

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 Investigative Agenda :
 Legal Agenda :
 Licensing Agenda :
 :

Wednesday
 January 29, 2020

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
 Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
 RAFI ALIYA CROCKETT, Member
 BOBBY CATO, JR., Member
 JAMES SHORT, Member
 REMA WAHABZADAH, Member

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

2 2:05 p.m.

3 CHAIRPERSON ANDERSON: Let's do our
4 legal agenda. The first matter on our legal
5 agenda, excuse me, is to review a settlement
6 agreement dated January 8, 2020, between ANC 1C,
7 the Reed-Cooke Neighborhood Association, the
8 Kalorama Citizens Association and Los Cuates,
9 License Number 008658.

10 I make a motion that we approve this
11 request. Is there a second?

12 MEMBER CATO: Second.

13 CHAIRPERSON ANDERSON: Mr. Cato
14 seconded the motion. All those in favor say aye.

15 (Chorus of aye.)

16 Those opposed? The matter passes 5-0-
17 0. I'm sorry. I'm reading a different number.
18 So, there might be some confusion. But I'm
19 reading the information that's in front of me.

20 All right. All those in favor say
21 aye.

22 (Chorus of aye.)

23 Those opposed to. The matter passes
24 5-0-0.

25 The next matter is to review the

1 settlement agreement dated January 8, 2020,
2 between ANC 2F and Number Nine, License Number
3 086354.

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

6 MEMBER CROCKETT: Second.

7 CHAIRPERSON ANDERSON: Ms. Crockett
8 has seconded the motion. All those in favor say
9 aye.

10 (Chorus of aye.)

11 Those opposed? The matter passes 5-0-
12 0.

13 The next matter is the review of a
14 settlement agreement dated January 10, 2020,
15 between ANC 1B and William Mulherin and Sons,
16 License Number 115826.

17 I make a motion that we approve the
18 agreement with modifications. Is there a second?

19 MEMBER CROCKETT: Second.

20 CHAIRPERSON ANDERSON: Ms. Crockett
21 has seconded the motion. All those in favor say
22 aye.

23 (Chorus of aye.)

24 Those opposed? The matter passes 5-0-
25 0.

1 The next matter is the review of ANC
2 5D's letters to the Board informing them that
3 Commissioner Motley is withdrawing from the
4 protest group of five or more in the Jimmy
5 Valentine's Lonely Hearts Club Protest, License
6 Number 076330. This is just an FYI for the
7 Board.

8 The next matter is the review of
9 Highland Community Entertainment Hall's request
10 for reinstatement of its application, License
11 Number 115394. I make a motion that we approve
12 this request. Is there a second?

13 MEMBER CROCKETT: Second.

14 CHAIRPERSON ANDERSON: Ms. Crockett
15 has seconded the motion. All those in favor say
16 aye.

17 (Chorus of aye.)

18 Those opposed? The matter passes 5-0-
19 0.

20 The next matter is the review of ANC
21 7B's opposition to Highland's Community Hall's
22 request for a reinstatement of this application.
23 This is now moot.

24 The next matter on our calendar is the
25 review of Pure Nightclub and Lounge's Motion to

1 Dismiss ANC 1B's protest, License Number 024613.
2 This matter is now moot. And it's moot because
3 pursuant to DC Code Section 25-445 the ANC did
4 not appear at the mandatory mediation.

5 The next matter is the review of ANC
6 1B's opposition to Pure Nightclub and Lounge's
7 Motion to Dismiss. This matter is also moot.

8 The next matter on our calendar is
9 review of the Cooperative Agreement dated
10 December 9, 2019, between ANC 6D and
11 Albi/Maxwell, License Number 115589.

12 I make a motion that we approve this
13 request with modification. Is there a second?

14 MEMBER CROCKETT: Second.

15 CHAIRPERSON ANDERSON: Ms. Crockett
16 has seconded the motion. All those in favor say
17 aye.

18 (Chorus of aye.)

19 Those opposed? The matter passes 5-0-
20 0.

21 The next matter is the review of a
22 Settlement Agreement dated November 6, 2019,
23 between ANC 2F and Jinya Ramen Bar, License
24 Number 101302.

25 I make a motion that we approve this

1 request with modifications. Is there a second?

2 MEMBER CATO: Second.

3 CHAIRPERSON ANDERSON: Mr. Cato
4 seconded the motion. All those in favor say aye.

5 (Chorus of aye.)

6 Those opposed? The matter passes 5-0-
7 0.

8 The next matter is the review of the
9 Settlement Agreement dated December 12, 2019,
10 between ANC 3E and Surfside, License Number
11 113253.

