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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

- - - - -X
IN THE MATTER OF: :
ABRA Agenda for :
December 2, 2015 :
- - - - -X

Wednesday, December 2, 2015

Whereupon, the above-referenced matter
came on for hearing at the Alcoholic Beverage
Control Board, Reeves Center, 2000 14th Street,
N.W., Suite 400S, Washington, D.C. 20009.

1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 JAMES SHORT

6 MICHAEL SILVERSTEIN

7 RUTHANNE MILLER

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

2 [7:39 p.m.]

3 CHAIRMAN ANDERSON: All right. We're
4 back on the record for the continuation of the --
5 the public hearing calendar for Wednesday,
6 December 2nd, 2005 (sic).

7 All members are present. All members of
8 the board are present.

9 (Discussion off the record)

10 CHAIRMAN ANDERSON: And so, we will now
11 do the legal agenda.

12 (Discussion off the record)

13 CHAIRMAN ANDERSON: The first matter on
14 the legal agenda is the review of settlement
15 agreement between Independence -- between -- for
16 -- I'm sorry, review of settlement agreement
17 between Independence and Declaration, CR License
18 Number 99556.

19 I make a motion that we approve the
20 settlement agreement, with modifications to items
21 J and K.

22 (Simultaneous discussion)

1 MR. SHORT: Second.

2 CHAIRMAN ANDERSON: Mr. Short has settled
3 -- has seconded the motion. All those in favor,
4 say aye.

5 GROUP: Aye.

6 CHAIRMAN ANDERSON: The matter passes,
7 five, zero, zero.

8 The second item on the agenda is the
9 review of settlement agreement between Glen's
10 Market -- Glen's Market and ANC 1-B, retailer B
11 and DT License No. 100251, and 100252.

12 I make a motion that we approve the
13 settlement agreement with modifications to items
14 I & J. Is there a second?

15 MALE SPEAKER: Second.

16 MALE SPEAKER: Second.

17 CHAIRMAN ANDERSON: Mr. Alberti has
18 seconded the motion. Those that are in favor,
19 say aye.

20 ALL: Aye.

21 CHAIRMAN ANDERSON: The motion passes,
22 five, zero, zero.

1 The third matter on the agenda, just a
2 review of resolution from ANC 2-B requesting that
3 ABRA and MPD continue to investigate Marrakesh
4 Restaurant and the Fireplace Restaurant, license
5 number -- Marrakesh is license number 90204, and
6 the Fireplace is license number -- CT license
7 member 14419.

8 And Ms. Judson (phonetic), FYI.

9 (Pause)

10 CHAIRMAN ANDERSON: The next matter on
11 the agenda is review of -- request to continue
12 the continuance of December 9th, 2015 protest
13 hearing filed by ANC-3B.

14 It was unopposed by the applicant from
15 Milly's (phonetic) Spring Valley, LLC, retail CR,
16 license number 10024.

17 I make a motion that we approve the
18 request to continue the motion. Is there -- to
19 continue the hearing. Is there a second?

20 MS. MILLER: Second.

21 CHAIRMAN ANDERSON: Ms. Miller has
22 seconded. Those that are in favor say aye.

1 ALL: Aye.

2 CHAIRMAN ANDERSON: The matter passes
3 five, zero, zero.

4 The next request is a review from ANC-1C
5 for a fact-finding hearing regarding transfer
6 with a substantial change for Club 2020, Bar and
7 Lounge, retailer CR license number 101093.

8 I make a motion that we refer this matter
9 to fact-finding.

10 Is there a second?

11 MS. MILLER: Second.

12 CHAIRMAN ANDERSON: Ms. Miller has
13 seconded. All those in favor, say aye.

14 ALL: Aye.

15 CHAIRMAN ANDERSON: The matter passes,
16 five, zero, zero.

17 The next matter on our agenda is review
18 of correspondence from ANC-3B, ANC-3C and a group
19 of five or more individuals dated 5 -- dated
20 November 23rd, 2015, regarding the Savoy Hotel,
21 Suites Hotels, retailer CR -- CH license number
22 090804.

1 I make a motion that we approve the
2 matter (Inaudible) owner, 2015-548.

3 Is there a second?

4 MR. ALBERTI: Second.

5 CHAIRMAN ANDERSON: Mr. Alberti has
6 seconded the motion. Those in favor, say aye.

7 ALL: Aye.

8 CHAIRMAN ANDERSON: The matter passes,
9 five, zero, zero.

10 The next matter on our agenda -- we're
11 now going to move to our licensing agenda.

12 The first matter on the licensing agenda
13 is a review of application for safekeeping for
14 Fire Brook -- Fire Hook Bakery, CR license number
15 041-370.

16 They are requesting that we -- I make a
17 motion that we approve the application for
18 safekeeping through March 31st, 2016.

