

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

2 6:27 p.m.

3 CHAIRPERSON MILLER: Okay. We're back
4 on the record to do the Board's agendas for
5 February 4, 2015. We will start with the
6 Licensing Agendas.

7 The first item on the Licensing Agenda
8 is an application for a safekeeping of a license.
9 It's an original request by Lace Hospitality
10 located at 2214 Rhode Island Avenue, N.E.,
11 License No. 076369.

12 I move that we approve for a period of
13 six months. Do I have a second?

14 MEMBER RODRIGUEZ: Second.

15 CHAIRPERSON MILLER: Mr. Rodriguez
16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON MILLER: All those
20 opposed? All those abstaining? The motion
21 passes 5-0-0.

22 No. 2 is a request for a change of

1 hours for a summer garden by Rock N Roll Hotel
2 and it also involves live entertainment for the
3 garden. Rock N Roll Hotel is located at 1353 H
4 Street, N.E., License No. 072777.

5 I move that we approve this request.

6 Do I have a second?

7 MEMBER RODRIGUEZ: Second.

8 CHAIRPERSON MILLER: Oh, I'm sorry.

9 I'm sorry, let me modify it. I move that we
10 approve -- oh, no, that's right, that we approve
11 this request. Okay. Second?

12 MEMBER RODRIGUEZ: Second.

13 CHAIRPERSON MILLER: Mr. Rodriguez
14 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 5-0-0.

20 Next is the Supplemental Licensing
21 Agenda. First is a reconsideration of a request
22 to reinstate a canceled license. We have granted

1 reinstatement of the license on December 3, 2014
2 conditioned upon the payment of all outstanding
3 fees and fines. And as of February 3, 2015, no
4 payment has been received.

5 Accordingly, I move to cancel the
6 license. Do I have a second?

7 MEMBER BROOKS: Second.

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

10 All those in favor say aye.

11 ALL: Aye.

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

15 No. 2 involves the same situation. We
16 reinstated a canceled license on December 3, 2014
17 conditioned upon payment of all outstanding fees
18 and fines for National Tap House, 1331
19 Connecticut Avenue, N.W., ABRA-092156.

20 As of February 3, 2015, no payment has
21 been received. Therefore, I'm moving to cancel
22 this license.

1 MEMBER SHORT: Second.

2 CHAIRPERSON MILLER: And Mr. Short has
3 seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

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

9 No. 3 is a request for a temporary
10 operating permit for Bourbon located at 2321 18th
11 Street, N.W., License No. 070823.

12 I move that we approve this request.

13 Do I have a second?

14 MEMBER BROOKS: Second.

15 CHAIRPERSON MILLER: Mr. Brooks has
16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

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

22 No. 4 is an application for a class

1 change from Class B to Class A for Best DC
2 Supermarket located at 1507 U Street, N.W.,
3 License No. 075139.

4 I move that we placard this request.
5 Do I have a second?

6 MEMBER SHORT: Second.

7 CHAIRPERSON MILLER: Mr. Short has
8 seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

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

14 No. 5 is a request for off-site
15 storage to store Experience Umbria Wines at 1701
16 Florida Avenue, N.W. Via Umbria is located at
17 1525 Wisconsin Avenue, N.W., License No. 097178.

18 I move that we continue this one week.

19 MEMBER RODRIGUEZ: Second.

20 CHAIRPERSON MILLER: And Mr. Rodriguez
21 ha seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

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

5 No. 6 is a letter from Michael D.
6 Fonseca conceding that Alamac, Inc.'s request for
7 a sidewalk cafe with 28 seats is a substantial
8 change and requesting approval for placards. And
9 this is for The River Inn/Dish, 924 25th Street,
10 N.W., License No. 001782.

11 I move that we placard.

12 MEMBER SHORT: Second.

13 CHAIRPERSON MILLER: Mr. Short has
14 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. 6 is a request for approval to
21 provide gifts of more than \$50 but less than
22 \$500. It's for Premium Distributors located at

1 3500 Fort Lincoln Drive, N.E., License No.
2 060290. What?

3 MEMBER RODRIGUEZ: It's No. 7. You
4 said No. 6.

5 CHAIRPERSON MILLER: Oh, this is No.
6 7, Premium Distributors. And I move that we
7 approve this request.

8 MEMBER RODRIGUEZ: Second it.

9 CHAIRPERSON MILLER: And Mr. Rodriguez
10 has 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 No. 8 is a request from Melles
17 Hospitality Group to withdraw application for a
18 new CR License. The establishment is The Alibi
19 Restaurant & Lounge located at 237 2nd Street,
20 N.W., License No. 092491.

21 I move that we approve this request.
22 Do I have a second?

1 MEMBER SHORT: Second.

2 MEMBER RODRIGUEZ: Wait, isn't that
3 the one we said --

4 CHAIRPERSON MILLER: No. This is just
5 a request to remove --

6 MEMBER ALBERTI: To withdraw.

7 CHAIRPERSON MILLER: -- to withdraw
8 their application for a license. It's a
9 withdrawal request.

10 MEMBER ALBERTI: That's all we are
11 approving.

12 CHAIRPERSON MILLER: All those in
13 favor say aye.

14 ALL: Aye.

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

18 No. 9 is a request for a refund of
19 third year fee for canceled license. This is for
20 Ruby Tuesday #5320 located at 3365 14th Street,
21 N.W., License No. 075456.

