

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 APPLICATION16

2. STATE CERTIFICATION ALCOHOL
 AWARENESS COURSE

 8612 SWEET AUTUMN DRIVE,
 WINDSOR MILL, MD 21244

 LICENSE NO. 87423

 ALCOHOL AWARENESS TRAINING PROVIDER
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3. TRAINING FOR INTERVENTION PROCEDURES
 (TIPS) & ETIPS

 1501 WILSON BOULEVARD, SUITE 500
 ARLINGTON, VA 22209

 ALCOHOL AWARENESS TRAINING PROVIDER
 RENEWAL APPLICATION18

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

2 (10:06 a.m.)

3 CHAIRPERSON ANDERSON: All right, good
4 morning everyone.

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

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

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

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

23 This electronic meeting is being
24 hosted by our WebEx account provided by the
25 District of Columbia government.

1 Please address any questions or
2 complaints to the OOG at opengovoffice@dc.gov.

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

5 I would like to introduce the other
6 members of the Board who are also participating
7 electronically, pursuant to Mayor's Order
8 2020-054.

9 Please respond when I announce your
10 name.

11 Mr. James Short?

12 MEMBER SHORT: This is James Short.
13 Present.

14 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

15 MEMBER CATO: Bobby Cato, present.

16 CHAIRPERSON ANDERSON: Ms. Rafi
17 Crockett?

18 MEMBER CROCKETT: Rafi Crockett,
19 present.

20 CHAIRPERSON ANDERSON: Ms. Jeni
21 Hansen?

22 MEMBER HANSEN: Jeni Hansen, present.

23 CHAIRPERSON ANDERSON: Mr. Ed Grandis?

24 MEMBER GRANDIS: Ed Grandis, present.

25 CHAIRPERSON ANDERSON: The Board has

1 six members in attendance for the conduct of
2 business today, and that constitutes a quorum.

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

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

9 Among other things, Mayor's Order
10 2020-067 partially lifts the restriction
11 prohibiting on-site dining by allowing
12 restaurants, taverns, nightclubs, mixed-use
13 facilities, and other licensed food
14 establishments to offer table service to seated
15 patrons that occur on outdoor public or private
16 space.

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

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

24 In light of Mayor's Order 2020-067,
25 the Board finds that emergency action is

1 warranted to continue the extension of on-premise
2 alcoholic beverage sales, service, and
3 consumption indoors, but to allow the sale,
4 service, and consumption of alcoholic beverages
5 as part of the table service to seated patrons on
6 existing outdoor public or private space.

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

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

20 I move that the Board adopts this
21 rulemaking.

22 So, the rulemaking that we're going to
23 vote on today is the review of the suspension of
24 on-premise alcoholic sales and consumption due to
25 public emergency notice for emergency rulemaking.

1 I make a motion that we approve this
2 request.

3 Is there a second?

4 MEMBER SHORT: James Short, and I
5 second.

6 CHAIRPERSON ANDERSON: Mr. Short has
7 seconded the motion.

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

11 Mr. James Short?

12 MEMBER SHORT: This is James Short.

13 I agree.

14 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

15 MEMBER CATO: Bobby Cato, I agree.

16 CHAIRPERSON ANDERSON: Ms. Rafi

17 Crockett?

18 MEMBER CROCKETT: Rafi Crockett. I

19 agree.

20 CHAIRPERSON ANDERSON: Ms. Jeni

21 Hansen?

22 (No audible response.)

23 CHAIRPERSON ANDERSON: Ms. Hansen?

24 (No audible response.)

25 CHAIRPERSON ANDERSON: Ms. Hansen, I

1 cannot hear you.

2 MEMBER HANSEN: Jeni Hansen, I agree.

3 CHAIRPERSON ANDERSON: Thank you. Mr.
4 Ed Grandis?

5 MEMBER GRANDIS: Ed Grandis, I agree.

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

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

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

16 Among other things, Mayor's Order
17 2020-067 partially lifts the restriction
18 prohibiting on-site dining by allowing
19 restaurants, taverns, nightclubs, mixed-use
20 facilities, and other licensed food
21 establishments to offer table service to seated
22 patrons that occur on outdoor public or private
23 space.

