headquarters and first aid, command post
17 if you want to call it that. The party then
18 goes up Vernon Street to 18th Street and 19th
19 Street.

20 There are some Xs that we put on
21 this for the purpose of this meeting because
22 we have nine MPD personnel around. This is

1 where MPD and we have agreed to have these
2 people stationed and sort of the areas they
3 will be patrolling.

4 MR. LYNCH: Those are the drawn-on
5 Xs that we put on for you. Those are where
6 the police are scheduled to be stationed. In
7 addition, there's one floating. There's one
8 supervisor that's floating and then there's
9 one in each patrol car at either end as well.

10 You want to talk about the ID
11 checks?

12 CHAIRPERSON MILLER: Let me just
13 interrupt for a second because I would like
14 our investigator to introduce himself so he's
15 on the record for being here for this.

16 MR. GHENENA: ABRA Investigator
17 Abyie Ghenena.

18 CHAIRPERSON MILLER: Okay.
19 Thanks.

20 All right. Sorry. Go ahead.

21 MR. BALL: Do you want us to take
22 you through the plan for the party?

1 CHAIRPERSON MILLER: An overview
2 highlighting. You know, you can highlight
3 also what you're doing with the alcohol in
4 particular.

5 MR. BALL: The street closes at
6 9:00 a.m. to set up for the party. We then
7 set up until 3:00 in the afternoon at which
8 time we open our doors. I'll give you the
9 timing generally and then we'll get more
10 specific about what happens at the doors.

11 The party concludes at 11:00.
12 Drinks are provided at bars with drink tickets
13 that are sold next to the bars. The drink
14 tickets conclude at 10:15. The sale of those
15 conclude at 10:15. The bars close at 10:30.
16 Then we close the party hard at 11:00. We
17 have to be off the street by 1:00 a.m. as per
18 our contract with the city.

19 With regard to hours of alcohol
20 sales, 3:00 to 10:30 are the hours. It's a
21 neighborhood party and it's our customers so
22 by nature we have some people over 21, mostly

1 over 21. We have young children with their
2 parents.

3 We typically don't get a lot of
4 14, 15-year-olds because we charge a cover
5 fee. It's kids with their parents who come to
6 see some of the can-can girls or dancers and
7 the fire performer. This year the trapeze
8 artist. More details to follow if you want to
9 hear about that.

10 The way we police it is I have 20
11 people, part of my staff, working different
12 sections of the door. There are nine
13 different ID checks. Excuse me, there are two
14 ID checks, nine staff doing that from the 20
15 that rotate through. People will be given a
16 break to go to exits and stand by the exits to
17 make sure there's no consumption of alcohol
18 past the barricades.

19 CHAIRPERSON MILLER: Where can
20 they consume alcohol? You have this whole
21 street. Can they consume out there on the
22 street?

1 MR. BALL: This sort of mustard
2 colored line is a barricade fence so the
3 entire party is barricaded in.

4 CHAIRPERSON MILLER: Okay.

5 MR. BALL: So that is the
6 consumption area.

7 CHAIRPERSON MILLER: Okay.

8 MR. BALL: And that's why the
9 police are all around the perimeter.

10 CHAIRPERSON MILLER: Right.

11 MR. BALL: And my staff as well is
12 there. We have two ID checks. One is at the
13 bottom on the right which is an ID check where
14 they get a stamp on their hand. Red means
15 under 21 and green means 21 or older. No
16 service of alcohol can be given without these
17 wristbands on their hand. The wristbands are
18 given out at the second ID check just to
19 control that.

20 CHAIRPERSON MILLER: So why do
21 they get stamps on their hands?

22 MR. BALL: The stamp on the hand

1 indicates that -- if they flow from that 10
2 feet from ID check No. 1 to ID check No. 2,
3 they can't walk up to ID check No. 2 and say,
4 "Where is my band?" They have to show that
5 they have the stamp on their hand and then
6 show their ID again. It's sort of the second
7 protocol.

8 MR. LYNCH: It gives us the
9 security that we've actually looked at their
10 ID twice by two different people. That's what
11 that indicates.

12 CHAIRPERSON MILLER: So they get
13 looked at when they come into the area. Then
14 when they purchase the drink tickets or no?
15 When is the other time?

16 MR. BALL: They have to show the
17 wristband and their hand. We call it the
18 L'Enfant High Five. "How many tickets do you
19 want? Show us your hand."