12 I make a motion that we approve this
13 request. Is there a second?

14 MEMBER CROCKETT: Second.

15 CHAIRPERSON ANDERSON: Ms. Crockett
16 has seconded the motion. All those in favor say
17 aye.

18 (Chorus of aye.)

19 Those opposed? The matter passes 5-0-
20 0.

21 The next matter is the review of a
22 Settlement Agreement dated January 20, 2019,
23 2020, I'm sorry, between ANC 2B and Emissary,
24 License Number 115592.

25 I make a motion that we approve this

1 request with modifications. Is there a second?

2 MEMBER SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion. All those in favor say aye.

5 (Chorus of aye.)

6 Those opposed? The matter passes 5-0-
7 0.

8 The next matter is the review of a
9 Settlement Agreement dated January 22, 2020,
10 between the group of five or more and Rito Loco-
11 El Techno, License Number 104119.

12 I make a motion that we approve this
13 request. Is there a second?

14 MEMBER CROCKETT: Second.

15 CHAIRPERSON ANDERSON: Ms. Crockett
16 has seconded the motion. All those in favor say
17 aye.

18 (Chorus of aye.)

19 Those opposed? The matter passes 5-0-
20 0.

21 The next matter is the review of a
22 Settlement Agreement dated January 20, 2020,
23 between ANC 2E, the Citizens Association of
24 Georgetown and Donahue, License Number 115150.

25 I make a motion that we approve this

1 request with modifications. Is there a second?

2 MEMBER CROCKETT: Second.

3 CHAIRPERSON ANDERSON: Ms. Crockett
4 has seconded the motion. All those in favor say
5 aye.

6 (Chorus of aye.)

7 Those opposed? The matter passes 5-0-
8 0.

9 The next matter is the review of the
10 Technical Amendment Notice of Proposed
11 Rulemaking. I make a motion that we approve this
12 request. Is there a second?

13 MEMBER CROCKETT: Second.

14 MEMBER CATO: Second.

15 CHAIRPERSON ANDERSON: Ms. Crockett
16 and Mr. Cato second the motion. All those in
17 favor say aye.

18 (Chorus of aye.)

19 Those opposed? The matter passes 5-0-
20 0.

21 We now move to our supplemental legal
22 agenda. The first matter in our supplemental
23 legal agenda is the review of ANC 1B's
24 supplemental opposition to Pure Nightclub and
25 Lounge Motion to Dismiss. This matter is now

1 moot.

2 The next matter for review of Pure
3 Nightclub and Lounge's response to ANC 1B's
4 supplemental opposition. This matter is also
5 moot.

6 The next matter on our calendar is
7 review of Miramar's request for a reinstatement
8 of its application. It's license number is
9 115376.

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

12 MEMBER CROCKETT: Second.

13 CHAIRPERSON ANDERSON: Ms. Crockett
14 has seconded the motion. All those in favor say
15 aye.

16 (Chorus of aye.)

17 Those opposed? The matter passes 5-0-
18 0.

19 The next matter is the review of
20 Citizen's Association of Georgetown's response to
21 Miramar's request for reinstatement of its
22 application. This matter is now moot.

23 The next matter is, on the agenda is
24 review of the group of five or more responses to
25 Miramar's request for reinstatement of its

1 application. This matter is also moot.

2 The next matter on our agenda is
3 review of Shepherd Park Citizen's Association
4 Motion to Correct the official transcript in
5 Betty's Gojo, License Number 102500.

6 I make a motion that we approve except
7 as to a modification to Page 28 of the transcript
8 as agreed to by the parties. Is there a second?

9 MEMBER SHORT: Second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion. All those in favor say aye.

12 (Chorus of aye.)

13 Those opposed? The matter passes 5-0-
14 0.

15 The next matter is review of Betty
16 Gojo's partial consent of Shepherd Park Citizen's
17 Association's Motion to Correct the official
18 transcript. This matter is now moot.

19 The next matter on our agenda is the
20 review of a Settlement Agreement between ANC 6D
21 and MOMO, License Number 115590. I make a motion
22 that we approve this request with modifications.
23 Is there a second?

24 MEMBER CROCKETT: Second.

25 CHAIRPERSON ANDERSON: Ms. Crockett

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

3 (Chorus of aye.)

4 Those opposed? The matter passes 5-0-
5 0.

6 The next matter is the review of the
7 group of five or more's withdrawal of its protest
8 in the Quilox Restaurant and Lounge matter,
9 License Number 114288.

