

1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

3

4 OTHER PERSONS PRESENT:

5 NICK ALBERTI, BOARD MEMBER

6 JAMES SHORT, BOARD MEMBER

7 MIKE SILVERSTEIN, BOARD MEMBER

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

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

2 CHAIRPERSON ANDERSON: Let's do the legal
3 agenda. The first matter on the legal agenda is
4 the review of ANC 6B's request to continue the
5 protest hearing regarding Chaplin's license
6 renewal application, Chaplin, license #095700. I
7 make a motion that we approve this request. Is
8 there a second?

9 MR. SHORT: Second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion. All those in favor say aye.
12 (Chorus of ayes.) Those opposed? (No audible
13 response.) The matter passed 3-zero-zero.

14 The next matter is review of the
15 corporate agreement dated November 14, 2016,
16 between Takorean and ANC 6D, Takorean license
17 #094804. I make a motion that this matter be
18 approved. Is there a second?

19 MR. ALBERTI: Second.

20 CHAIRPERSON ANDERSON: Mr. Alberti has
21 seconded the motion. All those in favor say aye.
22 (Chorus of ayes.) Those opposed? (No audible

1 response.) The matter passed 4-zero-zero.

2 The next matter is the review of a letter
3 from ANC 6D concerning future renewals of CT
4 license for the Bullpen, license #081924. I make
5 a motion that this matter be referred to
6 enforcement. Is there a second?

7 MR. ALBERTI: Second.

8 CHAIRPERSON ANDERSON: Mr. Alberti has
9 seconded the motion. All those in favor say aye.
10 (Chorus of ayes.) Those opposed? (No audible
11 response.) The matter passed 4-zero-zero.

12 The next matter is the review of a
13 settlement agreement dated November 16, 2016,
14 between The Avenue and ANC 3/4G, The Avenue,
15 license #101007. I make a motion that this
16 matter be approved. Is there a second?

17 MR. SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has
19 seconded the motion. All those in favor say aye.
20 (Chorus of ayes.) Those opposed? (No audible
21 response.) The matter passed 4-zero-zero.

22 The next matter is a review of D.C.

1 Shenanigan's letter dated November 2nd, 2016,
2 requesting the withdrawal of its unilateral
3 petition to terminate the settlement agreement,
4 Shenanigan's, license #088119. I make a motion
5 that this matter be approved. Is there a second?

6 MR. ALBERTI: Second.

7 CHAIRPERSON ANDERSON: Mr. Alberti has
8 seconded the motion. All those in favor say aye.
9 (Chorus of ayes.) Those opposed? (No audible
10 response.) The matter passed 4-zero-zero.

11 The next matter is the review of a
12 consent motion to continue show cause hearing for
13 cases #16-CMP-00201, and #16-CMP-00322,
14 Restaurant Inc., Smith Point, license #601131. I
15 make a motion that this matter be approved. Is
16 there a second?

17 MR. SILVERSTEIN: Second.

18 CHAIRPERSON ANDERSON: Mr. Silverstein
19 has seconded the motion. All those in favor say
20 aye. (Chorus of ayes.) Those opposed? (No
21 audible response.) The matter passed 5-zero-
22 zero.

1 The next matter is the review of The
2 Alibi's motion to stay case #16-CMP-00503, Alibi,
3 license #097969. I make a motion that this
4 matter be denied. Is there a second?

5 MR. Short: Second.

6 CHAIRPERSON ANDERSON: Mr. Short has
7 seconded the motion. All those in favor say aye.
8 (Chorus of ayes.) Those opposed? (No audible
9 response.) The matter passed 4-zero-zero.

10 The next matter is review of the District
11 of Columbia's opposition to respondent's motion
12 to stay case #16-CMP-00503, the Alibi, license
13 #097969. This matter is now moot.

14 The next matter is the review of the
15 Alibi's motion to stay case #16-CMP-00600, the
16 Alibi, license #097969. I make a motion that
17 this matter be denied. Is there a second?

18 MR. SHORT: Second.

19 CHAIRPERSON ANDERSON: Mr. Short has
20 seconded the motion. All those in favor say aye.
21 (Chorus of ayes.) Those opposed? (No audible
22 response.) The matter passed 4-zero-zero.

1 The next matter is review of the District
2 of Columbia's opposition to respondent's motion
3 to stay case #16-CMP-00600, the Alibi, license
4 #097969. This matter is now moot.

5 The next matter is to review a settlement
6 agreement dated November 22nd, 2016, between ANC
7 6C and The Wydown, license #104111. I make a
8 motion that we approve this with modifications.
9 Is there a second?