24 The Board interprets the phrase mixed-
25 use facilities to include hotels, multipurpose

1 facilities, private clubs, and other Class CX and
2 DX licenses, and licensed manufacturers that
3 serve food and satisfy certain requirements.

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

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

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

25 I move that the Board adapts this

1 regulation.

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

6 Is there a second?

7 MEMBER CROCKETT: Ms. Crockett
8 seconds.

9 CHAIRPERSON ANDERSON: Ms. Crockett
10 has seconded the motion.

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

13 Mr. James Short?

14 MEMBER SHORT: Mr. James Short, I
15 agree.

16 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

17 MEMBER CATO: Bobby Cato, I agree.

18 CHAIRPERSON ANDERSON: Ms. Rafi
19 Crockett?

20 MEMBER CROCKETT: Rafi Crockett, I
21 agree.

22 CHAIRPERSON ANDERSON: Ms. Jeni
23 Hansen?

24 MEMBER HANSEN: Jeni Hansen. I agree.

25 CHAIRPERSON ANDERSON: And Mr. Ed

1 Grandis?

2 MEMBER GRANDIS: Ed Grandis, I agree.

3 CHAIRPERSON ANDERSON: And Mr.

4 Anderson, I also agree. The motion therefore
5 passes 6-0-0. That's it on our legal agenda.

6 We now move to our licensing agenda.
7 The first matter on our licensing agenda is a
8 review request for a Temporary Operating Retail
9 Permit, TORP.

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

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

14 Is there a second?

15 MEMBER CROCKETT: Ms. Crockett
16 seconds.

17 CHAIRPERSON ANDERSON: Ms. Crockett
18 has seconded the motion.

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

21 Mr. James Short?

22 MEMBER SHORT: Mr. James Short, I
23 agree.

24 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

25 MEMBER CATO: Bobby Cato, I agree.

1 CHAIRPERSON ANDERSON: Ms. Rafi
2 Crockett?

3 MEMBER CROCKETT: Rafi Crockett, I
4 agree.

5 CHAIRPERSON ANDERSON: Ms. Jeni
6 Hansen?

7 MEMBER HANSEN: Jeni Hansen, I agree.

8 CHAIRPERSON ANDERSON: And Mr. Ed
9 Grandis?

10 MEMBER GRANDIS: Ed Grandis, I agree.

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

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

21 The Heart's Delight fundraiser that
22 was to be held on May 1, 2020 was cancelled due
23 to the public health emergency, and has since
24 been converted to an online auction to be held
25 May 29, 2020.

