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CHAIRPERSON:

DONOVAN W. ANDERSON, Presiding

BOARD MEMBERS:

RUTHANNE MILLER

NICK ALBERTI

JAMES SHORT

MICHAEL SILVERSTEIN

1

2

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

3

[9:28 p.m.]

4

CHAIRMAN ANDERSON: The Board is back in session to continue our agenda for our November 18th, 2015. Four members are present, so therefore, there's a quorum in existence.

8

9

We will not turn to the Board's licensing agenda.

10

The first matter of the agenda is the review application for safekeeping of license, original request ANC-4C, single-member district 4C regarding the establishment Fasika, 4422 Georgia Avenue, Northwest, Retailer DR, License No. 083216.

16

17

18

I will make a motion that we approve the safekeeping through March 31st, 2005 [sic]. Do I have second?

19

MR. ALBERTI: Second.

20

CHAIRMAN ANDERSON: Mr. Alberti seconded.

21

Those in favor, say "aye."

22

[Chorus of ayes.]

1 CHAIRMAN ANDERSON: The vote is 5-zero-  
2 zero.

3 MS. MILLER: That was through March what?

4 CHAIRMAN ANDERSON: March 31st, 2015, to  
5 be continued -- I'm sorry. March 31st, 2016, to  
6 be consistent with the Board's previous orders to  
7 extend safekeeping through that date, that it  
8 will expire at that time.

9 MS. MILLER: Thank you.

10 CHAIRMAN ANDERSON: The second item on  
11 our license agenda is to review application for a  
12 new CS multipurpose facility for Drafthouse  
13 Comedy, 1100 13th Street, Northwest, Suite 103;  
14 Retailer CX, License No. 100884.

15 I make a motion that we refer this for  
16 fact finding. Is there a second?

17 MS. MILLER: Second.

18 CHAIRMAN ANDERSON: Ms. Miller seconded.  
19 Those in favor, say "aye."

20 [Chorus of ayes.]

21 CHAIRMAN ANDERSON: The matter passes, 5-  
22 zero-zero.

1           The third matter on our agenda is a  
2 review application for class change from Retailer  
3 B to Retailer A, 1618 Variety Market, address  
4 1618 8th Street, Northwest; Retailer B, License  
5 No. 08452.

6           I make a motion that we continue the  
7 matter for 2 weeks to appear in our December 2nd,  
8 2015, agenda. Those in favor --

9           MR. SHORT: Second.

10          CHAIRMAN ANDERSON: I'm sorry. Is there  
11 a second?

12          MR. SHORT: Second.

13          CHAIRMAN ANDERSON: Mr. Short.

14          Those in favor, say "aye."

15          [Chorus of ayes.]

16          CHAIRMAN ANDERSON: Any opposed?

17          [No audible response.]

18          CHAIRMAN ANDERSON: The vote passes 5-  
19 zero-zero.

20          The fourth item on our agenda is review  
21 request for change of hours for the establishment  
22 Mudrick's, M-u-d-r-i-c-k, Supermarket, 1065

1 Bladensburg Road, Northeast, Retailer B Grocery,  
2 License No. 097489.

3 I make a motion that we approve this  
4 change. Is there a second?

5 MR. ALBERTI: Second.

6 CHAIRMAN ANDERSON: Mr. Alberti seconded.  
7 Those in favor, say "aye."

8 [Chorus of ayes.]

9 CHAIRMAN ANDERSON: Those opposed?

10 [No audible response.]

11 CHAIRMAN ANDERSON: Matter passes 5-zero-  
12 zero.

13 The next matter on our agenda is the  
14 review request for change of hours for the  
15 establishment 4Corner, which is at 440 Kennedy  
16 Street, Northwest; Retailer B Grocery, License  
17 No. 094175.

18 I make a motion that we approve this  
19 request. Is there a second?

20 MS. MILLER: Second.

21 CHAIRMAN ANDERSON: Mr. Miller seconded  
22 the matter.

1           Those in favor, say "aye."

2           [Chorus of ayes.]

3           CHAIRMAN ANDERSON:   And opposed?

4           [No audible response.]

5           CHAIRMAN ANDERSON:   The matter passes 5-  
6 zero-zero.

7           Next matter on our agenda is review  
8 request for change of hours for the establishment  
9 -- and I think I probably need to go a little bit  
10 --

11          MS. MILLER:   You don't have to read the  
12 whole thing.

13          MR. ALBERTI:   You don't have to read the  
14 whole thing.   Just say the establishment.

15          CHAIRMAN ANDERSON:   All right.   For the  
16 establishment -- okay.   No, 6, review request for  
17 change of hours for the establishment -- I'm  
18 sorry.

19          MR. ALBERTI:   Chaplin.

20          CHAIRMAN ANDERSON:   Chaplin at 1501 9th  
21 Street, Northwest, Retailer CR, License No.  
22 095700.

1           They have asked for a change in their  
2 earlier operating hours.

3           I make a motion.

4           MR. ALBERTI: Let someone else make the  
5 motion.

6           CHAIRMAN ANDERSON: All right.

7           MR. ALBERTI: Because you're going to  
8 deny it, unless you're going to go along with it.

9           Oh, this one you're going along with.  
10 Okay.

11           CHAIRMAN ANDERSON: Yeah. I make a  
12 motion that we approve the earlier hours on this  
13 establishment.

14           Is there a second?

15           MR. SILVERSTEIN: Second.

16           MR. ALBERTI: Wait. I'm sorry. Is this  
17 the one that has earlier hours and later hours?

18           CHAIRMAN ANDERSON: And later hours, yes.

19           MR. ALBERTI: You should probably do it  
20 all as one motion.

21           Go ahead. I'm sorry.

22           CHAIRMAN ANDERSON: Those in favor of --

1 Mr. Silverstein seconded the motion. Those in  
2 favor of extending -- I'm sorry -- allowing the  
3 earlier hours, those in favor, say "aye."

