

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

IN THE MATTER OF:

A.B.R.A. Agenda

Agenda
Hearing

July 30, 2014

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

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member

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

2 (1:28 p.m.)

3 CHAIRPERSON MILLER: All right.

4 So we are back on the record now for the
5 Board's Agenda items for July 30, 2014.

6 The first item on the Licensing
7 Agenda is a change of hours application for
8 Gray's Market located at 3306 Georgia Avenue,
9 N.W., License No. 093808.

10 And I move that we approve this
11 application. Do I have a second?

12 MEMBER ALBERTI: Second.

13 CHAIRPERSON MILLER: Mr. Alberti
14 has seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON MILLER: All those
18 opposed? All those abstaining? The motion
19 passes 4-0-0.

20 No. 2 is an application for
21 safekeeping of a license by Variety Market
22 located at 1511 7th Street, N.W., License No.

1 001111.

2 I move that we approve for six
3 months. Do I have a second?

4 MEMBER RODRIGUEZ: Second.

5 CHAIRPERSON MILLER: Mr. Rodriguez
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? The motion
11 passes 4-0-0.

12 We have next three manager's
13 licenses. No, two manager's licenses
14 applications and then a solicitor's.

15 The first manager's license is for
16 Jamel A. Evans.

17 And I move that we disapprove this
18 application or rather deny. Do I have a
19 second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON MILLER: Mr.
22 Silverstein has seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON MILLER: All those
4 opposed? All those abstaining? The motion
5 passes 4-0-0.

6 No. 4 is an application for a
7 manager's license form Jacob K. Ishler.

8 I move that we approve this for a
9 period of six months and then he can reapply
10 again if all goes well. Do I have a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Mr.
13 Silverstein seconded the motion.

14 All those in favor say aye.

15 MEMBER SILVERSTEIN: Aye.

16 CHAIRPERSON MILLER: Aye.

17 MEMBER RODRIGUEZ: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed?

20 MEMBER ALBERTI: I oppose. I
21 think we should just issue this without any
22 restriction. Without -- for the full -- I

1 think we should issue this for the full year.

2 CHAIRPERSON MILLER: Okay. So the
3 motion is for six months then. So then the
4 vote is 3-1-0. Okay. And Mr. Alberti has put
5 his reasons and preference on the record.

6 No. 5 is an application for a
7 solicitor's license by Carol Lee Taylor.

8 And I move that we approve this
9 application. Do I have a second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON MILLER: Mr.
12 Silverstein seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON MILLER: All those
16 opposed? All those abstaining? The motion
17 passes 4-0-0.

18 The Supplemental Licensing Agenda.
19 The first item is application for safekeeping
20 of license. The establishment is Nomad Hookah
21 Bar located at 1200 H Street, N.E., License
22 No. 087558.

1 I move that we approve for six
2 months. Do I have a second?

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON MILLER: Mr.

5 Silverstein has seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON MILLER: All those
9 opposed? All those abstaining? The motion
10 passes 4-0-0.

11 No. 2 is an application for
12 safekeeping of license for Muse Nightclub and
13 Lounge located at 717 6th Street, N.W.,
14 License No. 079224.

15 I move that we approve for six
16 months. Do I have a second?

17 MEMBER RODRIGUEZ: Second.

18 CHAIRPERSON MILLER: Mr. Rodriguez

19 seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON MILLER: All those

1 opposed? All those abstaining? The motion
2 passes 4-0-0.

3 No. 3 is a request for a sidewalk
4 cafe endorsement with seating for six. And
5 the hours of operation, sales and consumption
6 for the sidewalk cafe would be Sunday through
7 Saturday 10:00 a.m. to 12:00 a.m. and this is
8 for New Orleans Cafe located at 2412 18th
9 Street, N.W., License No. 021784.

10 I move that we approve. Do I have
11 a second?

12 MEMBER SILVERSTEIN: Second.

13 CHAIRPERSON MILLER: Mr.
14 Silverstein seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON MILLER: All those
18 opposed? All those abstaining? The motion
19 passes 4-0-0.