1 The license number is License Number
2 19-AUCTION-00001.

3 I make a motion that we review this
4 request.

5 Is there a second?

6 MEMBER SHORT: James Short. I second.

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

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

11 Mr. James Short?

12 MEMBER SHORT: Mr. James Short. I
13 agree.

14 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

15 MEMBER CATO: Bobby Cato, I agree.

16 CHAIRPERSON ANDERSON: Ms. Rafi
17 Crockett?

18 MEMBER CROCKETT: Rafi Crockett, I
19 agree.

20 CHAIRPERSON ANDERSON: Ms. Jeni
21 Hansen?

22 MEMBER HANSEN: Jeni Hansen, I agree.

23 CHAIRPERSON ANDERSON: Mr. Ed Grandis?

24 MEMBER GRANDIS: Ed Grandis, I agree.

25 CHAIRPERSON ANDERSON: And Mr.

1 Anderson, I also agree. The motion therefore
2 passes 6-0-0.

3 We now move to our cancellation
4 agenda.

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

8 Bareburger, License Number 102759.
9 The licensee requested cancellation.

10 Is there a second?

11 MEMBER CROCKETT: Ms. Crockett
12 seconds.

13 CHAIRPERSON ANDERSON: Ms. Crockett
14 has seconded the motion.

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

17 Mr. James Short?

18 MEMBER SHORT: Mr. James Short, I
19 agree.

20 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

21 MEMBER CATO: Bobby Cato, I agree.

22 CHAIRPERSON ANDERSON: Ms. Rafi
23 Crockett?

24 MEMBER CROCKETT: Rafi Crockett, I
25 agree.

1 CHAIRPERSON ANDERSON: Ms. Jeni
2 Hansen?

3 MEMBER HANSEN: Jeni Hansen, I agree.

4 CHAIRPERSON ANDERSON: Mr. Ed Grandis?

5 MEMBER GRANDIS: Ed Grandis, I agree.

6 CHAIRPERSON ANDERSON: And Mr.

7 Anderson, I also agree. Therefore, the motion
8 passes 6-0-0.

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

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

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

18 MEMBER SHORT: James Short, I second.

19 CHAIRPERSON ANDERSON: Mr. Short has
20 seconded the motion.

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

23 Mr. James Short?

24 MEMBER SHORT: Mr. James Short, I
25 agree.

1 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

2 MEMBER CATO: Bobby Cato, I agree.

3 CHAIRPERSON ANDERSON: Ms. Rafi

4 Crockett?

5 MEMBER CROCKETT: Rafi Crockett, I

6 agree.

7 CHAIRPERSON ANDERSON: Ms. Jeni

8 Hansen?

9 MEMBER HANSEN: Jeni Hansen, I agree.

10 CHAIRPERSON ANDERSON: Mr. Ed Grandis?

11 MEMBER GRANDIS: Ed Grandis, I agree.

12 CHAIRPERSON ANDERSON: And Mr.

13 Anderson, I also agree. The motion therefore

14 passes 6-0-0.

15 The next matter on our agenda, it's an

16 application from State Certification Alcohol

17 Awareness Course.

18 The license number is 87423, and they

19 are a vendor asking to renew their application.

20 I make a motion therefore that we

21 approve this request.

22 Is there a second?

23 MEMBER GRANDIS: Ed Grandis, second.

24 CHAIRPERSON ANDERSON: Mr. Grandis has

25 seconded the motion. I will now take a roll call

1 vote on the motion now that it's been properly
2 seconded.

3 Mr. James Short?

4 MEMBER SHORT: Mr. James Short, I
5 agree.

6 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

7 MEMBER CATO: Bobby Cato, I agree.

8 CHAIRPERSON ANDERSON: Ms. Rafi
9 Crockett?

10 MEMBER CROCKETT: Rafi Crockett, I
11 agree.

12 CHAIRPERSON ANDERSON: Ms. Jeni
13 Hansen?

14 MEMBER HANSEN: Jeni Hansen, I agree.

15 CHAIRPERSON ANDERSON: Mr. Ed Grandis?

16 MEMBER GRANDIS: Ed Grandis, I agree.

17 CHAIRPERSON ANDERSON: And Mr.

18 Anderson, I also agree. The motion therefore
19 carries 6-0-0.

20 The next matter on our agenda is a
21 Training for Intervention Procedures (TIPS) &
22 eTIPS training from -- yeah, training.

23 They're also asking for a renewal
24 application.

25 So they're an alcohol awareness

1 training provider, and they're asking to renew
2 their application.

3 I make a motion that we renew the
4 application.

5 Is there a second?

6 MEMBER CROCKETT: Ms. Crockett
7 seconds.

8 CHAIRPERSON ANDERSON: Ms. Crockett
9 has seconded the motion.

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

12 Mr. James Short?

13 MEMBER SHORT: Mr. James Short, I
14 agree.

15 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

16 MEMBER CATO: Mr. Bobby Cato, I agree.

17 CHAIRPERSON ANDERSON: Ms. Rafi
18 Crockett?

19 MEMBER CROCKETT: Rafi Crockett, I
20 agree.

21 CHAIRPERSON ANDERSON: Ms. Jeni
22 Hansen?

23 MEMBER HANSEN: Jeni Hansen, I agree.

24 CHAIRPERSON ANDERSON: Mr. Ed Grandis?

25 MEMBER GRANDIS: Ed Grandis, I agree.

1 CHAIRPERSON ANDERSON: And Mr.
2 Anderson, I agree. The motion therefore passes
3 700.

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

7 Any questions, concerns by anyone?
8 (No audible response.)

9 CHAIRPERSON ANDERSON: I hear none.
10 Mr. Grandis?

11 MEMBER GRANDIS: Our next meeting is
12 next Wednesday?

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

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

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

23 There's really no need to do a formal
24 roll call because I've already under the Open
25 Meetings Act. I didn't formally close the

1 meeting last week, Wednesday.

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

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

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This is to certify that the foregoing transcript

In the matter of: Agenda

Before: DCABRA

Date: 05-28-20

Place: teleconference

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Court Reporter

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