4 [Chorus of ayes.]

5 CHAIRMAN ANDERSON: That vote passes 5-  
6 zero.

7 This establishment has also asked for a  
8 second -- to extend their hours by 30 minutes.

9 There is a -- and there is --

10 MS. MILLER: Do you want to make a motion  
11 on that?

12 CHAIRMAN ANDERSON: All right. Mr.  
13 Silverstein has made a motion to placard that  
14 matter.

15 Is there a second?

16 MR. SHORT: Second.

17 CHAIRMAN ANDERSON: It was seconded by  
18 Mr. Short.

19 Those in favor, say "aye."

20 [Chorus of ayes.]

21 CHAIRMAN ANDERSON: I'm sorry. Let me do  
22 a roll call. Let me do a roll call.

1 Ms. Miller?

2 MS. MILLER: Aye.

3 CHAIRMAN ANDERSON: To placard?

4 MS. MILLER: Placard.

5 CHAIRMAN ANDERSON: Mr. Alberti?

6 MR. ALBERTI: I will oppose because it's  
7 only -- want to go from 2:30 in the morning until  
8 three o'clock. So I would grant this, and that  
9 would be my vote. So I'm opposing the motion.

10 CHAIRMAN ANDERSON: All right. Mr.

11 Short?

12 MR. SHORT: I approve.

13 CHAIRMAN ANDERSON: Mr. Silverstein?

14 MR. SILVERSTEIN: Placard.

15 CHAIRMAN ANDERSON: And the Chair, I vote  
16 no. So the matter passes 3 to 2 with both Mr.  
17 Anderson and Mr. Alberti disapproving of the  
18 placarding, because as Chair, I do believe that  
19 this matter should not go to placard since we're  
20 talking about half an hour at the end of the day.

21 MS. MILLER: I would just like to  
22 comment, then, on the other side, because I think

1 the good reason to placard is because this is  
2 extending very late hours, from 2:30 to three.

3 MR. ALBERTI: Thank you.

4 CHAIRMAN ANDERSON: Thank you.

5 MS. MILLER: Okay.

6 CHAIRMAN ANDERSON: The next matter on  
7 our agenda is the review request to change hours  
8 for the establishment from Satellite Room at 2047  
9 9th Street, Northwest; Retailer CT, License No.  
10 087296.

11 I make a motion that we approve this  
12 matter. Is there a second?

13 MR. SILVERSTEIN: Second.

14 CHAIRMAN ANDERSON: Mr. Silverstein  
15 approves the matter.

16 Those in favor, say "aye."

17 [Chorus of ayes.]

18 CHAIRMAN ANDERSON: The matter passes.  
19 Those opposed?

20 [No audible response.]

21 CHAIRMAN ANDERSON: The matter passes 5-  
22 zero-zero.

1           The next matter on our agenda is the  
2 review request for change hours for the  
3 establishment Carlyle Suites Hotel located at  
4 1731 New Hampshire Avenue, Northwest, Retailer  
5 CH, License No. 090805.

6           I make a motion that this matter be  
7 placarded. Is there a second?

8           MR. SILVERSTEIN: Second.

9           CHAIRMAN ANDERSON: Mr. Silverstein  
10 seconded the motion.

11           Those in favor, say "aye."

12           [Chorus of ayes.]

13           CHAIRMAN ANDERSON: This matter passes 5-  
14 zero-zero.

15           Item No. 9, review request for change of  
16 hours for Roses Queen Liquors located at 830  
17 Bladensburg Road, Northeast; Retailer A Liquor  
18 Store, License No. 060822.

19           I make a motion that this matter be  
20 placarded. Is there a second?

21           MR. SHORT: Second.

22           CHAIRMAN ANDERSON: Mr. Short seconded.

1           Those in favor, say "aye."

2           [Chorus of ayes.]

3           MR. ALBERTI: Opposes.

4           CHAIRMAN ANDERSON: All right. The  
5 matter passes. The vote is -- Mr. --

6           MR. ALBERTI: She's got it.

7           CHAIRMAN ANDERSON: Yeah. 4 to 1 with  
8 Mr. Alberti voting against.

9           No. 10 on our agenda is the review letter  
10 from Attorney Andrew Kline requesting to expand  
11 the -- a letter from attorney, request to expand  
12 the premises to include some additional seats at  
13 the establishment Sally's Middle Name, located at  
14 1320 H Street, Northwest; Retailer DR, License  
15 No. 097355.

16           I make a motion that this matter be  
17 placarded. Is there a second?

18           MR. ALBERTI: Second.

19           CHAIRMAN ANDERSON: Mr. Alberti seconded  
20 it.

21           Those in favor, say "aye."

22           [Chorus of ayes.]

1           CHAIRMAN ANDERSON: The matter passes 5-  
2 zero-zero.

3           No. 11, review application for  
4 entertainment endorsement for the establishment  
5 BIN-1301, at 1301 U Street, Northwest; retailer  
6 CT, License No. 091682.

7           I make a motion that we approve this  
8 matter. Is there a second?

9           MR. SHORT: Second.

10          CHAIRMAN ANDERSON: Mr. Short seconded.

11          Those in favor, say "aye."

12          [Chorus of ayes.]

13          CHAIRMAN ANDERSON: Those opposed?

14          [No audible response.]

15          CHAIRMAN ANDERSON: The matter passes 5-  
16 zero-zero.

17          No. 12 on our agenda is to review  
18 application for entertainment endorsement with  
19 cover charge for the establishment Arcuri, A-r-c-  
20 u-r-i. The address is 2400 Wisconsin Avenue,  
21 Northwest, Retailer CR, License No. 091137.

