

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

A.B.R.A. Agenda

Agenda
Hearing

April 22, 2015

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
HERMAN JONES, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

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

2 6:23 p.m.

3 CHAIRPERSON MILLER: Okay. We are
4 back on the record to do the agendas and
5 cancellations and cease and desists for April 22,
6 2015.

7 We will start with the Legal Agenda.
8 We have one item on the Legal Agenda which is a
9 Letter of Concern regarding Tico's Substantial
10 Change Request dated April 6, 2015 submitted by
11 Joan Sterling, President, on behalf of the Shaw
12 Dupont Citizens Alliance, Inc. The establishment
13 is Tico located at 1926 14th Street, N.W., License
14 No. 093610.

15 It expresses concerns about Tico's
16 request for some change in hours. And in any
17 event, this request doesn't require any action,
18 at this time, so we will treat it as an FYI, at
19 this time.

20 Okay. That's it for the Legal Agenda.

21 We have a Supplemental Legal Agenda,
22 which has two items on it. They are both

1 settlement agreements.

2 No. 1 is an amendment to a settlement
3 agreement between ANC-3/4G and American City
4 Diner dated April 14, 2015. American City Diner
5 is located at 5532 Connecticut Avenue, N.W.,
6 License No. 094922.

7 I would move that we approve with
8 modification to paragraph 5 which deals with
9 enforcement and in particular with respect to
10 that last line stating that this agreement shall
11 give rise to a private right of action. And our
12 General Counsel can discuss that with them, but
13 other than that, I would move to approve.

14 MEMBER SHORT: Second.

15 CHAIRPERSON MILLER: Mr. Short 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. 2 is a settlement agreement

1 between ANC-2F and Chao Ku dated April 1, 2015.
2 Chao Ku is located at 1414 9th Street, N.W.,
3 License No. 097857.

4 I move to approve this settlement
5 agreement with modification to paragraph 2, which
6 is the nature of the business and in particular
7 it should not have Chinese food in it. And there
8 is better language, I think, that our attorneys
9 have for changes from the model. I believe those
10 were the two concerns.

11 Anybody else have any other concerns?

12 MEMBER ALBERTI: No.

13 CHAIRPERSON MILLER: Okay. So I move
14 then approval with modification to Paragraph No.
15 2. Is there a second?

16 MEMBER ALBERTI: Second.

17 CHAIRPERSON MILLER: Mr. Alberti
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 Next we have Licensing Agendas. The
3 first item on the Licensing Agenda is a request
4 for safekeeping of license by Tackle Box located
5 at 3245 M Street, N.W., License No. 084952.

6 MEMBER ALBERTI: Second.

7 CHAIRPERSON MILLER: It's an original
8 request. I move that we approve this for six
9 months. Mr. Alberti seconded the request or the
10 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. 2 is an application for a new C
17 Tavern with sidewalk cafe and wine pub. Okay.
18 This is to be determined (Basque Bar, LLC)
19 located at 300 Florida Avenue, N.W., License No.
20 098528.

21 I move that we have a Fact-Finding
22 Hearing on this application.

1 MEMBER ALBERTI: Second.

2 CHAIRPERSON MILLER: Mr. Alberti
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 change of hours
10 for Chat's Liquors located at 503 8th Street,
11 S.E., License No. 000200.

12 I move that we approve this request.
13 Do I have a second?

14 MEMBER RODRIGUEZ: Second it.

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 4-0-0.

22 No. 4 is a change of hours request for

1 Wheeler Liquors located at 4137 Wheeler Road,
2 S.E., License No. 088122.

3 I move that we approve this request.

4 Do I have a second?

5 MEMBER SHORT: Second.

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

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. 5 is a request for change of hours
14 by Minnesota Liquors located at 2237 Minnesota
15 Avenue, S.E., License No. 000222.

16 I move that we approve. Do I have a
17 second?

18 MEMBER ALBERTI: Second.

19 CHAIRPERSON MILLER: Mr. Alberti
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 No. 6 is a change of hours request
5 from New Da Hsin Trading, Inc., 811 7th Street,
6 N.W., License No. 023501.

7 I move that we approve. Do I have a
8 second?

9 MEMBER SHORT: Second.

10 CHAIRPERSON MILLER: Mr. Short has
11 seconded the motion.

12 All those in favor say aye.

13 ALL: Aye.

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

17 No. 7 is a request for a change of
18 hours for New District Kitchen and it's located
19 at 2606 Connecticut Avenue, N.W., and the change
20 of hours is both inside and with respect to a
21 sidewalk cafe.

22 So I move that we placard this

1 application. Do I have a second?

2 MEMBER RODRIGUEZ: Second.

3 CHAIRPERSON MILLER: Mr. Rodriguez
4 seconded the motion.

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.

10 No. 8 is a request for change of hours
11 with respect to Lee's Liquors located at 2339
12 Pennsylvania Avenue, S.E., License No. 095751.