19 MR. SHORT: Second.

20 CHAIRMAN ANDERSON: Mr. Short has
21 seconded the motion. Those in favor say aye.

22 ALL: Aye.

1 CHAIRMAN ANDERSON: The matter passes,
2 five, zero, zero.

3 The second matter is review of an
4 application for safekeeping of license for UN
5 Pizza, CR license number 092159.

6 I make a motion that we approval the
7 request to place the license in safekeeping
8 through March 31st, 2016.

9 Is there a second?

10 MR. ALBERTI: Second.

11 CHAIRMAN ANDERSON: Mr. Alberti has
12 seconded the motion. Those in favor, say aye.

13 ALL: Aye.

14 CHAIRMAN ANDERSON: The matter passes
15 five, zero, zero.

16 The matter is the review request for a
17 disposal permit to transfer alcohol beverage
18 between -- (Inaudible) inventory to H & Pizza
19 Restaurant.

20 The -- and the UN Pizza, CR license
21 number 092159.

22 I make a motion that we approve the

1 request to transfer the license. Is there a
2 second -- I'm sorry, the alcohol.

3 Is there a second?

4 MS. MILLER: Second.

5 CHAIRMAN ANDERSON: Ms. Miller has
6 seconded the motion. Those in favor, say aye.

7 ALL: Aye.

8 CHAIRMAN ANDERSON: The matter passes,
9 five, zero, zero.

10 The next item on the agenda is a review
11 after -- application for a class change from a
12 retailer DR to a retailer CR. Sally's (phonetic)
13 Middle Name, license member 097355.

14 I make a motion that this matter be
15 placard. Is there a second?

16 MALE SPEAKER: Second.

17 MALE SPEAKER: Second.

18 CHAIRMAN ANDERSON: Mr. Alberti has
19 seconded the motion. Those in favor say aye.

20 ALL: Aye.

21 CHAIRMAN ANDERSON: The motion passes
22 five, zero, zero.

1 The next matter is a review application
2 for Summer Garden Receding (phonetic) for 224,
3 Sally's Middle Name, retailer DR, license number
4 097355.

5 I make a motion that we approve, and the
6 matter be placarded.

7 Is there a second?

8 MS. MILLER: Second.

9 CHAIRMAN ANDERSON: Ms. Miller seconded
10 the motion. Those in favor say aye.

11 ALL: Aye.

12 CHAIRMAN ANDERSON: Those opposed?

13 (No response heard)

14 CHAIRMAN ANDERSON: The matter passes,
15 five, zero, zero.

16 The next matter is a review request to
17 change hours of entertainment endorsement for
18 (Inaudible) H -- CR -- CT license number 060567.

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

21 MR. SHORT: Second.

22 CHAIRMAN ANDERSON: Mr. Short has

1 seconded the motion. Those in favor say aye.

2 ALL: Aye.

3 CHAIRMAN ANDERSON: Those in favor --
4 those opposed?

5 (No response heard)

6 CHAIRMAN ANDERSON: The matter passes
7 five, zero, zero.

8 The next matter is a review request for a
9 permit to administer for Skillsoft (phonetic) to
10 administer alcohol certification training.

11 I make a motion that we approve Skillsoft
12 to provide such training.

13 Is there a second?

14 MR. ALBERTI: Second.

15 CHAIRMAN ANDERSON: Mr. Alberti has
16 seconded the motion. Those in favor say aye.

17 ALL: Aye.

18 CHAIRMAN ANDERSON: Those opposed?

19 (No response heard)

20 CHAIRMAN ANDERSON: Matter passes five,
21 zero, zero.

22 The next matter is to review an

1 application for a manager's license for Patricia
2 J. Boyle (phonetic), ABRA License 101044.

3 I make a motion that we approve her
4 request for a manager's license. Is there a
5 second?

6 MR. ALBERTI: Second.

7 MALE SPEAKER: Second.

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

10 ALL: Aye.

11 CHAIRMAN ANDERSON: Those opposed?

12 (No response heard)

13 CHAIRMAN ANDERSON: Matter passes, five,
14 zero, zero.

15 The next matter is to review application
16 for manager's license for Frank G. Douglas,
17 Junior, ABRA 100847.

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

20 MR. ALBERTI: Second.

21 MALE SPEAKER: Second.

22 CHAIRMAN ANDERSON: Mr. Alberti has

1 seconded the motion. Those in favor say aye.

2 ALL: Aye.

3 CHAIRMAN ANDERSON: Those opposed?

4 (No response heard)

5 CHAIRMAN ANDERSON: The matter passes
6 five, zero, zero.

7 And the next matter is to review
8 application for manager's license for Jose
9 Herrera (phonetic), ABRA number 100848.

