

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

5:36 p.m.

CHAIR MILLER: All right. Okay, we're back on the record, and the remaining cases for this afternoon have been continued.

First case is Seven Seas Restaurant, located at 5915 Georgia Avenue, Northwest, License No. 654. That's been continued to a date to be determined.

The next one that was scheduled for 2:30, Show Bar, fact finding hearing, located at 1210 H Street, Northeast, License No. 76233. That hearing has been continued to a date to be determined, also, as well as the next one, which is Duchess and the Queen, located at 2102 18th Street, Northwest, License No. 89545 in ANC 1C. That hearing has been continued to a date to be determined.

Then Hopeful, Inc. trading as To Be Determined, formerly Bobby Lew's Saloon, located at 1815 Connecticut Avenue, Northwest, License No. 91955. That hearing has been continued to

1 October 7th, 2015 at 10:00 a.m.

2 I think that's all of the hearings.

3 Yes. So, we can now turn to our agenda. We have
4 some very brief agenda, licensing agenda.

5 First item is the request for a
6 stipulated license with letter of ANC support of
7 ANC 2E, and the Applicant is Chala, LLC, located
8 at 3207 Grace Street, Northwest, License No.
9 099787.

10 I move that we approve this request.

11 MEMBER SILVERSTEIN: Second.

12 CHAIR MILLER: Mr. Silverstein
13 seconded the motion. All those in favor say aye.

14 (Chorus of ayes.)

15 CHAIR MILLER: All those opposed?

16 (No audible response.)

17 CHAIR MILLER: All those abstaining?

18 (No audible response.)

19 CHAIR MILLER: The motion passes. 4-0-

20 0. Number two is a request for a stipulated
21 license with letter of ANC support, that's ANC
22 2B, and the establishment is the Mediterranean

1 Way Gourmet Market, located at 1717 Connecticut
2 Avenue, Northwest, License No. 098845. I move
3 that we approve.

4 MEMBER SILVERSTEIN: Second.

5 CHAIR MILLER: Mr. Silverstein
6 seconded the motion. All those in favor say aye.

7 (Chorus of ayes.)

8 CHAIR MILLER: All those opposed?

9 (No audible response.)

10 CHAIR MILLER: All those abstaining?

11 (No audible response.)

12 CHAIR MILLER: The motion passes. 4-0-
13 0.

14 CHAIR MILLER: Number three is the
15 request for a stipulated license with letter of
16 ANC support, that's ANC 6C, and the establishment
17 Applicant is Sugar Factory, located at 50
18 Massachusetts Avenue, Northeast, License No.
19 099949. I move that we approve. Do I have a
20 second?

21 MEMBER SILVERSTEIN: Second.

22 CHAIR MILLER: Mr. Silverstein

1 seconded the motion. All those in favor say aye.

2 (Chorus of ayes.)

3 CHAIR MILLER: All those opposed?

4 (No audible response.)

5 CHAIR MILLER: All those abstaining?

6 (No audible response.)

7 CHAIR MILLER: The motion passes. 4-0-

8 0. Number five is the letter from Richard Bianco
9 withdrawing request for extended hours in the
10 private outdoor space, for substantial change
11 request on 9/26/2015 through 9/27/21015.

12 This relates to the Gallery O on H
13 Street, located at 1354 H Street, Northeast,
14 License No. 094849 and this is just an FYI and no
15 action is required.

16 That completes the licensing agenda
17 for today, and we have two items on the legal
18 agenda.

19 Okay, the first is a withdraw of a
20 protest, dated September 14th, 2015, and this
21 relates to D.C. Pizza, located at 1103 19th
22 Street, Northwest, License No. 094699.

1 I move that we approve this request.

2 Do I have a second?

3 MEMBER BROOKS: Second.

4 CHAIR MILLER: Mr. Brooks has seconded
5 the motion. All those in favor say aye.

6 (Chorus of ayes.)

7 CHAIR MILLER: All those opposed?

8 (No audible response.)

9 CHAIR MILLER: All those abstaining?

10 (No audible response.)