10 MR. ALBERTI: Second.

11 CHAIRPERSON ANDERSON: Mr. Alberti has
12 seconded the motion. All those in favor say aye.
13 (Chorus of ayes.) Those opposed? (No audible
14 response.) The matter passed 4-zero-zero.

15 The next matter is to review the order of
16 the Glover Park moratorium zone, third notice of
17 proposed rulemaking. I make a motion that this
18 matter be approved. Is there a second?

19 MR. ALBERTI: Second.

20 CHAIRPERSON ANDERSON: Mr. Alberti has
21 seconded the motion. All those in favor say aye.
22 (Chorus of ayes.) Those opposed? (No audible

1 response.) The matter passed 4-zero-zero.

2 The next matter is to review the
3 technical amendment notice of final rulemaking.
4 I make a motion that this matter be approved. Is
5 there a second?

6 MR. SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion. All those in favor say
9 aye. (Chorus of ayes.) Those opposed? (No
10 audible response.) The matter passed 4-zero-
11 zero.

12 The next matter is to review the pub
13 crawl notice of final rulemaking. Is there a
14 second? Is there a second?

15 MR. SHORT: Second.

16 CHAIRPERSON ANDERSON: Mr. Short has
17 seconded the motion. All those in favor say aye.
18 (Chorus of ayes.) Those opposed? (No audible
19 response.) The matter passed 4-zero-zero.

20 We now move to our supplementary legal
21 agenda. The first matter on our supplementary
22 legal agenda is review of ANC 5E's withdrawal of

1 its protest petition against Dark Room, license
2 #103803. I make a motion that this matter be
3 approved. Is there a second?

4 MR. ALBERTI: Second.

5 CHAIRPERSON ANDERSON: Mr. Alberti has
6 seconded the motion. All those in favor say aye.
7 (Chorus of ayes.) Those opposed? (No audible
8 response.) The matter passed 4-zero-zero.

9 We now move to our licensing agenda. The
10 first matter on our licensing agenda is review an
11 application for safekeeping of license Petworth
12 Liquors, license #072626. I make a motion that
13 this matter be granted through March 31, 2017.
14 Is there a second?

15 MR. ALBERTI: Second.

16 CHAIRPERSON ANDERSON: Mr. Alberti has
17 seconded the motion. All those in favor say aye.
18 (Chorus of ayes.) Those opposed? (No audible
19 response.) The matter passed 4-zero-zero.

20 We now move to the review of application
21 for license for Wa-Zo-Bia, license #079306. I
22 make a motion that we approve the request through

1 March 31, 2017. Is there a second?

2 MR. ALBERTI: Second.

3 CHAIRPERSON ANDERSON: Mr. Alberti has
4 seconded the motion. All those in favor say aye.
5 (Chorus of ayes.) Those opposed? (No audible
6 response.) The matter passed 4-zero-zero.

7 The next matter is to review application
8 for safekeeping of license for Etete Ethiopian
9 Cuisine, license #070728. I make a motion that
10 this matter be approved through March 31, 2017.
11 Is there a second?

12 MR. SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion. All those in favor say aye.
15 (Chorus of ayes.) Those opposed? (No audible
16 response.) The matter passed 4-zero-zero.

17 The next matter is to review application
18 of safekeeping of license for Cookie's Corner,
19 license #104077. I make a motion that this
20 matter be approved through March 31, 2017. Is
21 there a second?

22 MR. ALBERTI: Second.

1 CHAIRPERSON ANDERSON: Mr. Alberti has
2 seconded the motion. All those in favor say aye.
3 (Chorus of ayes.) Those opposed? (No audible
4 response.) The matter passed 4-zero-zero.

5 The next matter is to review a request to
6 extend safekeeping of license for Sona Creamery
7 and Wine Bar, license #092841. I make a motion
8 that this matter be approved through March 31,
9 2017. Is there a second?

10 MR. ALBERTI: Second.

11 CHAIRPERSON ANDERSON: Mr. Alberti has
12 seconded the motion. All those in favor say aye.
13 (Chorus of ayes.) Those opposed? (No audible
14 response.) The matter passed 4-zero-zero.

15 The next matter is to review a request to
16 extend safekeeping of license for Yegena's,
17 license #074817. I make a motion that this be
18 granted through March 31, 2017. Is there a
19 second?

20 MR. SHORT: Second.

21 CHAIRPERSON ANDERSON: Mr. Short has
22 seconded the motion. All those in favor say aye.

1 (Chorus of ayes.) Those opposed? (No audible
2 response.) The matter passed 4-zero-zero.