13 I move that we refer this to
14 licensing. Do I have a second?

15 MEMBER SHORT: Second.

16 CHAIRPERSON MILLER: Mr. Short
17 seconded the motion.

18 All those in favor say aye.

19 ALL: Aye.

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

1 No. 9 is an application for an
2 entertainment endorsement for Hyatt Place
3 Washington, D.C./U.S. Capitol located at 33 New
4 York Avenue, N.E., License No. 095445.

5 I move that we approve this
6 application. Do I have a second?

7 MEMBER ALBERTI: Second.

8 CHAIRPERSON MILLER: Mr. Alberti
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. 10 is an application for an
16 entertainment endorsement to include live band
17 music, DJs and live broadcasting of local radio
18 stations. This is for Next Door Restaurant & Bar
19 located at 1211 U Street, N.W., License No.
20 077567.

21 I move that we placard this
22 application. Do I have a second?

1 MEMBER ALBERTI: Second.

2 CHAIRPERSON MILLER: Mr. Alberti
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. 11 is a request for stipulated
10 license with a letter of ANC support. This is
11 for Bistro on U Street located at 926-928 U
12 Street, N.W., License No. 098081.

13 I move that we refer this request to
14 licensing. Do I have a second?

15 MEMBER SHORT: Second.

16 CHAIRPERSON MILLER: Mr. Short has
17 seconded the motion.

18 All those in favor say aye.

19 ALL: Aye.

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

1 No. 12 is a request for off-site
2 storage of liquor invoices. This is by Acre 121
3 located at 1400 Irving Street, N.W., License No.
4 086384.

5 And I move that we request this
6 request. Do I have a second?

7 MEMBER RODRIGUEZ: Second.

8 CHAIRPERSON MILLER: Mr. Rodriguez
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. 13 is a request for off-site
16 storage of liquor invoices by Lou's City Bar
17 located at 1400 Irving Street, N.W., License No.
18 086419.

19 I move that we approve this request.
20 Do I have a second?

21 MEMBER ALBERTI: Second.

22 CHAIRPERSON MILLER: Mr. Alberti

1 seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

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

7 No. 14 is an application for a
8 manager's license for Matthew J. Chubb, ABRA No.
9 098601.

10 I move that we approve this
11 application. 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 MEMBER ALBERTI: Aye.

17 CHAIRPERSON MILLER: Aye.

18 MEMBER RODRIGUEZ: Aye.

19 CHAIRPERSON MILLER: All those
20 opposed? All those abstaining?

21 MEMBER SHORT: Abstain.

22 CHAIRPERSON MILLER: Okay. So the

1 vote is 3-0-1 with Mr. Short abstaining.

2 MEMBER ALBERTI: You're getting
3 closer, Mr. Short.

4 CHAIRPERSON MILLER: No. 15 --

5 MEMBER SHORT: You're all working on
6 me.

7 CHAIRPERSON MILLER: -- is an
8 application for a manager's license and this is
9 for Samantha M. Cole, ABRA No. 098164.

10 I move that we have a Fact-Finding
11 Hearing for this application. Do I have a
12 second?

13 MEMBER ALBERTI: Second.

14 CHAIRPERSON MILLER: Mr. Alberti
15 seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

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

21 No. 16 is an application for a
22 manager's license for Michael Hertz, ABRA No.

1 098350.

2 I move that we hold a Fact-Finding
3 Hearing for this application as well.

4 MEMBER SHORT: Second.

5 CHAIRPERSON MILLER: Mr. Short 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. 17 is an application for a
13 manager's license for Rebecca L. Bray, ABRA No.
14 098610.

15 I move that we approve this
16 application. Do I have a second?

17 MEMBER ALBERTI: Second.

18 CHAIRPERSON MILLER: Mr. Alberti
19 seconded the motion.

20 All those in favor say aye.

21 MEMBER ALBERTI: Aye.

22 CHAIRPERSON MILLER: Aye.

1 MEMBER RODRIGUEZ: Aye.

2 CHAIRPERSON MILLER: All those
3 opposed? All those abstaining?

4 MEMBER SHORT: Abstain.

5 CHAIRPERSON MILLER: The motion passes
6 3-0-1 with Mr. Short abstaining.

7 Okay. We have a Supplemental
8 Licensing Agenda.

9 No. 1 is an application for
10 safekeeping of license for Parkview Patio located
11 at 3632 Georgia Avenue, N.W., License No. 082215.

12 I move that we approve for a period of
13 six months.

14 MEMBER SHORT: Second.

15 CHAIRPERSON MILLER: Mr. Short 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. 2 is a request to remove license

1 from safekeeping status by Ankara, formerly known
2 as Levante's, located at 1320 19th Street, N.W.,
3 License No. 091129.