22 I move we deny.

1 MEMBER SHORT: Second.

2 CHAIRPERSON MILLER: Mr. Short has
3 seconded the motion. It's the policy of the
4 Agency not to grant any refunds for canceled
5 licenses.

6 So all those in favor of denying say
7 aye.

8 ALL: Aye.

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

12 Next we have a Second Supplemental
13 Licensing Agenda.

14 The first item is asking the Board to
15 approve an involuntary transfer for Bistro 18
16 located at 2420 18th Street, N.W., License No.
17 086876.

18 I move that we approve this
19 involuntary transfer. Do I have a second?

20 MEMBER RODRIGUEZ: Second.

21 CHAIRPERSON MILLER: Mr. Rodriguez
22 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. 2 is another application for
7 safekeeping of a license. It's an original
8 request. And it is for Bistro 18 that I just
9 referenced above.

10 I move that we approve safekeeping for
11 a period of six months. Do I have a second?

12 MEMBER BROOKS: Second.

13 CHAIRPERSON MILLER: Mr. Brooks has
14 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. 3 is a request for off-site
21 storage to store accounting records at a second
22 location, 5020 Glenbrook Road, N.W., and the

1 request is by Gypsy Sally's located at 3401 K
2 Street, N.W., License No. 090582.

3 I move that we approve this request.

4 MEMBER RODRIGUEZ: Second.

5 CHAIRPERSON MILLER: Mr. Rodriguez has
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 No. 4 is a request for a stipulated
13 license and it has a letter of ANC in support.
14 It's by Melt Shop located at 1901 L Street, N.W.,
15 License No. 09742.

16 I move that we approve this request.

17 Do I have a second?

18 MEMBER BROOKS: Second.

19 CHAIRPERSON MILLER: Mr. Brooks has
20 seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

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

4 Okay. We have a Notice of
5 Cancellation Agenda with one item on it, that is
6 Ruby Tuesday #5320, ABRA-075456 located at 3365
7 14th Street, N.W.

8 The establishment is closed and the
9 licensee has requested cancellation of the
10 license. Therefore, I move that we approve
11 cancellation. Do I have a second?

12 MEMBER SHORT: Second.

13 CHAIRPERSON MILLER: Mr. Short has
14 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 Okay. That completes the Cancellation
21 Agenda and the Licensing Agendas. We just have
22 the Legal Agendas left.

1 First item on the Legal Agenda is a
2 review of a settlement agreement between Baris
3 Protestant Group and J&K Market dated December 2,
4 2014. J&K Market is located at 234 15th Street,
5 N.E., License No. 090684.

6 I move that we approve the settlement
7 agreement.

8 All those in favor say aye.

9 ALL: Aye.

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

13 No. 2 is a review of a settlement
14 agreement among ANC-1B, Gallagher Protestant
15 Group and Wet Dog Tavern dated January 20, 2015.
16 Wet Dog Tavern is located at 2100 Vermont Avenue,
17 N.W., License No. 096176.

18 I move that we approve the settlement
19 agreement. Do I have a second?

20 MEMBER SHORT: Second.

21 CHAIRPERSON MILLER: Mr. Short has
22 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 And No. 3 is an amendment to a
7 settlement agreement between ANC-6A and Cusbah
8 dated January 11, 2015. Cusbah is located at
9 1128 H Street, N.E., License No. 088779.

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

12 MEMBER RODRIGUEZ: Second.

13 CHAIRPERSON MILLER: Mr. Rodriguez
14 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 Okay. Finally, we have a Supplemental
21 Legal Agenda.

22 The first item on the Supplemental

1 Legal Agenda is a Motion for Reconsideration of
2 finding that petitioner committed an egregious
3 violation of D.C. Code 25-781 dated January 23,
4 2015. This is related to Smith & Wollensky
5 located at 1112 19th Street, N.W, License No.
6 060001.

7 And No. 2 is the Government's response
8 to that Motion for Reconsideration.

9 And I move that we continue
10 consideration of these two items to next week.
11 Do I have a second?

12 MEMBER BROOKS: Second.

13 CHAIRPERSON MILLER: Mr. Brooks has
14 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. 3 is a letter of request for a
21 Fact-Finding Hearing for an incident occurring
22 Takoma Station Tavern on January 25, 2015

1 submitted by Metropolitan Police Department Chief
2 Cathy Lanier dated January 25, 2015. Takoma
3 Station Tavern is located at 6914 4th Street,
4 N.W., License No. 079370.

5 I move that we schedule a Fact-Finding
6 Hearing on this issue February 11, 2015 at 11:00
7 a.m.

8 MEMBER SHORT: Second.

9 CHAIRPERSON MILLER: Mr. Short has
10 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 No. 4 is a request of Show Cause
17 Hearing dated February 2, 2015 submitted by Brian
18 Footer, Commissioner ANC-1B01, and Golda Philip,
19 President of LeDroit Park Civic Association. It
20 is related to Columbia Lodge #85 of I.B.P.O.E.,
21 1844 3rd Street, N.W., License No. 000237.