10 I make a motion that we approve this
11 request. Is there a second?

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion. All those in favor say aye.

15 (Chorus of aye.)

16 Those opposed? The matter passes 5-0-
17 0.

18 The next matter is the review of CNI's
19 correspondence acknowledging their intent to
20 withdraw their protest in the Quilox Restaurant
21 and Lounge, License Number 114288.

22 I make a motion that we approve this
23 request. Is there a second?

24 MEMBER CROCKETT: Second.

25 CHAIRPERSON ANDERSON: Ms. Crockett

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

3 (Chorus of aye.)

4 Those opposed? The matter passes 5-0-
5 0.

6 The next matter is a review of Play
7 DC's Motion to Reinstate, License Number 11274.
8 I make a motion that we approve this request. Is
9 there a second?

10 MEMBER CROCKETT: Second.

11 CHAIRPERSON ANDERSON: Ms. Crockett
12 has seconded the motion. All those in favor say
13 aye.

14 (Chorus of aye.)

15 Those opposed? The matter passes 5-0-
16 0.

17 The next matter is to review
18 LeDeSales' Motion for Reconsideration of the
19 Board's decision in Case Number 19-CMP-00061,
20 LeDeSales. Their license number is 060754.

21 I make a motion that we deny this
22 request. Is there a second?

23 MEMBER SHORT: Second.

24 CHAIRPERSON ANDERSON: Mr. Short has
25 seconded the motion. All those in favor say aye.

1 (Chorus of aye.)

2 Those opposed? The matter passes 5-0-
3 0.

4 The matter is the review of the Gold
5 Room Bar and Lounge's request to store invoices
6 off site. Their license number is 114757. I
7 make a motion that we approve this request. Is
8 there a second?

9 MEMBER CROCKETT: Second.

10 CHAIRPERSON ANDERSON: Ms. Crockett
11 has seconded the motion. All those in favor say
12 aye.

13 (Chorus of aye.)

14 Those opposed? The matter passes 5-0-
15 0.

16 The next matter is the review of
17 Barracks Lane Restaurant's DC Settlement
18 Agreement dated January 1, 2020. The agreement
19 is between Mekki DC and ANC 6B.

20 Barrack's Lane Restaurant's license
21 number is 109778. I make a motion that we
22 approve this request. Is there a second?

23 MEMBER SHORT: Second.

24 CHAIRPERSON ANDERSON: Mr. Short has
25 seconded the motion. All those in favor say aye.

1 (Chorus of aye.)

2 Those opposed? The matter passes 5-0-
3 0.

4 The next matter is the review of ANC
5 2F's comments concerning Climax Bar and
6 Restaurant's fact finding hearing. This is an
7 FYI for the Board.

8 The next matter is review of ANC 1B's
9 request for an advisory opinion as to which
10 settlement agreements governs for Flash, License
11 Number 090823. I make a motion that we refer
12 this matter to legal. Is there a second?

13 MEMBER CROCKETT: Second.

14 CHAIRPERSON ANDERSON: Ms. Crockett
15 has seconded the motion. All those in favor say
16 aye.

17 (Chorus of aye.)

18 Those opposed? The matter passes 5-0-
19 0.

20 We now move to our licensing agenda.
21 The first matter in our licensing agenda is
22 review of application of Safekeeping of License
23 for Slate Wine Bar, License Number 089768. This
24 is a moot matter since the establishment was
25 reopened on January, I'm sorry, October 1st.

1 The next matter is review application
2 for class change from retailer's Class C
3 Restaurant to Retailer's Class C Tavern, Mignot,
4 License Number 100407.

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

7 MEMBER SHORT: Second.

8 CHAIRPERSON ANDERSON: Mr. Short has
9 seconded the motion. All those in favor say aye.

10 (Chorus of aye.)

11 Those opposed? The matter passes 5-0-
12 0.

13 The next matter is the review of a
14 request to increase approved interior total
15 occupancy load from 6 to 12 for Uncle Chip's,
16 License Number 096522.

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

19 MEMBER CROCKETT: Second.

20 CHAIRPERSON ANDERSON: Ms. Crockett
21 has seconded the motion. All those in favor say
22 aye.

23 (Chorus of aye.)

24 Those opposed? The matter passes 5-0-
25 0.

1 The next matter is a review request to
2 increase Sidewalk Café seating from eight to 13,
3 Number Nine, License Number 086354. I make a
4 motion that we approve this request. Is there a
5 second?