4 I move that we approve. Do I have a
5 second?

6 MEMBER SHORT: Second.

7 MEMBER ALBERTI: How long has this one
8 been in there? I'm trying to remember what we
9 were told.

10 CHAIRPERSON MILLER: Well, we are
11 removing this one.

12 MEMBER ALBERTI: I know, but --

13 CHAIRPERSON MILLER: Oh, okay.

14 MEMBER ALBERTI: -- if it has been in
15 safekeeping for more than two years --

16 CHAIRPERSON MILLER: We should placard
17 is what you are --

18 MEMBER ALBERTI: -- it should be
19 placarded.

20 CHAIRPERSON MILLER: All right. Let
21 me double check that then.

22 MEMBER ALBERTI: So I don't remember

1 what the information was on this one.

2 CHAIRPERSON MILLER: Okay. Well, it
3 says seek the Board's approval to remove the
4 license from safekeeping. The licenseholder is
5 in the final stages of securing the remaining
6 documents needed to obtain their license.

7 MEMBER SHORT: My note says approved.

8 CHAIRPERSON MILLER: Please submit our
9 request to the Board.

10 Okay. No. 3 is a transfer application
11 from Bardia's and it is Bistro 18 located at 2420
12 18th Street, N.W., License No. 086876.

13 I move that we placard this.

14 MEMBER SHORT: Second.

15 CHAIRPERSON MILLER: Mr. Short 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 3-0-0.

22 No. 4 is an application for a new

1 restaurant with a sidewalk cafe. It's Someplace
2 Else located at 1637 R Street, N.W.

3 And I move that we Fact-Find this
4 hearing. Do I have a second?

5 MEMBER SHORT: Second.

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

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining? The motion
12 passes 3-0-0.

13 The next one is No. 5, an application
14 for a new multi-purpose facility. It's the
15 Gallaudet Pavilion located at 1399 5th Street,
16 S.E. It doesn't have a license number.

17 I move that we Fact-Find this
18 application. Do I have a second?

19 MEMBER RODRIGUEZ: Second.

20 CHAIRPERSON MILLER: Mr. Rodriguez
21 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 3-0-0.

5 No. 6 is an application for a new
6 Class D multi-purpose facility. It's the Andrew
7 Keegan Theatre Company located at 1742 Church
8 Street, N.W. It doesn't have a license number
9 yet.

10 I move we have a Fact-Finding Hearing
11 on this.

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 3-0-0.

20 No. 7 is a request for a stipulated
21 license. It's for Good Food Markets located at
22 2006 Rhode Island Avenue, N.E., License No.

1 098178. This is in ANC-5C.

2 MEMBER SHORT: Did the ANC approve
3 that?

4 CHAIRPERSON MILLER: Well, you know,
5 I'm looking at that. I think we need to double
6 check that. Let's see, because I don't have that
7 in my notes.

8 MEMBER RODRIGUEZ: Which one is that?

9 MEMBER SHORT: No. 7.

10 MEMBER RODRIGUEZ: 7?

11 CHAIRPERSON MILLER: 7, yes.

12 MEMBER SHORT: Good Food. They want
13 to get stipulated license.

14 MEMBER RODRIGUEZ: All right.

15 MEMBER SHORT: I notice we don't do
16 that without the ANC weighing in.

17 CHAIRPERSON MILLER: Correct, yes.
18 They did. Here we go. Okay. They did. ANC has
19 a resolution that they submitted dated April 15,
20 2015. "Therefore, I shall enact this resolution
21 in support of the stipulated Class B grocery,
22 beer and wine license." Okay. And the vote was

1 7-0-0.

2 Okay. So I move that we approve this
3 request.

4 MEMBER SHORT: Second.

5 CHAIRPERSON MILLER: Okay. And Mr.
6 Short has 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 MEMBER ALBERTI: No. 2?

13 CHAIRPERSON MILLER: What?

14 MEMBER RODRIGUEZ: No. 2.

15 MEMBER ALBERTI: No. 2, my suggestion
16 is that we postpone this for one week, because I
17 don't know. I would rather be safe on this one.
18 It will only delay them one week and --

19 CHAIRPERSON MILLER: Okay.

20 MEMBER ALBERTI: -- I'm not sure they
21 have everything in anyway. So I mean, I hate not
22 to placard it.

1 CHAIRPERSON MILLER: Oh, okay.

2 MEMBER ALBERTI: I hate not to placard
3 it if it has been closed for two years and not
4 give the neighborhood an opportunity to weigh in.

5 CHAIRPERSON MILLER: So there isn't a
6 way to check on that today?

7 MEMBER ALBERTI: I don't think so. No
8 one is around.

9 CHAIRPERSON MILLER: Okay. Because we
10 have a lot of cancellations to read.

11 MEMBER ALBERTI: We have a lot what?

12 CHAIRPERSON MILLER: We have a lot of
13 cancellations to read.

14 MEMBER ALBERTI: Well, yes, okay.
15 Well, we can always come back.

16 CHAIRPERSON MILLER: Yes, why don't we
17 just leave this one, yes.

18 MEMBER ALBERTI: Okay.

19 MEMBER RODRIGUEZ: Keep moving.

20 CHAIRPERSON MILLER: Yes, let's keep
21 moving.

22 No. 8, okay, a request for a

1 stipulated license. This is in ANC-3C and I do
2 recall reading the ANC-3C resolution supporting
3 the license. And it is for Barcelona Cathedral,
4 LLC located at 3336 Wisconsin Avenue, N.W.