3 The next matter is to review an
4 application for class change from Retailer DT to
5 Retailer CT, for Wunder Garten, license #098173.
6 I make a motion that this matter be placarded.
7 Is there a second?

8 MR. ALBERTI: Second.

9 CHAIRPERSON ANDERSON: Mr. Alberti has
10 seconded the motion. All those in favor say aye.
11 (Chorus of ayes.) Those opposed? (No audible
12 response.) The matter passed 4-zero-zero.

13 The next matter is to review floor plans
14 for new Class B full service grocery store Lupo
15 Alimentaria, license #103007. I make a motion
16 that this matter be referred to enforcement. Is
17 there a second?

18 MR. SHORT: Second.

19 CHAIRPERSON ANDERSON: Mr. Short has
20 seconded the motion. All those in favor say aye.
21 (Chorus of ayes.) Those opposed? (No audible
22 response.) The matter passed 4-zero-zero.

1 The next matter is to review a transfer
2 application by Justin Ventura, LLC, regarding
3 Highland Liquor, license #104360. This is just
4 an FYI for the board.

5 The next matter is to review a request
6 for change of hours for Fast Eddie's Billiards
7 Café, license #000931. I make a motion that we
8 have a fact finding hearing. Is there a second?

9 MR. ALBERTI: Second.

10 CHAIRPERSON ANDERSON: Mr. Alberti has
11 seconded the motion. All those in favor say aye.
12 (Chorus of ayes.) Those opposed? (No audible
13 response.) The matter passed 4-zero-zero.

14 The next matter is to review a request to
15 increase sidewalk café seating from 14 to 20 for
16 the Hampton Inn and Suites, license #099532. I
17 make a motion that this matter be approved. Is
18 there a second?

19 MR. ALBERTI: Second.

20 CHAIRPERSON ANDERSON: Mr. Alberti has
21 seconded the motion. All those in favor say aye.
22 (Chorus of ayes.) Those opposed? (No audible

1 response.) The matter passed 4-zero-zero.

2 The next matter is to review a letter
3 from Syed Fahad Saghir requesting two nonprofit
4 corporation option permit. I make a motion that
5 this matter be approved. Is there a second?

6 MR. SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion. All those in favor say aye.
9 (Chorus of ayes.) Those opposed? (No audible
10 response.) The matter passed 4-zero-zero.

11 The next matter is to review a letter
12 from Executive Director Ian Houston requesting a
13 refund of late fees for Foreign Service Club,
14 license #00108. I make a motion that we deny
15 this request. Is there a second?

16 MR. SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein
18 has seconded the motion. All those in favor say
19 aye. (Chorus of ayes.) Those opposed? (No
20 audible response.) The matter passed 4-zero-
21 zero.

22 We now move to our second supplementary

1 licensing agenda. The first matter on our agenda
2 is to review a request for reinstatement of
3 cancelled license for Yegna, license #074241. I
4 make a motion that we deny this request. All in
5 favor say aye. (Chorus of ayes.) Those opposed?
6 The matter passed 3 to 1 with Mr. Anderson in
7 disagreement.

8 As chairperson of the Alcoholic Beverage
9 Control Board for the District of Columbia and in
10 accordance D.C. Official code Section 2574 B,
11 Closed Meetings and Section 2574 Notice of
12 Meetings of the Open Meetings Amendment Act, I
13 move that the ABC Board hold a closed meeting on
14 December 7, 2016, for the purpose of discussing
15 and hearing reports concerning ongoing or planned
16 investigations of alleged criminal or civil
17 misconduct or violations of law or regulations
18 and seeking legal advice from our counsel on the
19 board's investigative, licensing and legal agenda
20 for December 7, 2016 as published in the D.C.
21 Register on December 2, 2016. Is there a second?

22 MR. SILVERSTEIN: Second.

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

5 CHAIRPERSON ANDERSON: Mr. Silverstein?

6 MR. SILVERSTEIN: Aye.

7 CHAIRPERSON ANDERSON: Mr. Short?

8 MR. SHORT: I agree.

9 CHAIRPERSON ANDERSON: Mr. Alberti?

10 MR. ALBERTI: I agree.

11 CHAIRPERSON ANDERSON: Mr. Anderson? I
12 agree. As it appears that the motion has passed,
13 I hereby give notice that the ABC Board will hold
14 its aforementioned closed meeting pursuant to the
15 Open Meetings Act. Notice will also be posted on
16 the ABC board here in the room on the room
17 bulletin board, placed on the electronic calendar
18 on ABRA's website and published in the D.C.
19 Register in as timely a manner as is practical.
20 It is 4:17 and we are adjourned for the day.
21 Thank you.