

1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

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4 OTHER PERSONS PRESENT:

5 NICK ALBERTI, BOARD MEMBER

6 JAMES SHORT, BOARD MEMBER

7 MIKE SILVERSTEIN, BOARD MEMBER

8 RUTHANNE MILLER, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: The first matter
3 on our legal agenda is to review the Group of
4 Five or More Individuals' Motion To Request the
5 Board Apply the Group's Previously Filed Protest
6 to the License Renewal Application between the
7 Group of Five and Expo Restaurant & Lounge,
8 license #060872. This matter is moot.

9 The second matter on our is the review of
10 The Park's Petition to Unilaterally Amend or
11 Terminate its Settlement Agreement, dated July
12 26, 2007, between The Park at 14th and ANC 2F.
13 This matter is withdrawn.

14 The next matter is the review of The
15 Brig's Petition to Unilaterally Amend or
16 Terminate its Settlement Agreement, dated January
17 11, 2011, between ANC 6B and The Brig, License
18 No.: 055710. I make a motion that this matter be
19 placarded. Is there a second?

20 MR. SHORT: Second.

21 CHAIRPERSON ANDERSON: Mr. Short has
22 seconded the motion. All in favor say aye.

1 (Chorus of ayes.) Those opposed? (No audible
2 response.) The matter passed 5-zero-zero.

3 The next matter is the Review of the
4 Addendum to the Voluntary Settlement Agreement,
5 dated September 25, 2016, between ANC 6C and
6 Driftwood Kitchen and Driftwood Kitchen, License
7 No.: 086210. I make a motion that this matter be
8 approved. However, we are requiring the parties
9 to notify the board in writing within 48 hours of
10 the three-week trial period ending. Is there a
11 second?

12 MR. ALBERTI: Just for clarification,
13 we're treating this as a suspension of the
14 relevant conditions in the ASA for three months.
15 I think it's a three-month suspension that
16 they're asking for. That's essentially what this
17 is. They're saying, suspend conditions X, Y and
18 Z for three months, is what this addendum does.
19 So, just for clarity.

20 CHAIRPERSON ANDERSON: So, do you --

21 MR. ALBERTI: I agree, I think we should
22 approve it.

1 CHAIRPERSON ANDERSON: So, we approve it
2 and require that notification be provided within
3 48 hours of the three-week trial period.

4 MR. ALBERTI: Is it three weeks?

5 CHAIRPERSON ANDERSON: Yeah, that's what
6 it says, 'three week trial period'.

7 MR. ALBERTI: Okay. I misspoke.

8 CHAIRPERSON ANDERSON: Do you have a
9 comment, Ms. Miller?

10 MS. MILLER: No.

11 CHAIRPERSON ANDERSON: Is there a second?

12 MR. SILVERSTEIN: Second.

13 CHAIRPERSON ANDERSON: Mr. Silverstein
14 seconded the motion. All in favor say aye.
15 (Chorus of ayes.) Those opposed? (No audible
16 response.) The matter passed 5-zero-zero.

17 The next matter is Review of DC
18 Shenangians' Petition to Unilaterally Terminate
19 or Amend its Settlement Agreement between ANC 1C,
20 and the Kalorama Citizens Association, DC
21 Shenanigans, License No.: 088119. I make a
22 motion that this matter be placarded. The

1 purpose of the placard is they actually want to
2 allow for extended holiday hours and to live
3 music on the second floor to 12:30 a.m. I make a
4 motion that this matter be placarded. Is there a
5 second?

6 MR. SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion. Those in favor say aye.
9 (Chorus of ayes.) Those opposed? (No audible
10 response.) The matter passed 4-zero-zero.

11 The next matter on our agenda is the
12 Review of Bukom Café's Petition to Unilaterally
13 Terminate or Amend its Settlement Agreement,
14 dated March 1, 2006, between ANC 1C, and the
15 Kalorama Citizens Association, and Bukom Café',
16 License No.: 026466. I make a motion that this
17 matter be placarded. Is there a second?