5 So I move that we approve the
6 stipulated license.

7 MEMBER RODRIGUEZ: Second it.

8 CHAIRPERSON MILLER: And Mr. Rodriguez
9 has seconded it.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON MILLER: All those
13 opposed? All those abstaining? The motion
14 passes 3-0-0.

15 No. 9 is related. It's a request for
16 approval of wholesale/distributor payments from
17 parent entity. Barteca Restaurants, LLC related
18 to Barcelona Cathedral, LLC that we just
19 mentioned above.

20 So I move that we approve this
21 request.

22 MEMBER SHORT: Second.

1 CHAIRPERSON MILLER: Mr. Short has
2 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 3-0-0.

8 No. 10 is a request for approval of
9 proposed modification to the establishment's
10 restaurant and bar/lounge area seating capacity
11 for Carlyle Suites Hotel located at 1731 New
12 Hampshire Avenue, N.W., License No. 090805.

13 I move that we approve the proposed
14 modifications.

15 MEMBER RODRIGUEZ: Second it.

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

18 All those in favor say aye.

19 ALL: Aye.

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

1 And No. 11 is an application for a
2 manager's license for Sergey A. Vakhrushev, ABRA
3 No. 098706.

4 I move that we approve this
5 application. Do I have a second?

6 MEMBER ALBERTI: Which application?

7 CHAIRPERSON MILLER: This is No. 11.

8 MEMBER RODRIGUEZ: 11.

9 CHAIRPERSON MILLER: Mr. Vakhrushev.

10 MEMBER ALBERTI: Oh, yes, approve.

11 I'll second that.

12 CHAIRPERSON MILLER: Okay. Mr.

13 Alberti seconded the motion.

14 All those in favor say aye.

15 MEMBER ALBERTI: Aye.

16 CHAIRPERSON MILLER: Aye.

17 All those opposed? All those
18 abstaining?

19 MEMBER RODRIGUEZ: Abstain.

20 CHAIRPERSON MILLER: Okay.

21 MEMBER SHORT: And I abstain.

22 CHAIRPERSON MILLER: You're

1 abstaining? We will have to pass on this and
2 come back then, because it's --

3 MEMBER ALBERTI: Yes.

4 CHAIRPERSON MILLER: -- 2-2. We don't
5 have a --

6 MEMBER ALBERTI: We can find out,
7 because Fred is going to -- I'm trying to pull up
8 a spreadsheet that Fred sent us. And he is
9 looking at it now. He is pulling it up. He has
10 a spreadsheet with all the safekeeping, so he
11 will be able to tell us.

12 MEMBER SHORT: Oh, he did send it to
13 us, yes.

14 MEMBER ALBERTI: So he will be able to
15 tell us.

16 CHAIRPERSON MILLER: Oh, good.

17 MEMBER ALBERTI: Why don't you just
18 continue. He will look.

19 CHAIRPERSON MILLER: Yes, we really
20 can't say too much, because it's a personnel
21 thing, but yes, the vote was 2-2, so maybe you
22 can break the tie. We're on No. 11, application

1 for a manager's license for Sergey A. Vakhrushev.

2 MEMBER JONES: Approve.

3 CHAIRPERSON MILLER: Okay.

4 So all those in favor say aye.

5 MEMBER ALBERTI: Aye.

6 CHAIRPERSON MILLER: Aye.

7 MEMBER JONES: Aye.

8 MEMBER ALBERTI: You remember that
9 one, right?

10 MEMBER JONES: Yes, we talked about it
11 earlier.

12 CHAIRPERSON MILLER: You approve.
13 Okay. And then you two?

14 MEMBER SHORT: Abstain.

15 MEMBER RODRIGUEZ: Abstain.

16 CHAIRPERSON MILLER: Abstain. So the
17 vote is 3-0-2. Short and Rodriguez abstain.

18 MEMBER SHORT: Are we going to come
19 back to No. 2?

20 CHAIRPERSON MILLER: We're going to
21 come back to No. 2 on this.

22 MEMBER ALBERTI: Okay. So No. 2 --

1 CHAIRPERSON MILLER: Yes?

2 MEMBER ALBERTI: -- is we can take it
3 out. We can approve to take it out.

4 CHAIRPERSON MILLER: Sure.

5 MEMBER ALBERTI: It went into
6 safekeeping in January, so that was just
7 recently.

8 CHAIRPERSON MILLER: Okay. Good. All
9 right. Then we don't need to placard it then.

10 MEMBER ALBERTI: Right.

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

13 ALL: Aye.

14 CHAIRPERSON MILLER: All those
15 opposed? All those abstaining? The motion
16 passes 4-0-0. That was No. 2.

17 All right. We have a Second
18 Supplemental Licensing Agenda, one item, and that
19 is an application for a new Retail B Grocery
20 Store with accompanying Retailer C Restaurant.
21 The establishment is Centrolina located at 974
22 Palmer Alley, N.W., License No. 098356/098364.