10 I make a motion that we approve the
11 application for the license. Is there a second?

12 MR. SILVERSTEIN: Second.

13 CHAIRMAN ANDERSON: Mr. Silverstein has
14 approved the motion. Those in favor, say aye.

15 MALE SPEAKER: Aye.

16 CHAIRMAN ANDERSON: Those opposed?

17 MALE SPEAKER: Abstain.

18 CHAIRMAN ANDERSON: The matter passes
19 four, zero -- four, zero, one.

20 The next matter is a review letter from
21 (Inaudible) the Glory, requesting that we -- that
22 we approve --

1 (Pause)

2 MALE SPEAKER: It's a non-profit auction
3 permit.

4 CHAIRMAN ANDERSON: (Laughter) Yeah.
5 That we approve a non-profit auction permit for -
6 - at the John F. Kennedy Center for December
7 20th, from 9:30 to 11:30 at the Loft at the
8 Hamilton.

9 I make a motion that we approve this --
10 the application -- this license. Is there a
11 second?

12 MR. SILVERSTEIN: I second.

13 MALE SPEAKER: Second.

14 MALE SPEAKER: Second.

15 CHAIRMAN ANDERSON: Mr. Silverstein has
16 approved -- has seconded the motion.

17 Those in favor, say aye.

18 ALL: Aye.

19 CHAIRMAN ANDERSON: Those opposed?

20 (No response heard)

21 CHAIRMAN ANDERSON: The matter passes,
22 five, zero, zero.

1 (Pause)

2 CHAIRMAN ANDERSON: We now move to the
3 supplementary licensing agenda.

4 (Pause)

5 CHAIRMAN ANDERSON: And the matter on
6 this -- it's a request to cancel approval of
7 Tintel (phonetic) license -- CT license number
8 092277.

9 I make a motion that we vote to cancel
10 the license to this licensee.

11 Is there a second?

12 MR. ALBERTI: Second.

13 MALE SPEAKER: Second.

14 CHAIRMAN ANDERSON: Mr. Alberti has
15 seconded the motion.

16 Those in favor, say aye.

17 ALL: Aye.

18 CHAIRMAN ANDERSON: Those opposed?

19 (No response heard)

20 CHAIRMAN ANDERSON: The matter passes,
21 five, zero, zero.

22 The next matter is the review request for

1 reinstatement of cancelled license upon payment
2 of renewal and late fees for Family Liquors,
3 license number 021877.

4 I make a motion that we approve this
5 reinstatement, once payment of the renewal and
6 late fees are paid.

7 Is there a second?

8 MR. ALBERTI: Second.

9 CHAIRMAN ANDERSON: Mr. Alberti has
10 seconded the motion. Those in favor say aye.

11 ALL: Aye.

12 CHAIRMAN ANDERSON: Those opposed?

13 (No response heard)

14 CHAIRMAN ANDERSON: The motion passes,
15 five, zero, zero.

16 The next matter is a review -- a request
17 to extend safekeeping of the license, if
18 reinstatement was approved, which it was just
19 approved, for Family Liquors, Liquor Store
20 License No. 021877.

21 I make a motion that we approve to place
22 a license in safekeeping through March 31st,

1 2016.

2 Is there a second?

3 MR. SHORT: Second.

4 CHAIRMAN ANDERSON: Mr. Short has
5 seconded the motion.

6 Those in favor, say aye.

7 ALL: Aye.

8 CHAIRMAN ANDERSON: Those opposed?

9 (No response heard)

10 CHAIRMAN ANDERSON: The matter passes,
11 five, zero, zero.

12 Review -- the next matter is a review
13 request for change of hours for 7th L Street
14 Market, retailer B, License No. 088611.

15 I make a motion that we approve the
16 changes. Is there a second?

17 MR. ALBERTI: Second.

18 CHAIRMAN ANDERSON: Mr. Alberti has
19 seconded the motion. Those in favor say aye.

20 ALL: Aye.

21 CHAIRMAN ANDERSON: Those opposed?

22 (No response heard)

1 CHAIRMAN ANDERSON: The matter passes,
2 five, zero, zero.

3 The next matter is a review request to
4 approve -- to approve to provide gifts from \$50,
5 but not to exceed \$500 for premium distributors,
6 wholesale A, license number 060290.

7 I make a motion that we approve this
8 request.

9 Is there a second?

10 MR. ALBERTI: Second.

11 CHAIRMAN ANDERSON: Mr. Alberti has
12 seconded the motion. Those in favor, say aye.

13 ALL: Aye.

14 CHAIRMAN ANDERSON: Those opposed?

15 (No response heard)

16 CHAIRMAN ANDERSON: The matter passes,
17 five, zero, zero.

18 Number six is the review request from
19 Skian (phonetic) Law Firm, requesting a refund of
20 late fees totaling \$1,300 from T.D.B., formerly
21 Balducci's (phonetic), ABRA license number
22 088667.