22          I make a motion that this matter be

1 placarded. Is there a second?

2 MR. SILVERSTEIN: Second.

3 CHAIRMAN ANDERSON: Mr. Silverstein  
4 seconded.

5 Those in favor, say "aye."

6 [Chorus of ayes.]

7 CHAIRMAN ANDERSON: Those opposed?

8 [No audible response.]

9 CHAIRMAN ANDERSON: The matter passes 5-  
10 zero-zero.

11 No. 13 on our agenda is a review request  
12 to add a brew pub endorsement to existing CR  
13 license for the establishment Range/Aggio. The  
14 address is 4335 [sic] Wisconsin Avenue; Retailer  
15 CR, License No. 090239.

16 I make a motion that --

17 MR. ALBERTI: What address again?

18 CHAIRMAN ANDERSON: It is 5335 Wisconsin  
19 Avenue, Northwest, and I make a motion that this  
20 matter be placarded. Is there a second?

21 MR. SHORT: Second.

22 CHAIRMAN ANDERSON: Mr. Short has

1 seconded.

2 Those in favor, say "aye."

3 [Chorus of ayes.]

4 CHAIRMAN ANDERSON: Those opposed?

5 [No audible response.]

6 CHAIRMAN ANDERSON: The matter passes 5-  
7 zero-zero.

8 No. 14 on our agenda is a review  
9 application for a tasting permit, and the  
10 establishment is Corner Market located at 1447  
11 Howard Road, Southeast, Retailer A Liquor Store,  
12 License No. 086200.

13 I make a motion that this matter be  
14 approved. Is there a second?

15 MR. ALBERTI: Second.

16 CHAIRMAN ANDERSON: Mr. Alberti has  
17 seconded.

18 Those in favor, say "aye."

19 [Chorus of ayes.]

20 CHAIRMAN ANDERSON: Those opposed?

21 [No audible response.]

22 CHAIRMAN ANDERSON: The matter passes 5-

1 zero-zero.

2 No. 15 on the agenda is to review  
3 application for tasting permit for Avenue  
4 Supermarket located at 5010 New Hampshire Avenue,  
5 Northwest; Retailer B Grocery, License No.  
6 090417.

7 I make a motion that we approve this  
8 change, this change for tasting permit.

9 MR. ALBERTI: Second.

10 CHAIRMAN ANDERSON: Is there a second?  
11 Mr. Alberti has seconded.

12 Those in favor, say "aye."

13 [Chorus of ayes.]

14 CHAIRMAN ANDERSON: Those opposed?

15 [No audible response.]

16 CHAIRMAN ANDERSON: The matter passes 5-  
17 zero-zero.

18 Now we will address -- we will move on to  
19 our supplementary license agenda, and the first  
20 matter on the supplemental licensing agenda is to  
21 review a request to withdraw application for  
22 Starbucks Coffee located at 1810 Wisconsin

1 Avenue, Northwest; Retailer DR, License No.  
2 100546.

3 This does not require a vote. This is  
4 just an FYI.

5 The next matter on our agenda is the  
6 review request to withdraw application for a new  
7 retailer's CR license for Jose located at 1100  
8 Pennsylvania Avenue, Northwest; Retailer Cr,  
9 License No. 097742.

10 This matter does not require a vote. It's  
11 just an FYI.

12 The next matter on our agenda is the  
13 review request to update ABC license to reflect  
14 approval of summer garden operation with 100  
15 seats for the establishment Dacha Beer Garden  
16 located at 1600 7th Street, Northwest; Retailer  
17 DT, License No. 092773.

18 I make a motion that we postpone this  
19 matter till December 2nd. Is there a second?

20 MR. ALBERTI: Second.

21 CHAIRMAN ANDERSON: Those in favor, say  
22 "aye."

1 [Chorus of ayes.]

2 CHAIRMAN ANDERSON: Those opposed?

3 [No audible response.]

4 CHAIRMAN ANDERSON: The matter passes 5-  
5 zero-zero.

6 The next matter on this agenda is the  
7 review request for increasing summer garden  
8 occupancy to 200 seats for Dacha Beer Garden,  
9 1600 7th Street, Northwest; Retailer DT, License  
10 No. 092773.

11 I make a motion that this matter be  
12 postponed to December 2nd. Is there a second?

13 MR. SHORT: Second.

14 CHAIRMAN ANDERSON: Mr. Short.

15 Those in favor, say "aye."

16 [Chorus of ayes.]

17 CHAIRMAN ANDERSON: Those opposed?

18 [No audible response.]

19 CHAIRMAN ANDERSON: The matter passes 5-  
20 zero-zero.

21 Next matter on our agenda is the review  
22 request for JSSI-Pine, LLC for a temporary

1 operating retail permit, Northeast Supermarket,  
2 1201 Mount Olivet Road, Southeast -- Northeast;  
3 Retailer B Grocery, License number to be -- it  
4 doesn't have a license number at the moment.

5 I make a motion that we approve this  
6 matter. Is there a second?

7 MR. SILVERSTEIN: Second.

8 CHAIRMAN ANDERSON: Mr. Silverstein  
9 seconded.

10 Those in favor, say "aye."

11 [Chorus of ayes.]

12 CHAIRMAN ANDERSON: Those opposed?

13 [No audible response.]

14 CHAIRMAN ANDERSON: The matter passes 5-  
15 zero-zero.

16 The next is a review request to refund  
17 license annual payment late fee for the amount of  
18 1,350 for Aqua Restaurant & Lounge located at  
19 1818 New York Avenue, Northeast; Retailer CT,  
20 License No. 060477.