1 I move that we postpone consideration
2 of this application for a week.

3 MEMBER SHORT: Second it.

4 CHAIRPERSON MILLER: Okay. Mr. Short
5 seconded.

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 Okay. We have a Cease and Desist
12 Agenda for Class C Retailers. Okay. It's a big
13 list, so bear with me. I think I'm going to read
14 them all and then we can vote in bulk, okay?

15 MEMBER ALBERTI: Yes.

16 CHAIRPERSON MILLER: Because I don't
17 expect any dissention in here, but you can speak
18 up if you do. All right.

19 So the first one is ABRA No. 076070,
20 Casa Oaxaca. This is for cease and desist orders
21 for the reasons outlined below.

22 Okay. Casa Oaxaca didn't make their

1 third year payment. Well, maybe we will vote on
2 them. No. Okay. This will be in Board Order
3 No. 2015-156 after we vote.

4 The next is ABRA No. 072512, Sweet
5 Mango Cafe. This will be Board Order No. 2015-
6 157, also didn't make third year payment.

7 ABRA No. 072201, Dino, 3433
8 Connecticut Avenue, N.W. The licensee did not
9 make third year payment.

10 MEMBER RODRIGUEZ: Correct, Madam
11 Chair.

12 CHAIRPERSON MILLER: Yes?

13 MEMBER RODRIGUEZ: On Sweet Mango
14 Cafe.

15 CHAIRPERSON MILLER: Yes?

16 MEMBER RODRIGUEZ: That is 072512. I
17 think you said 517.

18 CHAIRPERSON MILLER: Oh, okay. Thank
19 you.

20 MEMBER RODRIGUEZ: Yes.

21 CHAIRPERSON MILLER: Okay. So Dino
22 will be in Board Order No. 2015-158.

1 ABRA No. 060611, Thai Place. This is
2 on Desales Street, N.W. They didn't make the
3 third year payment. Board Order No. 2015-159.

4 ABRA No. 060123, La Villa Restaurant
5 at 1317 14th Street, N.W., didn't make third year
6 payment. This will be Board Order No. 2015-160.

7 ABRA No. 082284, Tuscana West located
8 at 1350 I Street, N.W., didn't make second and
9 third year payments. This is Board Order No.
10 2015-180.

11 ABRA No. 083378, Black and Orange
12 located at 1300 Connecticut Avenue, N.W., didn't
13 make second and third year payments, Board Order
14 No. 2015-181.

15 ABRA No. 083564, Sur La Place at 5105
16 Macarthur Boulevard, N.W., didn't make third year
17 payment, Board Order No. 2015-161.

18 ABRA No. 083808, Pho DC located at 608
19 H Street, N.W., didn't make third year payment.
20 Will be in Board Order No. 2015-162.

21 Next is ABRA No. 084836, Mayur Kebab
22 House located at 1108 K Street, N.W., licensee

1 didn't make third year payment. It will be in
2 Board Order No. 2015-163.

3 ABRA No. 084987, Puro Cafe located at
4 1529 Wisconsin Avenue, N.W. This licensee did
5 not make second and third year payments. It will
6 be in Board Order No. 2015-182.

7 ABRA No. 086210, Driftwood Kitchen
8 located at 400 H Street, N.E., didn't make third
9 year payment. Will be in Board Order No. 2015-
10 164.

11 ABRA No. 089631, Takeateasy located at
12 1990 M Street, N.W., didn't make third year
13 payment. Will be in Board Order No. 2015-167.

14 ABRA No. 089823, Axum Restaurant
15 located at 1934 9th Street, N.W., didn't make
16 third year payment. Will be in Board Order No.
17 2015-168.

18 Okay. The following three didn't make
19 third year payments:

20 ABRA No. 090050, which is Heritage
21 India/The Zanzibar at 1901 Pennsylvania Avenue,
22 N.W. It will be in Board Order No. 2015-169.

1 ABRA No. 090128, Heritage India/Cafe
2 Mirasol, located at 1633 P Street, N.W., will be
3 in Board Order No. 2015-170.

4 ABRA No. 090464, Kitty O'Shea's DC
5 located at 4624 Wisconsin Avenue, N.W., will be
6 in Board Order No. 2015-171.

7 The next two also didn't make the
8 third year payments:

9 ABRA No. 090725, Firelake Grill
10 located at 4200 Wisconsin Avenue, N.W., will be
11 in Board Order No. 2015-172.

12 ABRA No. 091373, Ethiopian Restaurant
13 & Market located at 4630 14th Street, N.W. It
14 will be in Board Order No. 2015-174.

15 ABRA No. 093124, LaJoya Steakhouse
16 Restaurant located at 201 Upshur Street, N.W.,
17 did not make second and third year payments.