20 CHAIRPERSON MILLER: Okay. How
21 many tickets can they buy -- can one person
22 buy?

1 MR. BALL: We have a package where
2 they can do three. They can buy more than
3 that.

4 CHAIRPERSON MILLER: Is there a
5 control then for someone buying for somebody
6 underage?

7 MR. BALL: I would say the control
8 is at each bar we have an ABC manager at the
9 four bars in addition to a general manager
10 over the whole staff as well. The control is
11 that most of these bartenders have been
12 through ABRA manager training.

13 CHAIRPERSON MILLER: Okay. That's
14 my question. I don't mean to be too picky but
15 let's just say somebody buys three drinks and
16 they have their wristband. Then they go back
17 to their table and then they give one of the
18 drinks to somebody underage. Is there
19 somebody like just roving to keep an eye on
20 whoever is drinking if they look underage?

21 MR. LYNCH: Any of our staff that
22 would see anybody without a green band. Even

1 if they remove this, they have nothing on.
2 Any of our staff members with a neon shirt,
3 and there are 50 of them, roving through there
4 will be able to grab that person, take them to
5 the police and will handle it from that point.

6 CHAIRPERSON MILLER: Is that what
7 the procedure would be?

8 MR. LYNCH: Yes.

9 MR. BALL: The other thing is to
10 ensure that because we have certain cups for
11 alcohol, we are serving only water at a water
12 station and the food trucks that are serving
13 bottled soft drinks. There's no soft drinks
14 sold at the bars. You have to go up to the
15 food trucks to purchase them there.

16 CHAIRPERSON MILLER: You have
17 water and beer and wine or what?

18 MR. BALL: We have beer, wine,
19 champagne, and vodka.

20 CHAIRPERSON MILLER: Is the water
21 in a different cup than the beer and the --

22 MR. BALL: The water is in a

1 bottle.

2 CHAIRPERSON MILLER: The water is
3 in a bottle. Okay.

4 MR. BALL: You can't go up to a
5 bar and ask for Coca-Cola.

6 CHAIRPERSON MILLER: But you can't
7 be mistaken that you're drinking champagne
8 instead of water?

9 MR. BALL: If you have a cup that
10 came from our bar, you better have a green
11 band on.

12 CHAIRPERSON MILLER: Okay. Do you
13 have the same amount of security as you've had
14 in the past or is it different?

15 MR. BALL: There's actually a
16 little bit more.

17 MR. LYNCH: There's actually more

18 CHAIRPERSON MILLER: Others
19 questions?

20 MEMBER ALBERTI: Just one quick
21 question since it hasn't been covered.

22 CHAIRPERSON MILLER: Yes.

1 MEMBER ALBERTI: The VIP entrance.
2 Is the ID checked similar there?

3 MR. BALL: Yes. Because our
4 members are so kind to let us have the party
5 in the street, we have sort of an access that
6 they can come in VIP. They all get an
7 invitation from us personally. They come in
8 with their invitation and they do get ID'ed as
9 well.

10 MEMBER ALBERTI: Same ID check?

11 MR. BALL: Correct.

12 MEMBER ALBERTI: Just wanted to
13 make sure.

14 CHAIRPERSON MILLER: Yes, Mr.
15 Silverstein.

16 MEMBER SILVERSTEIN: This isn't
17 the first time you've been here. Last year I
18 recall you did this and it went without any
19 problems at all. Are there any real
20 substantial changes in what you're doing
21 between now and last year?

22 MR. BALL: The trapeze.

1 MEMBER SILVERSTEIN: You're not
2 going to have anyone inebriated and using the
3 trapeze, are you?

4 MR. BALL: God forbid. No, no.

5 MR. LYNCH: It's not a group
6 activity. It's a hired talent and a troupe
7 that will be performing over the streets.
8 There will be no one on the trapeze other than
9 professionals.

10 With all due respect, this is our
11 license. We do respect that. This is how we
12 eat and this is how we live. We take this
13 opportunity with that much care as well as an
14 extension of our own license that we have for
15 our restaurant.

16 Just know that. We can't control
17 every single element but, yes, you can show
18 responsibility and try to mitigate these types
19 of things. We do want you to know that we do
20 respect that.

21 MR. BALL: The nice news is it is
22 our business and we are a neighborhood

1 restaurant. It's sort of like thank you and
2 celebration with our neighbors. The crowd is
3 very respectful of that and of our license and
4 our rules. We haven't had any incident and I
5 think that happens because --

6 MEMBER SILVERSTEIN: This is, in
7 fact, a celebration of another nation's
8 national day. While it may be a business
9 venture on your part, it's also a gift to the
10 neighborhood and the city.