21 I make a motion that we not grant a  
22 refund. Is there a second?

1 MR. SHORT: Second.

2 CHAIRMAN ANDERSON: Mr. Short.

3 Those in favor, say "aye."

4 [Chorus of ayes.]

5 CHAIRMAN ANDERSON: Those opposed?

6 [No audible response.]

7 CHAIRMAN ANDERSON: The matter passes 4-  
8 zero-zero.

9 The next matter is the review letter from  
10 Braulio Agnese, Executive Director, regarding  
11 clarification of new license application for  
12 Dupont Underground located at 1718 M Street,  
13 Northwest, #379; Retailer CX, License No. 099436.

14 I make a motion that we approve a CT  
15 license for this establishment. Is there a  
16 second?

17 MR. ALBERTI: Just a moment. Find the  
18 amendment that we approve placarding for CT  
19 license. We have not -- they have an application  
20 in, and it hasn't been placarded yet. They  
21 haven't submitted it. The question that they're  
22 asking is what type of license should they apply

1 for, and so the motion is that we will allow them  
2 to apply for a CT, and we will placard it.

3 CHAIRMAN ANDERSON: There is a --

4 MR. ALBERTI: So we're not approving the  
5 -- we're not approving the license -- yet.

6 CHAIRMAN ANDERSON: All right. It's  
7 accepted as a -- all right. Well, I'll accept  
8 your friendly amendment.

9 MR. ALBERTI: Okay, all right.

10 CHAIRMAN ANDERSON: Those in favor of  
11 agreeing to placard this matter -- to placard  
12 this matter for CT license --

13 MR. ALBERTI: Okay.

14 CHAIRMAN ANDERSON: All right. Those are  
15 in favor --

16 MR. ALBERTI: So that's the motion? I  
17 second the motion.

18 CHAIRMAN ANDERSON: Right.

19 MR. ALBERTI: All right.

20 CHAIRMAN ANDERSON: Okay. So those in  
21 favor of placarding for a CT license -- and I'll  
22 do a roll call vote.

1 Ms. Miller?

2 MS. MILLER: I'm opposed, and I'd like to  
3 just say that I'm not opposed to placarding. I'm  
4 just opposed to the classification as a CT that I  
5 would grant their request to be characterized as  
6 a CX license.

7 CHAIRMAN ANDERSON: So you --

8 MS. MILLER: So I'm opposed to placarding  
9 as a CT.

10 CHAIRMAN ANDERSON: Okay. Mr. Alberti?

11 MR. ALBERTI: I agree. I approve.

12 CHAIRMAN ANDERSON: Mr. Short?

13 MR. SHORT: Approve.

14 CHAIRMAN ANDERSON: Mr. Silverstein?

15 MR. SILVERSTEIN: Mr. Chairman, I don't  
16 believe either a CX or a CT completely fits this  
17 particular application. I would agree and  
18 approve either, and as a majority supports the  
19 CT, I will support the CT.

20 CHAIRMAN ANDERSON: And I'll also vote to  
21 placard a CT, so the vote is 4 to 1, with Ms.  
22 Miller voting against.

1           Okay. So for the record to be clear, the  
2 vote is 4 to 1 to placard for a CT license for  
3 this establishment.

4           MS. MILLER: And I just would like the  
5 record to be clear. I'm probably being  
6 redundant, but I certainly support placarding  
7 this establishment for a license. I certainly  
8 support placarding. I just disagree on the  
9 classification.

10           Thank you.

11           CHAIRMAN ANDERSON: All right. No. 8,  
12 review request for cancelation of license  
13 effective November 2nd, 2005 [sic] for Cava Mezze  
14 Grill -- Cava Mezze Grill located at 4237  
15 Wisconsin Avenue, Northwest; Retailer CR, License  
16 No. 090698.

17           I make a motion that this matter be  
18 approved. Is there a second?

19           MR. SHORT: Second.

20           CHAIRMAN ANDERSON: Mr. Short.

21           Those in favor -- second the motion.

22           Those in favor, say "aye."

1 [Chorus of ayes.]

2 CHAIRMAN ANDERSON: Matter passes 5 --  
3 those opposed?

4 [No audible response.]

5 CHAIRMAN ANDERSON: Matter passes 5-zero-  
6 zero.

7 No. 9 is the review letter regarding  
8 intended business operations of proposed new  
9 Manufacturer A Employees, Tipple Supply Company  
10 located at 1369 New York Avenue, Northeast;  
11 Manufacturer A, License No. 100754.

12 I make a motion that this matter be set  
13 for a fact-finding hearing at a later date. is  
14 there a second?

15 MR. ALBERTI: Second.

16 CHAIRMAN ANDERSON: Mr. Alberti.

17 Those in favor of having a fact-finding  
18 motion -- fact-finding hearing?

19 MR. ALBERTI: Aye. I think you're --  
20 calling for the vote?

21 CHAIRMAN ANDERSON: Yes, I'm calling for  
22 the vote.

1 MR. ALBERTI: Aye.

2 MS. MILLER: Aye.

3 MR. SHORT: Aye.

4 MR. SILVERSTEIN: Aye.

5 CHAIRMAN ANDERSON: Opposed?

6 [No audible response.]

7 CHAIRMAN ANDERSON: None. The matter  
8 passes five-zero-zero.

9 The next matter on the agenda is to  
10 review additional letter and documents from Jamel  
11 Evans requesting reconsideration of his denial  
12 application for manager's license, and -- right.  
13 And I am proposing a motion that we approve the -  
14 - we approve providing him a license, a manager's  
15 license.

16 Is there a second?

17 MS. MILLER: Second.

18 CHAIRMAN ANDERSON: Ms. Miller seconded.

19 The matter is proposed. Those in favor,  
20 say "aye."

21 MS. MILLER: Aye.

22 CHAIRMAN ANDERSON: Those opposed?

1 [No audible response.]