18 That will be in Board Order No. 2015 --

19 MEMBER SHORT: Madam Chair, did you do
20 Indigo?

21 MEMBER ALBERTI: I think you skipped
22 that one.

1 CHAIRPERSON MILLER: Where is Indigo?

2 MEMBER ALBERTI: Yes.

3 MEMBER SHORT: Indigo, you skipped it.

4 MEMBER ALBERTI: It comes right after
5 Ethiopian.

6 CHAIRPERSON MILLER: Oh, I don't have
7 it on mine.

8 MEMBER SHORT: 243 K Street.

9 CHAIRPERSON MILLER: I don't have it
10 on this one. So this is the one -- I have a copy
11 that staff gave me, so I don't --

12 MEMBER ALBERTI: That's the one that
13 staff gave you? Go with the one that staff gave
14 you.

15 CHAIRPERSON MILLER: Yes, yes.

16 MEMBER ALBERTI: Because --

17 CHAIRPERSON MILLER: The updated.

18 MEMBER ALBERTI: -- Indigo may have
19 dropped off.

20 CHAIRPERSON MILLER: Maybe they paid.

21 MEMBER ALBERTI: They may have paid.

22 MEMBER SHORT: Okay.

1 CHAIRPERSON MILLER: Yes.

2 MEMBER SHORT: Keep going.

3 MEMBER ALBERTI: Yes, keep going.

4 CHAIRPERSON MILLER: So okay. I think

5 I was at LaJoya Steakhouse Restaurant. They

6 didn't make their second and third year payments.

7 That will be in Board Order No. 2015-183.

8 Okay. The next three or the last

9 three on the list didn't make their third year

10 payments.

11 ABRA No. 094064, Bergami's located at

12 2350 Washington Place, N.E., Board Order No.

13 2015-177.

14 ABRA No. 095570, Custom Fuel Pizza &

15 Salads located at 1635 Connecticut Avenue, N.W.,

16 will be Board Order No. 2015-178.

17 And ABRA No. 097025, Odaly's

18 Restaurant located at 1200 Kennedy Street, N.W.,

19 Board Order No. 2015-179.

20 So I'm going to move that we approve

21 issuing orders to cease and desist for all the

22 establishments that I just read off for the

1 reasons attributed to them.

2 MEMBER SHORT: Second.

3 CHAIRPERSON MILLER: Mr. Short has
4 seconded the motion.

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.

10 MEMBER ALBERTI: Friday and Monday
11 will be a busy day here.

12 MEMBER RODRIGUEZ: They got what 10
13 days, too.

14 CHAIRPERSON MILLER: Oh, my God.

15 MEMBER ALBERTI: They will call me in
16 as soon as they get this.

17 CHAIRPERSON MILLER: I have some more
18 to read, oh my, God. Geez, oh man. I have a
19 very good Cancellation Agenda. Do you have that
20 one? Okay.

21 MEMBER ALBERTI: Cancellation for
22 what?

1 MEMBER RODRIGUEZ: Second and third
2 year.

3 CHAIRPERSON MILLER: Different
4 reasons.

5 MEMBER ALBERTI: No, no, no, I know.
6 For different reasons?

7 MEMBER SHORT: We outlined below.

8 MEMBER ALBERTI: We signed them all
9 today.

10 CHAIRPERSON MILLER: Yes. We are just
11 going to take them up.

12 MEMBER RODRIGUEZ: El Sauce, I know we
13 did that.

14 CHAIRPERSON MILLER: El Sauce, okay,
15 we will start with El Sauce. All of these
16 following licenses I'm going to move after
17 reading them for cancellation for the following
18 reasons attributed to each of them. Where they
19 are the same, I'll see if I can group, but
20 starting with:

21 ABRA No. 072654, El Sauce Restaurant
22 & Carry-Out located at 1227 77th Street, N.W.

1 MEMBER SHORT: That's a misprint.

2 CHAIRPERSON MILLER: Yes, that doesn't
3 sound right, does it?

4 MEMBER SHORT: That's a misprint.

5 CHAIRPERSON MILLER: Okay. It's for
6 El Sauce Restaurant & Carry-Out. Maybe it's 7th
7 Street, but they requested cancellation of the
8 license, so that will be Board Order No. 2015-
9 144.

10 Next is ABRA No. 093942, The Cocktail
11 Shop located at 1701 Florida Avenue, N.W. They
12 have ceased operations and requested
13 cancellation. That is Board Order No. 2015-184.

14 ABRA No. 090570, Temporary Works
15 located at 1017 7th Street, N.W. The
16 establishment is closed permanently and the
17 licensee has requested cancellation, Board Order
18 No. 2015-186.

19 Okay. The next three are all for the
20 reason that the establishment is closed
21 permanently and requested cancellation. They
22 are:

1 ABRA No. 072746, The Passenger &
2 Columbia Room located at 1021 7th Street, N.W.,
3 that will be Board Order No. 2015-185.

4 ABRA No. 071077, Bon Appetit
5 Management Company located at 4801 Massachusetts
6 Avenue, N.W., that will be Board Order No. 2015-
7 188.