6 MEMBER SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion. All those in favor say aye.

9 (Chorus of aye.)

10 Those opposed? The matter passes 5-0-
11 0.

12 This next matter is to review the
13 application for change of hours of operation of
14 alcoholic beverage sales service and consumption
15 both inside the premises and for the Sidewalk
16 Café.

17 For Mikko Nordic Fine Food, License
18 Number 109951. I make a motion that we placard
19 this matter. Is there a second?

20 MEMBER SHORT: Second.

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

23 (Chorus of aye.)

24 Those opposed? The matter passes 5-0-
25 0.

1 The next matter is to review
2 application for Sidewalk Café with four seats for
3 Cotton & Reed, License Number 099505. I make a
4 motion that we placard this matter. Is there a
5 second?

6 MEMBER CROCKETT: Second.

7 CHAIRPERSON ANDERSON: Ms. Crockett
8 has seconded the motion. All those in favor say
9 aye.

10 (Chorus of aye.)

11 Those opposed? The matter passes 5-0-
12 0.

13 The next matter is to review
14 application for a tasting permit for Benmoil
15 Liquor, License Number 072334. I make a motion
16 that we approve this request. Is there a second?

17 MEMBER CROCKETT: Second.

18 CHAIRPERSON ANDERSON: Ms. Crockett
19 has seconded the motion. All those in favor say
20 aye.

21 (Chorus of aye.)

22 Those opposed? The matter passes 5-0-
23 0.

24 We now move to our supplemental
25 license and agenda. The first matter in the

1 supplemental license agenda is to review a
2 request for temporary operating retail permit for
3 King Avenue Liquors, License Number 115969.

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

6 MEMBER CROCKETT: Second.

7 CHAIRPERSON ANDERSON: Ms. Crockett
8 has seconded the motion. All those in favor say
9 aye.

10 (Chorus of aye.)

11 Those opposed? The matter passes 5-0-
12 0.

13 The next matter is to review
14 application for a stipulated license for ANC
15 support for a new ABC license for Sign of the
16 Whale, License Number 116058.

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

19 MEMBER CROCKETT: Second.

20 CHAIRPERSON ANDERSON: Ms. Crockett
21 has seconded the motion. All those in favor say
22 aye.

23 (Chorus of aye.)

24 Those opposed? The matter passes 5-0-
25 0.

1 The next matter is to review
2 application for stipulated license for ANC
3 support for a new ABC license for Laoban
4 Dumplings, License Number 116185.

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

7 MEMBER CROCKETT: Second.

8 CHAIRPERSON ANDERSON: Ms. Crockett
9 has seconded the motion. All those in favor say
10 aye.

11 (Chorus of aye.)

12 Those opposed? The matter passes 5-0-
13 0.

14 The matter is to review a request for
15 a disposal permit to dispose of unopened
16 alcoholic beverages inventoried to Maxwell
17 located at 1336 9th Street NW. The request had
18 been made from, by Mandarin Oriental, Washington
19 D.C. Hotel, License Number 060811.

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

22 MEMBER CATO: Second.

23 CHAIRPERSON ANDERSON: Mr. Cato has
24 seconded the motion. All those in favor say aye.

25 (Chorus of aye.)

1 Those opposed? The matter passes 5-0-
2 0.

3 The next matter is review letter of
4 request to withdraw application of Safekeeping of
5 License, State Wine Bar, License Number 089768.

6 I make a motion that we approve this
7 request. Is there a second?

8 MEMBER CROCKETT: Second.

9 CHAIRPERSON ANDERSON: Ms. Crockett
10 has seconded the motion. All those in favor say
11 aye.

12 (Chorus of aye.)

13 Those opposed? The matter passes 5-0-
14 0.

15 The next matter is to review a letter
16 of request to withdraw new ABC license
17 application for El Salvadoreno Restaurant,
18 License Number 115938.

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

21 MEMBER CROCKETT: Second.

22 CHAIRPERSON ANDERSON: Ms. Crockett
23 has seconded the motion. All those in favor say
24 aye.

25 (Chorus of aye.)

1 Those opposed? The matter passes 5-0-
2 0.

3 The next matter is the review letter
4 of request to withdraw Sidewalk Café endorsement
5 application for service bar, License Number
6 103008.

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

9 MEMBER CROCKETT: Second.

10 CHAIRPERSON ANDERSON: Ms. Crockett
11 has seconded the motion. All those in favor say
12 aye.

13 (Chorus of aye.)