11 MR. BALL: Thank you.

12 MEMBER SILVERSTEIN: We wish you
13 well.

14 CHAIRPERSON MILLER: Mr. Ghenena,
15 do you have any questions?

16 MR. GHENENA: Yes, ma'am.

17 CHAIRPERSON MILLER: Okay.

18 MR. GHENENA: You guys said that
19 no alcohol would be served in cups. Correct?

20 MR. BALL: No.

21 MR. GHENENA: I'm sorry. No soft
22 drinks will be served in cups.

1 MR. BALL: Correct.

2 MR. GHENENA: All alcohol will be
3 in cups.

4 MR. BALL: Correct.

5 MR. GHENENA: Okay. You kind of
6 mentioned it but what precautions are you
7 taking for patrons that buy alcohol and pass
8 it off to underage patrons and things of that
9 nature?

10 MR. BALL: Any of our alcoholic
11 beverages will be served in a special cup that
12 are only available at the bar. If I see
13 someone with a red badge using one of our
14 cups, that's a flag right there.

15 MR. GHENENA: Okay.

16 MR. BALL: Then the cup will be
17 taken away and they will be escorted out.

18 MR. GHENENA: So is it simply just
19 simply people roaming? Is that what it is?

20 MR. BALL: Exactly.

21 MR. GHENENA: Mr. Silverstein
22 actually touched on it when he said this year

1 it seems like the only change you've got is
2 this trapeze. Is this on the 18th Street
3 side?

4 MR. BALL: Yes, it is.

5 MR. GHENENA: Okay. So what are
6 you guys doing -- and maybe this is something
7 worth considering -- to control traffic flow
8 right there because that is a major
9 intersection at night. That 18th and Florida
10 intersection with a trapeze act out there,
11 it's already a bottle neck.

12 MR. BALL: The trapeze actually is
13 down Vernon Street. If you look here, here is
14 18th right here.

15 MR. GHENENA: Right.

16 MR. BALL: There's the crosswalk
17 right there.

18 MR. GHENENA: Sure.

19 MR. BALL: Our police and MPD
20 squad car and barriers are actually beyond
21 where the crosswalk is so that the traffic or
22 other people walking by --

1 MR. GHENENA: No, I understand but
2 you've got --

3 MR. BALL: And the trapeze is up
4 here.

5 MR. GHENENA: You've got people in
6 the air, 35-feet in the air right off 18th
7 Street.

8 MR. LYNCH: To address your
9 concern a little bit, all the trapeze
10 performance will be done by 9:00 p.m. I know
11 this from last year. You know what? Last
12 year I was like thank goodness we decided to
13 close this party at 11:00 because that's the
14 time that Adams Morgan starts revving up.

15 At that point everybody wanted to
16 come in and we were shutting it down and I was
17 very happy to be doing that so it stayed under
18 control so it will be done by 9:00, the
19 trapeze.

20 MR. GHENENA: That's what I was
21 asking. Okay. Perfect.

22 I think that's all I have.

1 CHAIRPERSON MILLER: Okay.

2 Board Members, you don't have any
3 opposition to this festival? Okay.

4 Do you have any questions for us?

5 MR. LYNCH: Can we get our
6 license?

7 MEMBER ALBERTI: Can you get it
8 today is what you're asking. Right?

9 MR. LYNCH: Yeah, I think so.

10 MR. BALL: What's the weather
11 going to be like on Saturday?

12 CHAIRPERSON MILLER: Oh, is that
13 it? Oh, okay. I'm going to move then that we
14 grant this temporary license to L'Enfant Cafe
15 & Bar. Do I have a second?

16 MEMBER ALBERTI: Second.

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

19 MEMBERS: Aye.

20 CHAIRPERSON MILLER: All those
21 opposed? Abstaining? Motion passes 4-0-0 to
22 grant your license. Thank you.

1 MR. LYNCH: Thank you so much. I
2 do have one question. Will be have an
3 inspector onsite?

4 MR. BALL: I would like one to be
5 honest.

6 MR. GHENENA: I'll be around.
7 There will be a couple of us.

8 MR. LYNCH: I mean, you guys, I
9 think, are part of our support as opposed to
10 part of our problem so we would like to have
11 you guys watching what we're doing and making
12 sure we're following the rules.

13 MR. GHENENA: We'll monitor.

14 CHAIRPERSON MILLER: That's great.
15 Good question.

16 MEMBER ALBERTI: They'll make sure
17 the trapeze artists are sober.

18 CHAIRPERSON MILLER: Thank you.

19 (Whereupon, at 10:40 a.m. the
20 hearing was adjourned.)

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22

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