DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

IN THE MATTER OF:

Cancellation Agenda
Legal Agenda
Licensing Agenda
Application Decisions

Thursday
May 28, 2020

The Alcoholic Beverage Control Board met via teleconference, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member
C-O-N-T-E-N-T-S

Legal Agenda
1. Review of the Suspension of
On-Premises Alcohol Sales and
Consumption Due to Public Emergency
Notice of Fourth Emergency Rulemaking. . . . . . . 4

2. Review of the Additional Outdoor
Seating on Public and Private Space
Notice of Emergency Rulemaking. . . . . . . . . . 9

Licensing Agenda

1. Review Request for a Temporary
Operating Retail Permit (TORP).
ANC 7B. SMD 7B03.
Martha's Market, Retailer B,
2400 Minnesota Avenue SE,
License No 116862. . . . . . . . . . . . . . . .12

2. Review Letter from Heidi Arnold
of the American Heart Association
requesting to change the date of the event
for an approved Nonprofit Corporation
Auction Permit to auction off items
containing alcoholic beverages, such as
wine donations. The Heart's Delight
fundraiser that was to be held on
May 1, 2020 was cancelled due to
the health emergency and has been
converted to an online auction to be
held Friday, May 29, 2020.
License No. 19-AUCTION00001. . . . . . . . . . . . .13

Cancellation Agenda
The ABC Board will be cancelling the
following licenses for the reasons
outlined below:
ABRA-102759 -- Bareburger --
Retail -- C -- Restaurant --
1647 20th Street NW
[Licensee requested cancellation.] . . . . . . . .15
Application Decisions

1. AH PETIT MONDE, LLC
   T/A PETIT MONDE
   2653 CONNECTICUT AVENUE, NW
   LICENSE NO. 116741
   RET. C RESTAURANT
   TRANSFER WITH SALE APPLICATION . . . . . . . . . . . . . . . . . . . 16

2. STATE CERTIFICATION ALCOHOL
   AWARENESS COURSE
   8612 SWEET AUTUMN DRIVE,
   WINDSOR MILL, MD 21244
   LICENSE NO. 87423
   ALCOHOL AWARENESS TRAINING PROVIDER
   RENEWAL APPLICATION . . . . . . . . . . . . . . . . . . . . . . . . . . 17

3. TRAINING FOR INTERVENTION PROCEDURES
   (TIPS) & ETIPS
   1501 WILSON BOULEVARD, SUITE 500
   ARLINGTON, VA 22209
   ALCOHOL AWARENESS TRAINING PROVIDER
   RENEWAL APPLICATION . . . . . . . . . . . . . . . . . . . . . . . . . . 18
CHAIRPERSON ANDERSON: All right, good morning everyone.

As chairperson of the Alcoholic Beverage Control Board for the District of Columbia in accordance with D.C. Official Code Section 25764 of the Open Meetings Act, I am welcoming you to an emergency meeting of the Alcoholic Beverage Control Board.

This meeting is being conducted pursuant to guidelines made available by the District of Columbia Office of Open Government regarding electronic meetings held by public bodies during the public health emergency.

Pursuant to this guideline, notice of today's meeting was provided 48 hours in advance of the meeting on ABRA's website and on the District's central meeting calendar.

The notice included the time, date, agenda, and call-in or login information for public participation.

This electronic meeting is being hosted by our WebEx account provided by the District of Columbia government.
Please address any questions or complaints to the OOG at opengovoffice@dc.gov.

My name is Donovan Anderson and I'm chairman of the Board.

I would like to introduce the other members of the Board who are also participating electronically, pursuant to Mayor's Order 2020-054.

Please respond when I announce your name.

Mr. James Short?

MEMBER SHORT: This is James Short. Present.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, present.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, present.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen, present.

CHAIRPERSON ANDERSON: Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, present.

CHAIRPERSON ANDERSON: The Board has
six members in attendance for the conduct of
business today, and that constitutes a quorum.

Our first order of business today, we
are going to do our legal agenda.

On May 27, 2020, Mayor Bowser issued
Mayor's Order 2020-067 and announced that the
District has entered Phase 1 of Washington D.C.'s
reopening.