2 MR. ALBERTI: Abstain.

3 CHAIRMAN ANDERSON: Those abstain?

4 [No audible response.]

5 CHAIRMAN ANDERSON: The matter passes at  
6 4-zero-1, with Mr. Short abstaining in this  
7 matter.

8 The next matter on our agenda is our  
9 second supplemental licensing agenda.

10 The first matter on the second  
11 supplemental licensing agenda is to review a  
12 request for change of hours for the  
13 establishments, Sugar Factory located at 50  
14 Massachusetts, Avenue, Northeast, Retailer  
15 License -- Retailer CT, License No. 099949.

16 I make a motion that this matter be  
17 approved. Is there a second?

18 MR. ALBERTI: Second.

19 CHAIRMAN ANDERSON: Mr. Alberti seconded.

20 Those in favor, say "aye."

21 [Chorus of ayes.]

22 CHAIRMAN ANDERSON: Opposed?

1 [No audible response.]

2 CHAIRMAN ANDERSON: The matter passes 5-  
3 zero-zero.

4 The next matter on this agenda is to  
5 review a request to transfer alcohol inventory to  
6 Lee's Mini market, S&J Liquors, located at 1500  
7 Massachusetts Avenue, Southeast, Retailer A  
8 Liquor Store, ABRA-00912 [sic].

9 I make a motion that we approve this  
10 transfer. Is there a second?

11 MS. MILLER: Second.

12 CHAIRMAN ANDERSON: Mr. Miller has  
13 seconded.

14 Those in favor say "aye."

15 [Chorus of ayes.]

16 CHAIRMAN ANDERSON: Opposed?

17 [No audible response.]

18 CHAIRMAN ANDERSON: The matter passes 5-  
19 zero-zero.

20 Now, that vote concludes our supplemental  
21 legal agenda. We now will turn to our -- I'm  
22 sorry. Our second supplemental licensing agenda.

1           The first matter on our legal agenda is  
2 to review a settlement agreement for Red, White,  
3 and basil located at 1781 Florida Avenue,  
4 Northwest; Retailer CT, License No. 100236.

5           I make a motion that this matter be  
6 approved. Is there a second?

7           MR. ALBERTI: Second.

8           CHAIRMAN ANDERSON: Mr. Alberti has  
9 seconded. Those in favor, say "aye."

10           [Chorus of ayes.]

11           CHAIRMAN ANDERSON: The matter -- those  
12 opposed?

13           [No audible response.]

14           CHAIRMAN ANDERSON: The matter passes 5-  
15 zero-zero.

16           And the second matter is a review of  
17 settlement agreement between Dacha and ANC-6A,  
18 Dacha located at 2204 14th Street, Northwest,  
19 Retailer CT, License No. 088179.

20           I make a motion that we approve the  
21 settlement agreement with modifications to No.  
22 10, which legal will contact the ANC.

1           Is there a second to approve the  
2 settlement agreement with modifications to No.  
3 10?

4           MR. ALBERTI:    Second.

5           CHAIRMAN ANDERSON:  Mr. Alberti has  
6 seconded it.

7           Those in favor, say "aye."

8           [Chorus of ayes.]

9           CHAIRMAN ANDERSON:  Those opposed?

10          [No audible response.]

11          CHAIRMAN ANDERSON:  The matter passes 5-  
12 zero-zero.

13          MS. MILLER:  I just want --

14          CHAIRMAN ANDERSON:  Yes, Ms. Miller.

15          MS. MILLER:  I just want to comment on  
16 No. 10.  We're leaving it kind of wide open for  
17 our legal counsel, and I just -- my point of view  
18 is that I think the substance is appropriate, but  
19 that I understand that I think Board members  
20 would like it to be somehow more enforceable.

21          CHAIRMAN ANDERSON:  Thank you.

22          MS. MILLER:  Okay.  Thank you.

1           CHAIRMAN ANDERSON: All right. Now we  
2 move on to our supplemental legal agenda. The  
3 first matter on the supplemental legal agenda is  
4 to review a public comment dated November 3rd,  
5 2015, regarding Ekho Events Incorporated, trade  
6 name Echostage, located at 2135 Queens Chapel  
7 Road, Northeast; Retailer Class CN, ABRA License  
8 No. 090250. This doesn't require a vote. It's  
9 just an FYI.

10           The second matter on this agenda is the  
11 review of public comment received on November  
12 21st, 2015, from Leona Agouridis, executive  
13 director, Gold Triangle, regarding "Nightmare on  
14 M Street."

15           I make a motion that we refer this matter  
16 to enforcement. is there a second?

17           MR. SHORT: Second.

18           CHAIRMAN ANDERSON: Mr. Short has  
19 seconded.

20           All those in favor, say "aye."

21           [Chorus of ayes.]

22           CHAIRMAN ANDERSON: Those opposed?

1 [No audible response.]

2 CHAIRMAN ANDERSON: The matter passes 5-  
3 zero-zero.

4 The next matter on this agenda is to  
5 review of settlement agreement received March 18,  
6 2015, submitted by Kovaler, K-o-v-a-l-e-r, LLC,  
7 trade name Veranda, located at 1100 P Street,  
8 Northwest, Retailer Class CR, ABRA License No.  
9 073443.

10 And I make a motion that we approve this  
11 settlement agreement. Is there a second?

12 MR. ALBERTI: Second.

13 CHAIRMAN ANDERSON: Mr. Alberti seconded.  
14 Those in favor, say "aye."

15 [Chorus of ayes.]

16 CHAIRMAN ANDERSON: Those opposed?

17 [No audible response.]