1 I make a motion that we deny this request
2 to refund the late fee.

3 MR. SHORT: Second.

4 CHAIRMAN ANDERSON: Mr. Short has
5 seconded the motion.

6 Those in favor, say aye.

7 ALL: Aye.

8 CHAIRMAN ANDERSON: Those opposed?

9 (No response heard)

10 CHAIRMAN ANDERSON: The motion passes,
11 five, zero, zero.

12 And the next one is a request -- review
13 application for a class change from retailer B to
14 retailer A, 1618 Variety Market, License Number
15 084582.

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

18 MR. ALBERTI: Second.

19 CHAIRMAN ANDERSON: Mr. Alberti has
20 seconded the motion.

21 Those in favor, say aye.

22 ALL: Aye.

1 CHAIRMAN ANDERSON: Those opposed?

2 (No response heard)

3 CHAIRMAN ANDERSON: The matter passes,
4 five, zero, zero.

5 The next matter is a review request for
6 increase in Summer Garden seating to 200, with --

7 MS. MILLER: Four.

8 CHAIRMAN ANDERSON: -- four -- for Dasha
9 (phonetic) Beer Garden, license number 092773.
10 And this matter is moot.

11 The next matter on our agenda is our --
12 the second supplementary license agenda, and it's
13 a review request to increase Summer Garden
14 seating to 126 for Dasha Beer Garden, Retailer DT
15 license number 092773.

16 I make a motion that we approve this
17 request. Is there a second?

18 MR. SILVERSTEIN: Second.

19 CHAIRMAN ANDERSON: Mr. Silverstein has
20 seconded the motion.

21 Those in favor, say aye.

22 ALL: Aye.

1 CHAIRMAN ANDERSON: Those opposed?

2 (No response heard)

3 CHAIRMAN ANDERSON: The matter passes,
4 five, zero, zero.

5 The last matter on our agenda is the
6 cancellation agenda, and I make a motion that all
7 of the establishments on our cancellation agenda
8 -- that the board approve the cancellation of
9 these licenses.

10 Is there a second?

11 MR. ALBERTI: Second.

12 CHAIRMAN ANDERSON: Mr. Alberti has
13 seconded the motion.

14 Those in favor say aye.

15 ALL: Aye.

16 CHAIRMAN ANDERSON: Those opposed?

17 (No response heard)

18 CHAIRMAN ANDERSON: The matter passes,
19 five, zero, zero.

20 With this matter, as Chairperson of the
21 Alcoholic Beverage Control Board for the District
22 of Columbia, in accordance with BP official code,

1 Section 2-574B, closed meeting, and Section 2-
2 574, Notice of Meetings of the open meetings, I
3 move that the ABC Board hold a closed meeting on
4 December 12th -- December 9th, (sic) 2015, for
5 the purpose of discussing and hearing reports
6 concerning ongoing or planned investigations of
7 alleged criminal or civil misconduct, or
8 violations of law or regulations, and seeking
9 legal advice from our counsel on the board's
10 investigative licensing and legal agenda for
11 December 9th, 2015, as published in the D.C.
12 Register on November 27th, 2015.

13 Is there a second?

14 MR. ALBERTI: Second.

15 CHAIRMAN ANDERSON: Mr. Alberti has
16 seconded the notice -- the motion.

17 I will now take a roll call vote on the
18 motion before us now that has been seconded.

19 Ms. Miller?

20 (No response heard)

21 MALE SPEAKER: She says aye.

22 CHAIRMAN ANDERSON: (Laughter) Mr.

1 Alberti?

2 MR. ALBERTI: Aye.

3 CHAIRMAN ANDERSON: Mr. Short?

4 MR. SHORT: I agree.

5 CHAIRMAN ANDERSON: Mr. Silverstein?

6 MR. SILVERSTEIN: I agree.

7 CHAIRMAN ANDERSON: Mr. Anderson?

8 As it appears, the motion passed four to
9 nothing. As it appears, the motion has passed.

10 I hereby give notice that the ABC Board
11 will hold this aforementioned closed meeting,
12 pursuant to the Open Meetings Act.

13 Notice will also be posted on the ABC
14 Board, hearing room bulletin board, placed on the
15 electronic calendar on ABRA's web site, and
16 published in the D.C. Register in a timely manner
17 as possible.

18 We are now convened, and the hearing has
19 now been adjourned. Thank you.

20 The record is now closed.

21 (Pause)

22 CHAIRMAN ANDERSON: You heard me, ma'am?

1 (No response heard)

2 CHAIRMAN ANDERSON: Hello?

3 (No response heard)

4 CHAIRMAN ANDERSON: The record is closed.

5 REPORTER: We're adjourned?

6 CHAIRMAN ANDERSON: Yes, we're adjourned.

7 [Whereupon, the above-entitled matter
8 concluded at 7:57 p.m.]

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