Among other things, Mayor's Order
2020-067 partially lifts the restriction
prohibiting on-site dining by allowing
restaurants, taverns, nightclubs, mixed-use
facilities, and other licensed food
establishments to offer table service to seated
patrons that occur on outdoor public or private
space.

The Board interprets the phrase mixed-
use facilities to include hotels, multipurpose
facilities, private clubs, and other Class CX and
DX licenses, and licensed manufacturers that
serve food and satisfy certain requirements.

The Mayor's Order retains the
prohibition on indoor dining during Phase 1.

In light of Mayor's Order 2020-067,
the Board finds that emergency action is
warranted to continue the extension of on-premise alcoholic beverage sales, service, and consumption indoors, but to allow the sale, service, and consumption of alcoholic beverages as part of the table service to seated patrons on existing outdoor public or private space.

Specifically, the Board has determined that emergency action is necessary to modify the current suspension of on-premise alcoholic beverage sales and service in the District to allow on-premises retail licenses and manufacturer licenses, Class A or B, on-site sales and consumption permit to sell, serve, and allow the consumption of alcoholic beverages on approved outdoor public and private space.

This emergency action will continue to protect the public's health by prohibiting the sale, service, and consumption of alcoholic beverages indoors.

I move that the Board adopts this rulemaking.

So, the rulemaking that we're going to vote on today is the review of the suspension of on-premise alcoholic sales and consumption due to public emergency notice for emergency rulemaking.
I make a motion that we approve this request.

Is there a second?

MEMBER SHORT: James Short, and I second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

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

Mr. James Short?

MEMBER SHORT: This is James Short. I agree.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett. I agree.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

(No audible response.)

CHAIRPERSON ANDERSON: Ms. Hansen?

(No audible response.)

CHAIRPERSON ANDERSON: Ms. Hansen, I
cannot hear you.

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Thank you. Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson, I also agree. The motion therefore passes 6-0-0.

We'll now move to our second item on our legal agenda. Give me a minute, please. All right.

On May 27, 2020, Mayor Bowser issued Mayor's Order 2020-067 and announced that the District has entered Phase 1 of Washington, D.C.'s reopening.

Among other things, Mayor's Order 2020-067 partially lifts the restriction prohibiting on-site dining by allowing restaurants, taverns, nightclubs, mixed-use facilities, and other licensed food establishments to offer table service to seated patrons that occur on outdoor public or private space.

The Board interprets the phrase mixed-use facilities to include hotels, multipurpose
facilities, private clubs, and other Class CX and
DX licenses, and licensed manufacturers that
serve food and satisfy certain requirements.

In light of Mayor's Order 2020-067,
the Board finds that emergency action is
warranted to allow ABC licensees who either seek
to expand existing outdoor space or who do not
presently have outdoor public or private space on
their licenses to register with the Board so that
they will be able to sell, serve, and allow the
consumption of alcoholic beverages on new or
expanded outdoor public or private space.

The Board determined that emergency
action was warranted in order to allow as many
qualifying ABC licensed establishments to return
to operation as soon as possible, in accordance
with the Mayor's Order.

This emergency rulemaking, however,
will not allow these licensees to sell, serve, or
allow the consumption of alcoholic beverages
inside of the establishment, thus continuing to
protect the public's health by prohibiting the
sale, service, and consumption of alcoholic
beverages indoors.

I move that the Board adapts this
regulation.

So, what we're now voting on is the review of the additional outdoor seating on public and private space, notice of emergency rulemaking.

Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion.

I now move for a roll call vote on the motion before us that has been properly seconded.

Mr. James Short?

MEMBER SHORT: Mr. James Short, I agree.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen. I agree.

CHAIRPERSON ANDERSON: And Mr. Ed
Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson, I also agree. The motion therefore passes 6-0-0. That's it on our legal agenda.

We now move to our licensing agenda.

The first matter on our licensing agenda is a review request for a Temporary Operating Retail Permit, TORP.

It was requested by Martha's Market, License Number 1116862.

I make a motion that we grant this Temporary Operator Retail Permit.

Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion.

I will now take a roll call vote on the motion that has been properly seconded.