18 MR. ALBERTI: Second.

19 CHAIRPERSON ANDERSON: Mr. Alberti has
20 seconded the motion. Those in favor say aye.
21 (Chorus of ayes.) Those opposed? (No audible
22 response.) The matter passed 5-zero-zero.

1 The next matter is to review of
2 Georgetown Piano Bar's Petition to Unilaterally
3 Terminate or Amend its Settlement Agreement
4 between ANC 2E, and the Sports Fan and Georgetown
5 Piano Bar, License No.: 095632. I make
6 a motion that this matter be placarded. Is there
7 a second?

8 MR. ALBERTI: Second.

9 CHAIRPERSON ANDERSON: Mr. Alberti has
10 seconded the motion. Those in favor say aye.
11 (Chorus of ayes.) Those opposed? (No audible
12 response.) The matter passed 5-zero-zero.

13 The next matter is to review Songbyrd's
14 Petition to Unilaterally Terminate or Amend its
15 Settlement Agreement between Saki ANC 1C and the
16 Kalorama Citizens Association, Songyrd, License
17 No.: 096137. I make a motion that this matter be
18 placarded.

19 MR. SILVERSTEIN: Second.

20 CHAIRPERSON ANDERSON: Mr. Silverstein
21 has seconded the motion. Those in favor say aye.
22 (Chorus of ayes.) Those opposed? (No audible

1 response.) The matter passed 5-zero-zero.

2 The next matter is review of Nomad Hooka
3 Bar's Petition to Unilaterally Terminate or Amend
4 its Settlement Agreement between Central and ANC
5 6A and Nomad Hookah Bar, License No.: 087558. I
6 make a motion that this matter be placarded. Is
7 there a second?

8 MR. ALBERTI: Second.

9 CHAIRPERSON ANDERSON: Mr. Alberti has
10 seconded the motion. Those in favor say aye.
11 (Chorus of ayes.) Those opposed? (No audible
12 response.) The matter passed 5-zero-zero.

13 We now move to our supplementary legal
14 agenda.

15 The first matter on our supplementary
16 legal agenda is to review of the Termination of
17 Cooperative Agreement between The Star and the
18 Shamrock and the Group of Five or More. The Star
19 and the Shamrock, License No.: 081804. I make a
20 motion that this matter be postponed. Is there a
21 second?

22 MR. SILVERSTEIN: Second.

1 CHAIRPERSON ANDERSON: Mr. Silverstein
2 has seconded the motion. Those in favor say aye.
3 (Chorus of ayes.) Those opposed? (No audible
4 response.) The matter passed 5-zero-zero.

5 The next matter is review of a letter,
6 dated September 29, 2016, from The Park at 14th
7 Withdrawing its Petition to Unilaterally Amend or
8 Terminate its Settlement Agreement between The
9 Park at 14th, License No.: 075548. I make a
10 motion that this matter be approved.

11 MR. ALBERTI: Second.

12 CHAIRPERSON ANDERSON: Mr. Alberti has
13 seconded the motion. Those in favor say aye.
14 (Chorus of ayes.) Those opposed? (No audible
15 response.) The matter passed 5-zero-zero.

16 The next matter is review of Amsterdam
17 Lounge's Petition to Terminate its Settlement
18 Agreement between Indulj and ANC 1B, and
19 Amsterdam Lounge, License No.: 100340. I make a
20 motion that this matter be placarded. Is there a
21 second?

22 MR. SILVERSTEIN: Second.

1 CHAIRPERSON ANDERSON: Mr. Silverstein
2 has seconded the motion. Those in favor say aye.
3 (Chorus of ayes.) Those opposed? (No audible
4 response.) The matter passed 5-zero-zero.

5 The next matter is review of Decade's
6 Motion for Reconsideration of the Board's Denial
7 of its Request for Reinstatement, Decades,
8 License No.: 103505. I make a motion that we
9 deny this request. Is there a second?