14 Those opposed? The matter passes 5-0-
15 0.

16 The next matter is review request of,
17 review letter of request to withdraw a new ABC
18 license application for a Class B, full service
19 grocery. I'm just going to mark it License
20 Number 114179.

21 I make a motion that we approve this
22 request. Is there a second?

23 MEMBER CROCKETT: Second.

24 CHAIRPERSON ANDERSON: Ms. Crockett
25 has seconded the motion. All those in favor say

1 aye.

2 (Chorus of aye.)

3 Those opposed? The matter passes 5-0-
4 0.

5 The next matter is a review request
6 for approval to provide gifts of Sweethearts and
7 Patriots tickets that do not exceed \$500 in
8 various licensed establishment, Breakthru
9 Beverage, License Number 060518.

10 I make a motion that we approve this
11 request. Is there a second?

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion. All those in favor say aye.
15 aye.)Chorus of aye.)

16 Those opposed? The matter passes 5-0-
17 0.

18 The next matter is a review request
19 for approval to provide a gift of Washingtonian
20 Weddings-Love Unveiled tickets that do not exceed
21 \$500 in value to various licensed retailers,
22 Breakthru Beverage. The license number is
23 060518.

24 I make a motion that we approve this
25 request. Is there a second?

1 MEMBER CROCKETT: Second.

2 CHAIRPERSON ANDERSON: Ms. Crockett
3 has seconded the motion. All those in favor say
4 aye.

5 (Chorus of aye.)

6 Those opposed? The matter passes 5-0-
7 0.

8 The next matter is to review a request
9 for approval to provide gifts of Woodinville-
10 Growler Werks that do not exceed \$500 in value to
11 various licensed retailers. The request is being
12 made by Breakthru Beverage, License Number
13 060518.

14 I make a motion that we approve this
15 request. Is there a second?

16 MEMBER SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has
18 seconded the motion. All those in favor say aye.

19 (Chorus of aye.)

20 Those opposed? The matter passes 5-0-
21 0.

22 We now move to our vacate cease and
23 desist orders agenda. The ABC Board is vacating
24 the following order to cease and desist
25 previously issued on January 25, 2020. BIN-1301

1 which is a tavern, License Number A-0, I'm sorry,
2 License Number 091682.

3 The licensee renewed on January 24,
4 2020. So, therefore I make a motion that the ABC
5 Board vacate the cease and desist orders as
6 listed on the agenda for today. Is there a
7 second?

8 MEMBER CROCKETT: Second.

9 CHAIRPERSON ANDERSON: Ms. Crockett
10 has seconded the motion. All those in favor say
11 aye.

12 (Chorus of aye.)

13 Those opposed? The matter passes 5-0-
14 0.

15 As Chairperson of the Alcoholic
16 Beverage Control Board for the District of
17 Columbia and in accordance with Title 3, Chapter
18 405 Open, Office of Open Government, I move that
19 the ABC Board hold a closed meeting on February
20 5, 2020, for the purpose of holding, the for
21 purpose of discussing and hearing reports
22 concerning ongoing or planned discussion
23 investigation of alleged criminal or civil
24 misconduct or violations of law or regulations
25 and seeking legal advice from our legal counsel

1 on the Board's investigative agenda, legal agenda
2 and licensing agenda for January 31, 2020.

3 I'm sorry, for February 5, 2020, as
4 will be published on January 31st, in the DC
5 Register on January 31, 2020. Is there a second?

6 MEMBER SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion. I will take a roll call
9 vote of the motion which has now been seconded.
10 Ms. Crockett?

11 MEMBER CROCKETT: I agree.

12 CHAIRPERSON ANDERSON: Mr. Cato?

13 MEMBER CATO: I agree.

14 CHAIRPERSON ANDERSON: Mr. Short?

15 MEMBER SHORT: I agree.

16 CHAIRPERSON ANDERSON: Ms. Wahabzadah?

17 MEMBER WAHABZADAH: I agree.

18 CHAIRPERSON ANDERSON: Mr. Anderson,
19 I agree. As it appears that the motion has
20 passed I hereby give notice that the ABC Board
21 will hold its aforementioned closed meeting
22 pursuant to the Open Meetings Act.

23 Notice will also be posted on the ABC
24 Board hearing room bulletin board, placed on the
25 electronic calendar on ABRA's website and

1 published in the DC Register in as timely a
2 manner as practical.

3 It is 2:25 and we're adjourned for the
4 day. Thank you.

5 (Whereupon, the above-entitled matter
6 went off the record at 2:25 p.m.)

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In the matter of: Agenda

Before: DCABRA

Date: 01-29-20

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