Mr. James Short?

MEMBER SHORT: Mr. James Short, I agree.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: And Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson, I also agree. The motion therefore is approved, 6-0-0.

The next matter on our licensing agenda is to review a letter from Heidi Arnold of the American Heart Association requesting to change the date of the event for an approved Nonprofit Corporation Auction Permit to auction items containing alcoholic beverages, such as wine donations.

The Heart's Delight fundraiser that was to be held on May 1, 2020 was cancelled due to the public health emergency, and has since been converted to an online auction to be held May 29, 2020.
The license number is License Number 19-AUCTION-00001.

I make a motion that we review this request.

Is there a second?

MEMBER SHORT: James Short. I second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

I will now take a roll call vote on the motion that has been properly seconded.

Mr. James Short?

MEMBER SHORT: Mr. James Short. I agree.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr.
Anderson, I also agree. The motion therefore passes 6-0-0.

We now move to our cancellation agenda.

The ABC Board will be cancelling the following licenses for the reasons outlined below.

Bareburger, License Number 102759.

The licensee requested cancellation.

Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion.

I will now take a roll call vote on the motion that has been properly seconded.

Mr. James Short?

MEMBER SHORT: Mr. James Short, I agree.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.
CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson, I also agree. Therefore, the motion passes 6-0-0.

We now move to our docket. And the first item on our docket is a request from AH PETIT MONDE, LLC, License Number 116741.

They are a Retailer C restaurant. They have asked to transfer their license for sale.

With this request, I then make a motion that we approve this request. Is there a second?

MEMBER SHORT: James Short, I second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

I will now take a roll call vote on the motion that has been properly seconded.

Mr. James Short?

MEMBER SHORT: Mr. James Short, I agree.
CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson, I also agree. The motion therefore passes 6-0-0.

The next matter on our agenda, it's an application from State Certification Alcohol Awareness Course.

The license number is 87423, and they are a vendor asking to renew their application.

I make a motion therefore that we approve this request.

Is there a second?

MEMBER GRANDIS: Ed Grandis, second.

CHAIRPERSON ANDERSON: Mr. Grandis has seconded the motion. I will now take a roll call
vote on the motion now that it's been properly seconded.

Mr. James Short?

MEMBER SHORT: Mr. James Short, I agree.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson, I also agree. The motion therefore carries 6-0-0.

The next matter on our agenda is a Training for Intervention Procedures (TIPS) & eTIPS training from -- yeah, training. They're also asking for a renewal application. So they're an alcohol awareness
training provider, and they're asking to renew their application.

I make a motion that we renew the application.

Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion.

I will now take a roll call vote on the motion that has been properly seconded.

Mr. James Short?

MEMBER SHORT: Mr. James Short, I agree.

CHAIRPERSON ANDERSON: Mr. Bobby Cato?

MEMBER CATO: Mr. Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Rafi Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Jeni Hansen?

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Mr. Ed Grandis?

MEMBER GRANDIS: Ed Grandis, I agree.
CHAIRPERSON ANDERSON: And Mr. Anderson, I agree. The motion therefore passes 700.

The Board has now come to the end of our agenda for the day. And if there is no other events, I will now close the meeting.

Any questions, concerns by anyone?

(No audible response.)

CHAIRPERSON ANDERSON: I hear none.

Mr. Grandis?

MEMBER GRANDIS: Our next meeting is next Wednesday?

CHAIRPERSON ANDERSON: Yes, we had announced last week that I formally closed the meeting, the agenda last week because we were not supposed to have met this week, so therefore, we had an emergency meeting today based on the Mayor's Order yesterday.

So, the Board will revert back to its regular scheduled meeting next week, Wednesday.

So with that said, I now will close the meeting.

There's really no need to do a formal roll call because I've already under the Open Meetings Act. I didn't formally close the
meeting last week, Wednesday.

    All right. With that said, everyone have a great week, and we will again participate next week, Wednesday, at 9:30 -- 10:00 for a public meeting -- or 10:30.

    (Whereupon, the above-entitled matter went off the record at 10:23 a.m.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Agenda

Before: DCABRA

Date: 05-28-20

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

[Signature]
Court Reporter