8 ABRA No. 088012, Rosa Mexicana located
9 at 5225 Wisconsin Avenue, N.W., that will be
10 Board Order No. 2015-189.

11 Next is ABRA No. 088222, Stop & Shop
12 Liquors located at 3011 Rhode Island Avenue, N.E.
13 The licensee did not renew and ABRA Investigators
14 confirmed this establishment appears to be out of
15 business. That will be Board Order No. 2015-146.

16 Next is ABRA No. 085708, Chocolate
17 City Beer located at 2801 8th Street, N.E.
18 Licensee did not make second year payment and
19 ABRA Investigators confirmed this establishment
20 appears to be out of business. And that will be
21 Board Order No. 2015-147.

22 ABRA No. 008737, Chalin's Restaurant

1 located at 4250 Connecticut Avenue, N.W. The
2 establishment is closed permanently and the
3 licensee has requested cancellation of the
4 license, that's Board Order No. 2015-187.

5 Okay. The next eight are being
6 canceled because their license is in safekeeping
7 and the licensee did not make third year
8 payments.

9 That is ABRA No. 000741, The
10 Washington Club located at 15 Dupont Circle,
11 N.W., Board Order No. 2015-190.

12 Next is ABRA No. 072194, The Majestic
13 By Gwen located at 1368 H Street, N.E., that will
14 be Board Order No. 2015-191.

15 Next is ABRA No. 003854, Pizzeria Uno
16 located at 3211 M Street, N.W., that will be
17 Board Order No. 2015-192.

18 Next is ABRA No. 027564, Bertucci's
19 Brick Oven Pizzeria located at 1220 Connecticut
20 Avenue, N.W., that will be Board Order No. 2015-
21 193.

22 Next is ABRA No. 019269, Coppi's Pizza

1 located at 1414 U Street, N.W., that will be
2 Board Order No. 2015-194.

3 Next is ABRA No. 021020, Neyla located
4 at 3206 N Street, N.W., Board Order No. 2015-195.

5 Next is ABRA No. 021055, Carolina
6 Palace located at 3700 14th Street, N.W., that
7 will be Board Order No. 2015-196.

8 And next is ABRA No. 080108, Food
9 Corner Kabob located at 2029 P Street, N.W., that
10 will be Board Order No. 2015-197.

11 Next is ABRA No. 082751, Ghana Cafe
12 located at 1336 14th Street, N.W. The licensee
13 did not make third year payment. That is in
14 safekeeping, Board Order No. 2015-198.

15 The next two didn't make second or
16 third year payments.

17 That's ABRA No. 086083, Legends
18 located at 1836 Columbia Road, N.W., that will be
19 Board Order No. 2015-105.

20 And the other one is ABRA No. 086659,
21 Al Crostino located at 1324 U Street, N.W., Board
22 Order No. 2015-106.

1 Okay. The next six the licensee did
2 not make third year payment and their license is
3 in safekeeping.

4 ABRA No. 086876, Bistro 18 located at
5 2420 18th Street, N.W., that will be Board Order
6 No. 2015-199.

7 Next is ABRA No. 010299, River Club
8 located at 3223 K Street, N.W., that will be
9 Board Order No. 2015-100.

10 Next is ABRA No. 087813, Pho Bar and
11 Grill located at 1360 H Street, N.E., that will
12 be Board Order No. 2015-101.

13 Next is ABRA No. -89019, Merkato
14 Ethiopian Restaurant located at 1909 9th Street,
15 N.W., that will be Board Order No. 2015-103.

16 Next is ABRA No. 087961, Roadside Cafe
17 located 2101 Benning Road, N.E., that will be
18 Board Order No. 2015-102.

19 And then ABRA No. 090781, Sangria Cafe
20 located at 3636 16th Street, N.W., that will be
21 Board Order No. 2015-104.

22 The next one is 086499, Frederick P.

1 Winner, wholesaler. The licensee did not renew,
2 that will be in Board Order No. 2015-107.

3 Next is ABRA No. 060113, Columbia Wine
4 & Liquors located at 1151 Bladensburg Road, N.E.
5 The licensee did not renew, Board Order No. 2015-
6 108.

7 And the following three also the
8 licensee did not renew and the license is in
9 safekeeping. They are:

10 ABRA No. 021877, Family Liquors
11 located at 710 H Street, N.E., Board Order No.
12 2015-175.

13 Next is ABRA No. 082962, AM Wine
14 Shoppe located at 2122 18th Street, N.W., Board
15 Order No. 2015-176.

16 And finally, ABRA No. 024362, Uptown
17 Wine & Spirits located at 4704 14th Street, N.W.,
18 and that will be in Board Order No. 2015-109.

19 And I move that we approve the
20 cancellation of the licenses I just read and for
21 the reasons attributed to them.

22 MEMBER SHORT: Second.

1 CHAIRPERSON MILLER: Mr. Short has
2 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 MEMBER ALBERTI: Are we going to be
9 reinstating the whole -- I mean, a whole lot of
10 letters for reinstatement.