22 In this request, the ANC Commissioner

1 and the President of the civic association assert
2 that they have -- that Columbia Lodge has been in
3 violation of their settlement agreement and they
4 have already gone through the Notice of Cure
5 process and so they are referring their complaint
6 to the Board to forward to, I guess, Office of
7 the Attorney General.

8 But our process is that we will
9 forward the letter outlining the complaints to
10 our Enforcement Office and request a report from
11 them and based on that report then we would
12 consider forwarding to OAG.

13 So I move that we forward their letter
14 to our Enforcement Division for investigation.

15 MEMBER SHORT: Who would that be
16 referred to?

17 CHAIRPERSON MILLER: We would refer to
18 our Enforcement Division for investigation, yes.

19 MEMBER SHORT: Second.

20 CHAIRPERSON MILLER: Okay. Mr. Short
21 has seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

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

5 No. 5 is a settlement agreement
6 between ANC-6A and Pizza Parts and Service dated
7 December 31, 2014. Pizza Parts and Service is
8 located at 1310 H Street, N.E., License No.
9 096311.

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

12 MEMBER BROOKS: Second.

13 CHAIRPERSON MILLER: Mr. Brooks has
14 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 And finally, we have an Emergency
21 Rulemaking for Adams Morgan Moratorium Zone and
22 the action is necessary due to the impending

1 expiration of the existing Emergency Rules.

2 So I move that we approve this
3 Emergency Rulemaking. Do I have a second?

4 MEMBER RODRIGUEZ: Second.

5 CHAIRPERSON MILLER: Mr. Rodriguez has
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 So that concludes our agendas for
13 today. And we have left to vote on our closed
14 meetings for next week.

15 As Chairperson of the Alcoholic
16 Beverage Control Board for the District of
17 Columbia and in accordance with Section 405 of
18 the Open Meetings Amendment Act of 2010, I move
19 that the ABC Board hold a closed meeting on
20 February 11, 2015 for the purpose of seeking
21 legal advice from our counsel on the matters
22 identified on the Board's Agenda for February 11,

1 2015 as published in the DC Register on February
2 6, 2015.

3 Is there a second?

4 MEMBER BROOKS: Second.

5 CHAIRPERSON MILLER: Mr. Brooks has
6 seconded the motion. I'll now take a roll call
7 vote on the motion before us now that it has been
8 seconded.

9 Mr. Brooks?

10 MEMBER BROOKS: I agree.

11 CHAIRPERSON MILLER: Mr. Rodriguez?

12 MEMBER RODRIGUEZ: I agree.

13 CHAIRPERSON MILLER: Ms. Miller
14 agrees.

15 Mr. Short?

16 MEMBER SHORT: I agree.

17 CHAIRPERSON MILLER: Mr. Short agrees.
18 It appears that the motion has passed by a vote
19 of 4-0-0.

20 I hereby give notice that the ABC
21 Board will hold this aforementioned closed
22 meeting pursuant to the Open Meetings Amendment

1 Act of 2010. Notice will also be posted on the
2 ABC Board hearing room bulletin board, placed on
3 the electronic calendar on ABRA's website and
4 published in the DC Register in as timely a
5 manner as practicable.

6 As Chairperson of the Alcoholic
7 Beverage Control Board for the District of
8 Columbia and in accordance with Section 405 of
9 the Open Meetings Amendment Act of 2010, I move
10 that the ABC Board hold a closed meeting on
11 February 11, 2015 for the purpose of discussing
12 and hearing reports concerning ongoing or planned
13 investigations of alleged criminal or civil
14 misconduct or violations of law or regulations
15 and seeking legal advice from our counsel on the
16 Board's Investigative Agenda for February 11,
17 2015 as published in the DC Register on February
18 6, 2015.

19 Is there a second?

20 MEMBER SHORT: Second.

21 CHAIRPERSON MILLER: Mr. Short has
22 seconded the motion. I'll now take a roll call

1 vote on the motion before us now that it has been
2 seconded.

3 Mr. Brooks?

4 MEMBER BROOKS: I agree.

5 CHAIRPERSON MILLER: Mr. Rodriguez?

6 MEMBER RODRIGUEZ: I agree.

7 CHAIRPERSON MILLER: Ms. Miller
8 agrees.

9 Mr. Short?

10 MEMBER SHORT: I agree.

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

13 I hereby give notice that the ABC
14 Board will hold this aforementioned closed
15 meeting pursuant to the Open Meetings Amendment
16 Act of 2010. Notice will also be posted on the
17 ABC Board hearing room bulletin board, placed on
18 the electronic calendar on ABRA's website and
19 published in the DC Register in as timely a
20 manner as practicable.

21 And that concludes our business for
22 February 4, 2015 and we are adjourned.

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(Whereupon, the A.B.R.A. Agenda in the
above-entitled matter was concluded at 6:42 p.m.)

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