20 No. 4 is a letter from Andrew
21 Kline with respect to Serendipity 3 located at
22 3148-3150 M Street, N.W., License No. 086034,

1 requesting that the Board defer cancellation
2 of the license, because bankruptcy is pending.

3 So we are going to be dealing with
4 this on the cancellation calendar that it is
5 on, so we will be deferring cancellation, I
6 believe, so why don't we just vote here as
7 well.

8 I move that we grant the request
9 to defer cancellation. Do I have a second?

10 MEMBER ALBERTI: Second.

11 CHAIRPERSON MILLER: Mr. Alberti
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON MILLER: All those
16 opposed? All those abstaining? The motion
17 passes 4-0-0.

18 Okay. That completes the
19 Supplemental Licensing Agenda.

20 Next, we can go to our
21 Cancellations. I am going to move that we
22 approve cancellation for: Neisha Thai,

1 Slaviya, Yo Sushi and The Getaway.

2 Do I have a second on that?

3 MEMBER RODRIGUEZ: Second.

4 CHAIRPERSON MILLER: Okay.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON MILLER: All those
8 opposed? All those abstaining? The motion
9 passes 4-0-0 to approve those cancellations.

10 Okay. I move that we -- I think
11 we probably have already done it on the
12 previous agenda, but put Muse Nightclub in
13 safekeeping. Let me just double check that.

14 MEMBER ALBERTI: For six months.

15 CHAIRPERSON MILLER: For six
16 months. We did that No. 2 on the Supplemental
17 License. We already approved that six months
18 in safekeeping. So that is off, will not be
19 canceled.

20 And then the last one is
21 Serendipity 3 in which in the Supplemental
22 Agenda we voted to defer cancellation pending

1 the bankruptcy proceedings.

2 Okay. So no action is required.

3 Okay. That completes the Cancellation Agenda.

4 We can turn to our Legal Agenda.

5 No. 1 is the Marrakech Lounge.

6 It's a letter from Lisa Drazin, Trustee for
7 The Bernice J. Drazin Trust dated July 18,
8 2014 related to Marrakech Lounge located at
9 1817 Columbia Road.

10 And she is asking us to kind of
11 delay related to an application for transfer
12 at 1817. And the appropriate action is to
13 refer to DCRA, because this is a water issue
14 and it's not really in our jurisdiction to
15 take that kind of action.

16 And I have been informed, I think
17 the Board has been informed, that ABRA has
18 already referred this matter to DCRA, so no
19 action is required.

20 No. 2 is a letter dated July 17,
21 2014 from Mary Ann Brazell, owner, related to
22 The Cupboard at 1504 East Capitol Street, N.E.

1 This letter we are interpreting as
2 a request for a hearing. And it will be
3 forwarded to the Office of the Attorney
4 General.

5 I move that we do that, that we
6 forward it to the Office of the Attorney
7 General. It is in the nature of a request,
8 appealing a citation. So is there a second on
9 the motion to forward it to OAG and treat it
10 as a request for hearing?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Okay. Mr.
13 Silverstein seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those
17 opposed? All those abstaining? The motion
18 passes 4-0-0.

19 No. 3 is an amendment to a
20 settlement agreement dated July 21, 2014 for
21 Reed-Cooke Neighborhood Association, ANC-1C
22 and Quang V.Le. of Le Liquor located at 1776

1 Columbia Road, N.W., License No. 90659.

2 I move that we approve this
3 amendment. Do I have a second?

4 MEMBER SILVERSTEIN: Second.

5 CHAIRPERSON MILLER: Mr.

6 Silverstein seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? The motion
11 passes 4-0-0.

12 No. 4 is a settlement agreement
13 dated March 4, 2014 between Rudrakaiash, LLC
14 and ANC-6D. And it relates to Masala Art
15 located at 1101 4th Street, S.W., Unit 120,
16 License No. 94766.

17 I move that we approve it with
18 modifications to paragraph No. 4 and that
19 would be deleting the second sentence of that
20 paragraph, that provision. Do I have a
21 second?

22 MEMBER RODRIGUEZ: Second.

1 CHAIRPERSON MILLER: Mr. Rodriguez
2 has seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed? All those abstaining? The motion
7 passes 4-0-0.