11 CHAIR MILLER: The motion passes. 4-0-
12 0. This decision will be embodied in Board Order
13 No. 2015-434. Number two is a request for
14 reinstatement of protest submitted by the Westend
15 Citizens Association, dated September 14th, 2015.
16 This relates to Hyatt Place, Washington D.C.,
17 Georgetown/ West End, 2112 M Street, Northwest,
18 License No. 099352.

19 As I understand it, the Citizen's
20 Group didn't have their meeting within the 45 day
21 placarding period as required, and therefore, the
22 Applicant didn't get notice within seven days of

1 that meeting, and therefore, they were dismissed.

2 So, based on the statute that requires
3 that 45 day period and assumes a meeting within
4 that period of time, I move to deny the request
5 for reinstatement. Do I have a second?

6 MEMBER SILVERSTEIN: Second, Madam
7 Chair.

8 CHAIR MILLER: Okay, any other
9 comments? All right, then all those in favor of
10 motion to deny say aye.

11 (Chorus of ayes.)

12 CHAIR MILLER: All those opposed?

13 (No audible response.)

14 CHAIR MILLER: All those abstaining?

15 (No audible response.)

16 CHAIR MILLER: The motion passes. 4-0-
17 0. Okay, so that completes our legal agenda and
18 all the agendas for September 24th, 2015, and
19 what remains is for us to vote on our closed
20 meetings for next Wednesday, which is September
21 30th, 2015.

22 Okay, as Chairperson of the Alcoholic

1 Beverage Control for the District of Columbia, in
2 accordance with Section 405 of the Open Meetings
3 Amendment Act of 2010, I move that the ABC Board
4 hold a closed meeting on September 30th, 2015,
5 for the purpose of seeking legal advice from our
6 Counsel on the matters identified on the Board's
7 agenda for September 30th, 2015, as published in
8 the D.C. Register on September 25th, 2015. Is
9 there second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIR MILLER: Mr. Silverstein
12 seconded the motion. I'll now take a roll call
13 vote on the motion before us, now that it's been
14 seconded. Mr. Brooks?

15 MEMBER BROOKS: I agree.

16 CHAIR MILLER: Ms. Miller agrees. Mr.
17 Silverstein?

18 MEMBER SILVERSTEIN: Agree.

19 CHAIR MILLER: And Mr. Short?

20 MEMBER SHORT: I agree.

21 CHAIR MILLER: Okay, it appears that
22 the motion has passed by a 4-0-0 vote. I hereby

1 say that pursuant to the Open Meetings Act of
2 2010, notice will be posted on the ABC Board
3 hearing room bulletin board, placed on the
4 electronic calendar, and ABRA's website and
5 published in the D.C. Register as timely as
6 practical, that we will be having this
7 aforementioned closed meeting.

8 As Chairperson of the Alcoholic
9 Beverage Control Board for the District of
10 Columbia and in accordance with Section 405 of
11 the Open Meetings Amendment Act of 2010, I move
12 that the ABC Board hold a closed meeting on
13 September 30th, 2015, for the purpose of
14 discussing and hearing reports concerning ongoing
15 or planned investigations of alleged criminal or
16 civil misconduct or violations of law or
17 regulations, and seeking legal advice from our
18 Counsel on the Board's investigative agenda for
19 September 30th, 2015, as published in the D.C.
20 Register on September 25th, 2015. Is there a
21 second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIR MILLER: I'll not take a roll
2 call on the motion before us, now that it's been
3 seconded. Mr. Brooks?

4 MEMBER BROOKS: I agree.

5 CHAIR MILLER: Ms. Miller agrees. Mr.
6 Silverstein?

7 MEMBER SILVERSTEIN: I agree.

8 CHAIR MILLER: Mr. Short?

9 MEMBER SHORT: I agree.

10 CHAIR MILLER: It appears that the
11 motion has passed by a 4-0-0 vote. I hereby give
12 notice that the ABC Board will hold this
13 aforementioned closed meeting, pursuant to the
14 Open Meetings Amendment Act of 2010, notice will
15 also be posted on the ABC Board hearing room
16 bulletin board, placed on the electronic calendar
17 and ABRA's website, and published in the D.C.
18 Register as timely as manner as practical. That
19 concludes our business for September 24th, 2015
20 and we are adjourned.

21 (Whereupon, the above-entitled matter
22 went off the record at 5:44 p.m.)

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