18 CHAIRMAN ANDERSON: Matter passes, 5-  
19 zero-zero.

20 The next matter is the review of  
21 settlement agreement signed on November 4th,  
22 2015, between ANC-2F and Columbia Road located at

1 -- Columbia Room located at 1224 9th Street,  
2 Northwest; Retailer Class CT, ABRA License No.  
3 100376.

4 I make a motion that we approve this  
5 settlement agreement. Is there a second?

6 MR. SILVERSTEIN: Second.

7 CHAIRMAN ANDERSON: Mr. Silverstein.  
8 Those in favor, say "aye."

9 [Chorus of ayes.]

10 CHAIRMAN ANDERSON: Those opposed?

11 [No audible response.]

12 CHAIRMAN ANDERSON: The matter passes 5-  
13 zero-zero.

14 The next matter on our agenda is to  
15 review of settlement agreement received November  
16 6th, 2015, submitted by ANC-2F and two groups,  
17 and DC Four Lessee, LLC, trade name Hotel Helix,  
18 located at 1430 Rhode Island, Northwest, Retailer  
19 Class CH, ABRA License No. 079243.

20 I make a motion that we approve this  
21 settlement agreement. Is there a second?

22 MS. MILLER: Second.

1 CHAIRMAN ANDERSON: Ms. Miller has  
2 approved it.

3 Those in favor, say "aye."

4 [Chorus of ayes.]

5 CHAIRMAN ANDERSON: Those opposed?

6 [No audible response.]

7 CHAIRMAN ANDERSON: The matter passes 5-  
8 zero-zero.

9 Review of settlement agreement -- the  
10 next matter is the review of settlement agreement  
11 signed on November 5th by ANC-1C and Last Laugh,  
12 LLC, trade name High Dive, located at 2337 18th  
13 Street, Northwest; the Retailer Class CT, ABRA  
14 License No. 097821.

15 I make a motion that we approve this  
16 settlement agreement. Is there a second?

17 MR. ALBERTI: Second.

18 CHAIRMAN ANDERSON: Mr. Alberti.

19 Those in favor -- Mr. Alberti seconded  
20 the matter. Those in favor, say "aye."

21 [Chorus of ayes.]

22 CHAIRMAN ANDERSON: Those opposed?

1 [No audible response.]

2 CHAIRMAN ANDERSON: The matter passes 5-  
3 zero-zero.

4 The next matter on our agenda is the  
5 review of settlement agreement signed on  
6 September 5th with ANC-1B, Westminster  
7 Neighborhood Association and HEAB, Inc., trade  
8 name Ambassador Restaurant, located at 1907 9th  
9 Street, Northwest; Retailer Class CR, ABRA  
10 License No. 080917.

11 I make a motion that we approve this  
12 settlement agreement with modifications to  
13 Sections J, K, and L. Is there a second?

14 MR. ALBERTI: Second.

15 CHAIRMAN ANDERSON: Mr. Alberti has  
16 seconded it.

17 Those in favor, say "aye."

18 [Chorus of ayes.]

19 CHAIRMAN ANDERSON: Those opposed?

20 [No audible response.]

21 CHAIRMAN ANDERSON: The matter passes 5-  
22 zero-zero.

1           Next matter on our agenda is to review a  
2 settlement agreement dated October 16 submitted  
3 by ANC-1A, and it's E-s-e-n-c-i-a-s, P-a-n-a-m-e-  
4 n-a-s, Restaurant & Catering, 3322 Georgia  
5 Avenue, Northwest; Retailer Class CR, ABRA  
6 License 099954.

7           I make a motion that we approve the  
8 settlement agreement with modifications to  
9 Sections 3, 11, 12, and 13.

10           Is there a second?

11           MR. ALBERTI: Second.

12           CHAIRMAN ANDERSON: Mr. Alberti has  
13 seconded.

14           Those in favor, say "aye."

15           [Chorus of ayes.]

16           CHAIRMAN ANDERSON: Those opposed?

17           [No audible response.]

18           CHAIRMAN ANDERSON: The matter passes 5-  
19 zero-zero.

20           Review of settlement agreement dated  
21 November 7th submitted by ANC-2E and the Citizens  
22 Association of Georgetown and Via Umbria, LLC,

1 1525 Wisconsin Avenue, Retailer Class CR, ABRA  
2 License No. 100387.

3 I make a motion that we approve the  
4 settlement agreement with modification to Section  
5 2.

6 Is there a second?

7 MR. ALBERTI: Second.

8 CHAIRMAN ANDERSON: Mr. Alberti has  
9 seconded.

10 Those in agreement, say "aye."

11 [Chorus of ayes.]

12 CHAIRMAN ANDERSON: Any opposition?

13 [No audible response.]

14 CHAIRMAN ANDERSON: The matter passes 5-  
15 zero-zero.

16 No. 10 on our agenda is review of request  
17 for a fact finding dated November 7th submitted  
18 by Chief Lanier for Dodge City Bar.

19 I make a motion that we set this matter  
20 for a fact-finding hearing at a later date.

21 MR. SHORT: Second.

22 CHAIRMAN ANDERSON: Mr. Short has

1 seconded.

2 Those in favor, say "aye."

3 [Chorus of ayes.]

4 CHAIRMAN ANDERSON: Opposed?

5 [No audible response.]

6 CHAIRMAN ANDERSON: The matter passes 5-  
7 zero-zero.

8 Review of amended settlement agreement  
9 dated November 17th submitted by ANC-6C and Sugar  
10 Factory Union Station located at 50 Mass Avenue,  
11 Northeast, Space T-108; Retailer Class C Tavern,  
12 License No. 99949.

13 I make a motion that we approve this  
14 matter. Is there a second?

15 MR. ALBERTI: Second.

16 CHAIRMAN ANDERSON: Those in favor, say  
17 "aye."

18 [Chorus of ayes.]