8 No. 5 is a first settlement
9 agreement dated June 29, 2014 for Cafe Dallul,
10 Reed-Cooke Neighborhood Association, ANC-1C
11 and the Kalorama Citizens Association with
12 respect to Rendezvous Lounge located at 2226
13 18th Street, N.W., License No. 014272.

14 I move that we approve this
15 agreement. Do I have a second?

16 MEMBER RODRIGUEZ: Second.

17 CHAIRPERSON MILLER: Mr. Rodriguez
18 seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

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

1 passes 4-0-0.

2 No. 6 is a request to provide Gift
3 and Loans from Wholesalers related to Cambria
4 Winery located at 5476 Chardonnay Lane, Santa
5 Monica, California, License No. 456714.

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

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON MILLER: Mr.

10 Silverstein seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON MILLER: All those
14 opposed? All those abstaining? The motion
15 passes 4-0-0.

16 And finally, No. 7 is a review of
17 11 requests from E & J Gallo to provide
18 retailers with products valued at more than
19 \$50 and less than \$500.

20 I move that we approve these
21 requests. Do I have a second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Mr.

2 Silverstein seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed? All those abstaining? The motion
7 passes 4-0-0.

8 And that completes the agenda and
9 we just need to take a vote on the closed
10 meetings for next week.

11 As Chairperson of the Alcoholic
12 Beverage Control Board for the District of
13 Columbia and in accordance with Section 405 of
14 the Open Meetings Amendment Act of 2010, I
15 move that the ABC Board hold a closed meeting
16 on August 6, 2014 for the purpose of seeking
17 legal advice from our counsel on the matters
18 identified on the Board's Agenda for August 6,
19 2014 as published in the DC Register on August
20 2, 2014.

21 Is there a second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Mr.
2 Silverstein seconded the motion. I will now
3 take a roll call vote on the motion now that
4 it has been seconded.

5 Mr. Alberti?

6 MEMBER ALBERTI: I agree.

7 CHAIRPERSON MILLER: Mr.
8 Rodriguez?

9 MEMBER RODRIGUEZ: I agree.

10 CHAIRPERSON MILLER: Ms. Miller
11 agrees.

12 Mr. Silverstein?

13 MEMBER SILVERSTEIN: I agree.

14 CHAIRPERSON MILLER: It appears that the
15 motion has passed by a 4-0-0 vote.

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

1 meeting on that date.

2 Okay. Next is for the

3 Investigative Agenda.

4 As Chairperson of the Alcoholic
5 Beverage Control Board for the District of
6 Columbia and in accordance with Section 405 of
7 the Open Meetings Amendment Act of 2010, I
8 move that the ABC Board hold a closed meeting
9 on August 6, 2014 for the purpose of
10 discussing and hearing reports concerning
11 ongoing or planned investigations of alleged
12 criminal or civil misconduct or violations of
13 law or regulations and seeking legal advice
14 from our counsel on the Board's Investigative
15 Agenda for August 6, 2014 as published in the
16 DC Register on August 2, 2014.

17 Is there a second?

18 MEMBER SILVERSTEIN: Second.

19 CHAIRPERSON MILLER: Mr.

20 Silverstein seconded the motion. I'll now
21 take a roll call on the motion before us now
22 that it has been seconded.

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Mr. Alberti?

MEMBER ALBERTI: I agree.

CHAIRPERSON MILLER: Mr.

Rodriguez?

MEMBER RODRIGUEZ: I agree.

CHAIRPERSON MILLER: Ms. Miller

agrees.

Mr. Silverstein?

MEMBER SILVERSTEIN: I agree.

CHAIRPERSON MILLER: It appears

that the motion has passed by a 4-0-0 vote.

I hereby give notice that the ABC

Board will hold this aforementioned closed

meeting pursuant to the Open Meetings

Amendment Act of 2010. Notice will also be

posted on the ABC Board hearing room bulletin

board, placed on the electronic calendar on

ABRA's website and published in the DC

Register in as timely a manner as practicable.

And that concludes our business on

the dias, at least for July 30, 2014. And we

1 are adjourned.

2 (Whereupon, the A.B.R.A. Agenda in
3 the above-entitled matter was concluded at
4 1:43 p.m.)

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