11 MEMBER RODRIGUEZ: Yes, and a lot of
12 money, too.

13 MEMBER SHORT: And a lot of money,
14 yes.

15 CHAIRPERSON MILLER: All right. I've
16 got too more. They are much shorter,
17 fortunately. Cease and Desist for C & D
18 Retailers. Okay. The reasons -- the
19 establishments and reasons for each are as
20 follows:

21 ABRA No. 085344, West End Cinema.
22 It's multi-purpose. It's located at 2301 M

1 Street, N.W. Licensee didn't make the third year
2 payment. That will be set forth in Board Order
3 No. 2015-151.

4 The next two are also for not making
5 a third year payment.

6 The first one is ABRA No. 084410,
7 Motor Yacht Celebrity (1 of 3) located at 1300
8 Maine Avenue, S.W., and that will be Board Order
9 No. 2015-152.

10 And next is ABRA No. 013080,
11 Vittorio's Pizzeria/Gelato Bar located at 50
12 Massachusetts Avenue, N.E., that will be Board
13 Order No. 2015-153.

14 ABRA No. 088954, Panas Gourmet
15 Empanadas located at 2029 P Street, N.W. The
16 licensee didn't make second or third year
17 payments. And that will be in Board Order No.
18 2015-155.

19 And finally, ABRA No. 091938, Rice Bar
20 located at 601 13th Street, N.W. Licensee didn't
21 make third year payment, that will be in Board
22 Order No. 2015-154.

1 So I move that we issued orders to
2 cease and desist for those establishments for the
3 reasons I just outlined.

4 MEMBER RODRIGUEZ: Second it.

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 One more. We have a Vacating Orders
13 Agenda. I move that we vacate the following
14 order to cease and desist previously issued on
15 April 8, 2015 for:

16 No. 1, ABRA No. 088121, Crown Liquors
17 located at 1325 Connecticut Avenue, N.W. This
18 will be in Board Order No. 2015-142.

19 No. 2, ABRA No. 000023, District
20 Liquors located at 1211 11th Street, N.W. And
21 that will be in Board Order No. 2015-141.

22 I move that we vacate those orders.

1 Do I have a second?

2 MEMBER ALBERTI: Second.

3 CHAIRPERSON MILLER: Mr. Alberti
4 seconded the motion.

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.

10 So that completes our agendas. And we
11 need to vote on having closed meetings next week.
12 Okay.

13 As Chairperson of the Alcoholic
14 Beverage Control Board for the District of
15 Columbia and in accordance with Section 405 of
16 the Open Meetings Amendment Act of 2010, I move
17 that the ABC Board hold a closed meeting on April
18 29, 2015 for the purpose of seeking legal advice
19 from our counsel on the matters identified on the
20 Board's Agenda for April 29, 2015 as published in
21 the DC Register on April 24, 2015.

22 Is there a second?

1 MEMBER SHORT: Second.

2 CHAIRPERSON MILLER: Mr. Short has
3 seconded the motion. I'll now take a roll call
4 vote on the motion before us now that it has been
5 seconded.

6 Mr. Rodriguez?

7 MEMBER RODRIGUEZ: I approve.

8 CHAIRPERSON MILLER: Ms. Miller
9 approves.

10 Mr. Short?

11 MEMBER SHORT: I approve.

12 CHAIRPERSON MILLER: Okay. So it
13 appears that the motion has passed by a 3-0-0
14 vote.

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

1 As Chairperson of the Alcoholic
2 Beverage Control Board for the District of
3 Columbia and in accordance with Section 405 of
4 the Open Meetings Amendment Act of 2010, I move
5 that the ABC Board hold a closed meeting on April
6 29, 2015 for the purpose of discussing and
7 hearing reports concerning ongoing or planned
8 investigations of alleged criminal or civil
9 misconduct or violations of law or regulations
10 and seeking legal advice from our counsel on the
11 Board's Investigative Agenda for April 29, 2015
12 as published in the DC Register on April 24,
13 2015.

14 Is there a second?

15 MEMBER RODRIGUEZ: Second.

16 CHAIRPERSON MILLER: Mr. Rodriguez
17 seconded the motion. I'll now take a roll call
18 vote on the motion before us now that it has been
19 seconded.

20 Mr. Rodriguez?

21 MEMBER RODRIGUEZ: I approve.

22 CHAIRPERSON MILLER: Ms. Miller

1 approves.

2 Mr. Short?

3 MEMBER SHORT: I agree.

4 CHAIRPERSON MILLER: Mr. Short agrees.

5 MEMBER ALBERTI: I agree.

6 CHAIRPERSON MILLER: Mr. Alberti

7 agrees.

8 It appears that the motion has passed
9 by a 4-0-0 vote.

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

18 That concludes our business for April
19 22, 2015 and we are adjourned.

20 (Whereupon, the A.B.R.A. Agenda in the
21 above-entitled matter was concluded at 7:09 p.m.)
22

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