19 CHAIRMAN ANDERSON: Those opposed?

20 [No audible response.]

21 CHAIRMAN ANDERSON: The matter passes 5-  
22 zero-zero.

1           Next matter is review of request to have  
2 protest petition deemed timely filed submitted by  
3 Karen Wirt on behalf of ANC-6C in the matter of  
4 DC Live, LLC, trade name XO, application for new  
5 license, located at 15 K Street, Northeast;  
6 Retailer Class C Tavern, License No. 100316.

7           I make a motion that we approve that good  
8 cause was shown. Is there a second?

9           MR. ALBERTI: Second.

10          CHAIRMAN ANDERSON: Mr. Alberti has  
11 seconded.

12          Those in favor, say "aye."

13          [Chorus of ayes.]

14          CHAIRMAN ANDERSON: Those opposed?

15          [No audible response.]

16          CHAIRMAN ANDERSON: The matter passes 5-  
17 zero-zero.

18          No. 13 is a review of request from  
19 Bullfrog Bagel and ANC-6B pursuant to DCMR 1705.5  
20 to continue the protest deadline and roll call  
21 hearing date on behalf of Colorado & Cohen LLC  
22 t/a Bullfrog Bagel, located at 317 7th Street,

1 Southeast; Retailer Class C, License No. 100249.

2 I make a motion that we approve this  
3 matter pursuant to Section 1705.5.

4 Is there a second?

5 MR. ALBERTI: Second.

6 CHAIRMAN ANDERSON: Mr. Alberti.

7 Those in favor, say "aye."

8 [Chorus of ayes.]

9 CHAIRMAN ANDERSON: Those opposed?

10 [No audible response.]

11 CHAIRMAN ANDERSON: The matter passes 5-  
12 zero-zero.

13 And review settlement agreement signed on  
14 November 10th submitted by ANC-2A, the West End  
15 Citizens Association, a Group of Five or More,  
16 and Renaissance Centro M Street LLC, trade name  
17 Hyatt Place Washington DC/Georgetown/West End,  
18 2121 M Street, Northwest; Retailer Class CH,  
19 License No. 99352.

20 I make a motion that we approve this  
21 settlement agreement. Is there a second?

22 MR. ALBERTI: Second.

1 CHAIRMAN ANDERSON: Mr. Alberti.

2 Those in favor, say "aye."

3 [Chorus of ayes.]

4 CHAIRMAN ANDERSON: Those opposed?

5 [No audible response.]

6 CHAIRMAN ANDERSON: The matter passes 5-  
7 zero-zero.

8 We have a second supplementary legal  
9 agenda, and on that agenda is to review  
10 settlement agreement received on November 16th,  
11 2005 -- 2015, submitted by ANC-6B and Starbucks.

12 I make a motion that this matter be  
13 postponed to a later date. Is there a second?

14 MR. SHORT: Second.

15 CHAIRMAN ANDERSON: Mr. Short has  
16 seconded.

17 Those in favor, say "aye."

18 [Chorus of ayes.]

19 CHAIRMAN ANDERSON: Those opposed?

20 [No audible response.]

21 CHAIRMAN ANDERSON: The matter passes 5-  
22 zero-zero.

1           The next matter is a review of settlement  
2 agreement received on November 16th, 2015,  
3 submitted by ANC-6B and 7th and L Street Market  
4 located at 700 L Street, Southeast; License No.  
5 088611.

6           I make a motion that this matter be  
7 approved. Is there a second?

8           MR. ALBERTI: Second.

9           CHAIRMAN ANDERSON: Mr. Alberti has  
10 seconded it.

11           Those in favor, say "aye."

12           [Chorus of ayes.]

13           CHAIRMAN ANDERSON: Those opposed?

14           [No audible response.]

15           CHAIRMAN ANDERSON: That passed, 5-zero-  
16 zero.

17           And last -- the next matter on our second  
18 supplemental legal agenda is to review a  
19 resolution received on November 17th submitted by  
20 ANC-2B requesting the Board to consider the  
21 Carlyle Hotel request. It's CS Bond Street AB-C  
22 Holdings, LLC, otherwise known as Carlyle Hotel

1 located at 1731 New Hampshire Avenue, Northwest;  
2 License No. 90805.

3 This does not require vote. It's just an  
4 FYI.

5 MS. MILLER: I would like to comment,  
6 though, that we dealt with this same  
7 establishment issue on our licensing agenda, No.  
8 8 on our licensing agenda, and we decided to  
9 placard it.

10 CHAIRMAN ANDERSON: Thank you.

11 MS. MILLER: Okay, thank you.

12 CHAIRMAN ANDERSON: The next matter on  
13 our agenda, it's basically -- on our agenda,  
14 there are a group of retailers who we're issuing  
15 vacating orders on our agenda regarding Class B  
16 Retailers and Wholesalers.

17 I make a motion that all the -- all the  
18 establishments on this agenda, that the notice  
19 vacating their license be lifted. So I'm asking  
20 the Board to vote to approve the vacating order  
21 of all the establishments on the agenda.

22 Is there a second?

1 MS. MILLER: Could I have a  
2 clarification? Are you doing the agenda for  
3 Class B Retailers and Wholesalers, or are you  
4 doing -- I might have missed it. There are two?

5 MR. SILVERSTEIN: You're doing the right  
6 one.

7 MS. MILLER: Is that what we're voting  
8 on? I just want to make sure.

9 CHAIRMAN ANDERSON: The vacating order  
10 agenda, Class B Retailers and Wholesalers.

11 MS. MILLER: Okay, thank you.

12 MR. ALBERTI: I second the motion.

13 CHAIRMAN ANDERSON: Is there -- Mr.  
14 Alberti has seconded.

15 Those in favor, say "aye."

16 [Chorus of ayes.]