10 MR. ALBERTI: Second.

11 CHAIRPERSON ANDERSON: Mr. Alberti has
12 seconded the motion. Those in favor say aye.
13 (Chorus of ayes.) Those opposed?

14 MS. MILLER: Opposed.

15 CHAIRPERSON ANDERSON: The matter passed
16 4 to 1 with Ms. Miller in opposition.

17 The next matter is to review of a
18 Petition to Unilaterally Amend or Terminate a
19 Settlement Agreement, between ANC 2F, and the
20 Abutting Property Owner, and Vegas Lounge,
21 License No.: 0001273. I make a motion that we
22 deny this request.

1 Is there a second?

2 MR. SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion. All in favor say aye.
5 (Chorus of ayes.) Those opposed? (No audible
6 response.) The matter passed 5-zero-zero.

7 We now move to our supplementary
8 licensing agenda. The first matter on our
9 supplementary licensing agenda is to review a
10 request for a stipulated license for ANC 4D and
11 Elias Indira Market, License #104094. I make a
12 motion that we approve this. Is there a second?

13 MR. SILVERSTEIN: Second.

14 CHAIRPERSON ANDERSON: Mr. Silverstein
15 has seconded the motion. Those in favor say aye.
16 (Chorus of ayes.) Those opposed? (No audible
17 response.) The matter passed 5-zero-zero.

18 The next matter is to review request for
19 temporary operating retail permit between ANC 2B
20 and Thai and Soul Bistro, License no.: 103193. I
21 make a motion that we approve this. Is there a
22 second?

1 MS. MILLER: Second.

2 CHAIRPERSON ANDERSON: Ms. Miller has
3 seconded the motion. Those in favor say aye.
4 (Chorus of ayes.) Those opposed? (No audible
5 response.) The matter passed 5-zero-zero.

6 The next matter is to review a Request to
7 Extend Safekeeping of License of Millie and Al's
8 Belences Columbia Restaurant, License #00460. I
9 make a motion that we approve this request
10 through March 31, 2017. Is there a second?

11 MR. SILVERSTEIN: Second.

12 CHAIRPERSON ANDERSON: Mr. Silverstein
13 has seconded the motion. Those in favor say aye.
14 (Chorus of ayes.) Those opposed? (No audible
15 response.) The matter passed 5-zero-zero.

16 The next matter is to review request to
17 extend Safekeeping of License Sirius, License No.
18 089510. I make a motion that we approve this
19 request through March 31, 2017. Is there a
20 second?

21 MR. SHORT: Second.

22 CHAIRPERSON ANDERSON: Mr. Short has

1 seconded the motion. All in favor say aye.

2 (Chorus of ayes.) Those opposed? (No audible
3 response.) The matter passed 5-zero-zero.

4 The next matter is to review request to
5 Extend Safekeeping Of License, Ricewood Liquors,
6 License no. 060622. I make a motion that we
7 approve this request through March 31, 2017. Is
8 there a second?

9 MR. ALBERTI: Second.

10 CHAIRPERSON ANDERSON: Mr. Alberti has
11 seconded the motion. All in favor say aye.
12 (Chorus of ayes.) Those opposed? (No audible
13 response.) The matter passed 5-zero-zero.

14 The next matter is to review Request to
15 Extend Safekeeping of License, Al's Liquor,
16 License no: 074611. I make a motion that we
17 approve this through March 31, 2017. Is there a
18 second?

19 MR. ALBERTI: Second.

20 CHAIRPERSON ANDERSON: Mr. Alberti has
21 seconded the motion. All in favor say aye.
22 (Chorus of ayes.) Those opposed? (No audible

1 response.) The matter passed 5-zero-zero.

2 The next matter is to review Request to
3 Remove License from Safekeeping, Grapes and Hopes
4 Market, License no.: 077268. I make a motion
5 that we have a fact finding hearing on this
6 matter. Is there a second?

7 MR. SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein
9 has seconded the motion. All in favor say aye.
10 (Chorus of ayes.) Those opposed? (No audible
11 response.) The matter passed 5-zero-zero.

12 The next matter is to Review a Request
13 for Wine Endorsement for Azul Eatery and Pintos
14 Bar, License no: 102866. I make a motion that
15 this matter be placarded. Is there a second?

16 MR. SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has
18 seconded the motion. Those in favor say aye.
19 (Chorus of ayes.) Those opposed? (No audible
20 response.) The matter passed 5-zero-zero.

21 We now move to our licensing agenda. The
22 first matter on our licensing agenda is to Review

1 Request to Remove Tasting Permit from License
2 effective next license year for Prego Again,
3 License no. 090326. I make a motion that this
4 matter be approved. Is there a second?

5 MR. ALBERTI: Second.

6 CHAIRPERSON ANDERSON: Mr. Alberti has
7 seconded the motion. Those in favor say aye.
8 (Chorus of ayes.) Those opposed? (No audible
9 response.) The matter passed 5-zero-zero.

10 We now move to our second supplementary
11 licensing agenda. The first matter on our second
12 supplementary licensing agenda is to Review
13 Application for Safekeeping of License for
14 Touche, License no. 096779. I make a motion that
15 we approve this request through March 31, 2017.
16 Is there a second?

17 MR. SILVERSTEIN: Second.

18 CHAIRPERSON ANDERSON: Mr. Silverstein
19 has seconded the motion. Those in favor say aye.
20 (Chorus of ayes.) Those opposed? (No audible
21 response.) The matter passed 5-zero-zero.

22 We now move to our cancellation agenda.

1 The first matter on our cancellation agenda is a
2 request from Washington University Club, license
3 no: 026668, to cancel their license. I make a
4 motion that we approve the request from the
5 Washington University Club to cancel its license.
6 Is there a second?

7 MR. ALBERTI: Second.

8 CHAIRPERSON ANDERSON: Mr. Alberti
9 seconded the motion. All in favor say aye.
10 (Chorus of ayes.) Those opposed? (No audible
11 response.) The matter passed 5-zero-zero.

12 The next matter is that again there is a
13 request from Taquilo's Districo Federale, license
14 no. 088476 to cancel its license. I make a
15 motion that we approve this request. Is there a
16 second?

17 MR. ALBERTI: Second.

18 CHAIRPERSON ANDERSON: Mr. Alberti
19 seconded the motion. Those in favor say aye.
20 (Chorus of ayes.) Those opposed? (No audible
21 response.) The matter passed 5-zero-zero.

22 As chairperson of the Alcoholic Beverage

1 Control Board for the District of Columbia and in
2 accordance with D.C. Official Code Section 2574 B
3 Closed Meetings and Section 2574 Notice of
4 Meetings of the Open Meetings Act, I move that
5 the ABC Board hold a closed meeting on October
6 19, 2016, 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, legal and licensing agenda
12 for October 19, 2016 as published in the D.C.
13 Registry on October 14, 2016. Is there a second?

14 MR. ALBERTI: Second.

15 CHAIRPERSON ANDERSON: Mr. Alberti has
16 seconded the motion. I will now take a roll call
17 vote on the motion before us now that it has been
18 seconded.

19 CHAIRPERSON ANDERSON: Mr. Alberti?

20 MR. ALBERTI: I agree.

21 CHAIRPERSON ANDERSON: Mr. Short?

22 MR. SHORT: I agree.

1 CHAIRPERSON ANDERSON: Mr. Silverstein?

2 MR. SILVERSTEIN: I agree.

3 CHAIRPERSON ANDERSON: Mr. Anderson? I
4 agree. As it appears that the motion has passed,
5 I hereby give notice that the ABC Board will hold
6 this aforementioned closed meeting. Pursuant to
7 the Open Meetings Act, notice will also be posted
8 on the ABC Board here on the bulletin Board,
9 placed on the electronic calendar on ABRA's
10 website and published in the D.C. Register in as
11 timely a manner as practical. It is now 10:32
12 and we are adjourned for the day. Thank you.

13 (Whereupon, the above-entitled matter was
14 concluded.)