17 CHAIRMAN ANDERSON: The matter passes 5-  
18 zero-zero.

19 On our second notice of vacating order  
20 agenda for Class C Retailers, I'm making a motion

21 MR. SHORT: Class C.

22 CHAIRMAN ANDERSON: Yes, for Class C.

1 For Class C Retailers. I make a motion that the  
2 Board vote to approve the order vacating the  
3 orders to reinstitute the license for all the  
4 Class C retailers on the agenda.

5 Is there a second?

6 MR. SHORT: Second.

7 CHAIRMAN ANDERSON: Mr. Short has  
8 seconded the motion.

9 All those in favor, say "aye."

10 [Chorus of ayes.]

11 CHAIRMAN ANDERSON: All those opposed?

12 [No audible response.]

13 CHAIRMAN ANDERSON: The matter is  
14 approved, 5-zero-zero.

15 That ends our agenda.

16 Now, as Chairperson of the Alcoholic  
17 Board Control -- the Alcoholic Beverage Control  
18 Board of the District of Columbia --

19 MR. SHORT: Mr. Chair?

20 CHAIRMAN ANDERSON: Yes.

21 MR. SHORT: Not to interrupt you, but I  
22 thought that Mr. Moosally had mentioned to us, so

1 that we don't get three or four different types  
2 of reports from our recorder that you mention  
3 they all be bundled into one.

4 CHAIRMAN ANDERSON: All right. I just  
5 want the record to be clear that this is the  
6 continuation of the hearing from this morning, so  
7 it's still on hearing that we have had. So for  
8 the record to be clear, this is a continuation of  
9 a hearing that was -- that we had started at 9:30  
10 this morning.

11 MS. MILLER: But I think the concern was  
12 that all the agendas that we just did be treated  
13 together, not separate.

14 CHAIRMAN ANDERSON: Right. It's one  
15 hearing, all of the different agendas, but it's  
16 one hearing that has been continued since 9:30  
17 this morning.

18 MR. SHORT: Thank you.

19 CHAIRMAN ANDERSON: Thank you.

20 As Chairman of the Alcoholic Beverage  
21 Control Board of the District of Columbia and in  
22 accordance with D.C. Official Code Section

1 2574(b), closed meetings, and Section 2574,  
2 notice of meetings of the Open Meetings Act, I  
3 move that the ABC Board hold a closed meeting on  
4 December 2nd, 2015, for the purpose of discussing  
5 and hearing reports concerning ongoing or planned  
6 investigations of alleged criminal or civil  
7 misconduct of violations of law or regulations  
8 and seeking legal advice from our counsel on the  
9 Board's investigative agenda for December 12th --  
10 December 2nd, 2012 [sic], as published in the  
11 D.C. Register on November 27th, 2014 -- 2015.

12 Is there a second?

13 MR. ALBERTI: Second.

14 CHAIRMAN ANDERSON: I will take a roll  
15 call vote, motion before us now that it has been  
16 seconded.

17 Ms. Miller?

18 MS. MILLER: Approve.

19 CHAIRMAN ANDERSON: Mr. Alberti?

20 MR. ALBERTI: I agree.

21 CHAIRMAN ANDERSON: Mr. Short?

22 MR. SHORT: I agree.

1 CHAIRMAN ANDERSON: Mr. Silverstein?

2 MR. SILVERSTEIN: I agree.

3 CHAIRMAN ANDERSON: Mr. Anderson votes  
4 agree.

5 As it appears that the motion has passed,  
6 I hereby give notice that the ABC Board will hold  
7 this aforementioned close meeting pursuant to the  
8 Open Meetings Act. Notice will also be posted on  
9 the ABC Board hearing room bulletin board placed  
10 on the electronic calendar of ABRA's website and  
11 published in the D.C. Register in as timely a  
12 manner as practicable.

13 Then this is now -- I'm making a motion  
14 to follow-up announcement for a comment closed  
15 meeting roll call vote. As Chairman of the  
16 Alcoholic Beverage Control Board for the District  
17 of Columbia, in accordance with Section 405 of  
18 the Open Meetings Amendment Act of 2010, I move  
19 that ABC Board hold a closed meeting on December  
20 2nd, 2015, for the purpose of seeking legal  
21 advice from our counsel on the matters identified  
22 on the Board's agenda for December 2nd, 2015, as

1 published in the D.C. Register on November 27th,  
2 2015.

3 Is there a second?

4 MR. ALBERTI: Second.

5 CHAIRMAN ANDERSON: I will now take a  
6 roll call vote on the motion before us, now that  
7 it has been seconded.

8 Ms. Miller?

9 MS. MILLER: Agree.

10 CHAIRMAN ANDERSON: Mr. Alberti?

11 MR. ALBERTI: I agree.

12 CHAIRMAN ANDERSON: Mr. Short?

13 MR. SHORT: I agree.

14 CHAIRMAN ANDERSON: Mr. Silverstein?

15 MR. SILVERSTEIN: I agree.

16 CHAIRMAN ANDERSON: Mr. Anderson agrees.

17 The matter passes, 5-zero-zero.

18 As it appears that the motion has passed,  
19 I hereby give notice that the ABC Board will hold  
20 this aforementioned close meeting pursuant to the  
21 Open Meetings Amendment Act of 2010.

22 Notice will also be posted on the ABC

1 Board hearing room bulletin board, placed on the  
2 electronic calendar, on ABRA's website, and  
3 published in the D.C. Register in as timely a  
4 manner as practicable.

5 With this now said, the hearing for today  
6 is adjourned. Thank you.

7 [Whereupon, at 10:13 p.m., the above-  
8 entitled matter concluded.]

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