DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

IN THE MATTER OF:

Investigative Agenda
Legal Agenda
Licensing Agenda

Wednesday
October 30, 2018


PRESENT:

DONOVAN W. ANDERSON, Chairperson
RAFI ALIYA CROCKETT, Member
BOBBY CATO, JR., Member
JAMES SHORT, Member
CHIEF NEWSHAM: All right. Now let's do our legal agenda. The first matter on our legal agenda is a review of the amendment settlement agreement dated October 15th, 2019 between Le Pain Quotidien and ANC 6B, License No. 080832. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review of Chief Newsham's request for a fact finding hearing for Marvin. The license number is 076166. I made a motion that we approve this request. Is there a second?

MEMBER CATO: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review request from Chief Newsham's request for a fact finding hearing on the Opera Lounge, License No. 084711. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review of Bin 1301's petition to unilaterally terminate or amend a settlement agreement, License No. 091682. I make a motion that we placard this matter. Is there a second?

MEMBER SHORT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a West Dupont Circle Moratorium Zone Notice of Proposed Rulemaking. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. We now move to our supplemental legal agenda. The first matter on our supplemental legal agenda is the review of Eden Bar's motion to reconsider and vacate order to cease and desist, License No. 083133. I make a motion that we approve the motion to vacate and the order to cease and desist. Is there a
second?

MEMBER SHORT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review of Eden Bar/Barden of Eden Memorandum of Points and Authorities in support of its motion to reconsider and vacate order to cease and desist, Eden Bar License No. 083133. This matter is now moot.

The next matter is a review of Gladys Nunez request for a reinstatement of her license, License No. 114272. I make a motion that we approve the request for reinstatement under the condition that the licensee extend the license in safekeeping and pays the fees within one week. Is there a second?

MEMBER SHORT: Second.

MEMBER CROCKETT: Second.

CHAIRPERSON ANDERSON: Both Mr. Short
and Ms. Crockett have seconded the motion. All those in favor, say aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. We now move to our license and agenda. The first matter in license and agenda is a review application for a class change from Class C Restaurant to Class C Tavern for Dangerously Delicious DC, License No. 087422. I make a motion that we placard this matter. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review of an application of a summer garden endorsement of 14 seats for 1942 DC, License No. 070728. I make a motion that we placard this matter. Is there a
second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review application for change of hours for a summer garden for Bravo Bar, License No. 092059. I make a motion that we placard this matter. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is the review request to expand operations into the adjacent building and space on the first floor for
Sorellina, License No. 112163. I make a motion
that we placard this matter. Is there a second?

MEMBER CROCKETT: Second.

CHAIRPERSON ANDERSON: Ms. Crockett

has seconded the motion. All those in favor, say
aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter

passes 4-0-0. The next matter is the review

request to increase sidewalk café seating from 10
to 16 for Sonoma, License No. 072017. I make a
motion that we approve this request. Is there a
second?

MEMBER CROCKETT: Second.

CHAIRPERSON ANDERSON: Ms. Crockett

has seconded the motion. All those in favor, say
aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter

passes 4-0-0. The next matter is the review

request for approval to provide a gift of a bike
that doesn't exceed 500 dollars in value to
various licensed D.C. realtors, Breakthru
Beverage, License No. 060518. I make a motion
that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter
passes 4-0-0. The next matter is a review
request to approve to provide a gift of shirts
that do not exceed 500 of the value to various
licensed D.C. realtors. The request is being
made by Breakthru Beverage, License No. 060518.
I make a motion that we approve this request. Is
there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.
(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review request for approval to provide a gift of food sampling stations that do not exceed 500 dollars in value to various D.C. realtors, Breakthru Beverage, License No. 060518. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. We now move to our supplemental license and agenda. The first matter in the supplemental license and agenda is to review application for stipulated licenses that have ANC support for Thompson Washington DC, License No. 114613. I make a motion that we approve this request. Is there a second?

MEMBER SHORT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review application for a stipulated license that have ANC support, Hotel Monaco and Dirty Habit Restaurant, License No. 085256. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review request to remove license from safekeeping for DCJCC, License No. 024489. I make a motion that we approve this request and that we placard the renewal. Is there a second?

MEMBER SHORT: Second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is the review of request to extend safekeeping of license, Dancing Crab, License No. 090297. I make a motion that we approve this request through March 31st, 2020. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: All those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is the re-review of request to extend safekeeping of license for Formerly Smith Point, License No. 110803. I make a motion that we grant this request through March
31st, 2020. Is there a second?

MEMBER SHORT: Second.
MEMBER CROCKETT: Second.

CHAIRPERSON ANDERSON: Mr. Short and Ms. Crockett has seconded the motion. All those in favor, say aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.
(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review request to expand establishment seating from 75 to 94 for Tryst, License No. 025781. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.
(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is the review of architectural floor plan for new full service
grocery store for Salumeria, License No. 106366.
I make a motion that we refer this back to licensing. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review of the new application to verify license type that should be applied, 7DrumCity, License No. 115573.
I make a motion that we have a fact finding hearing. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is the review
request to update address to 430 K Street,
Northwest for Abakedjoint, License No. 097479. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is review application for a new Class C multipurpose facility license for Highland Community Entertainment Hall, License No. 115394. I make a motion that we instruct them to apply for a tavern license and then placard the matter. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.
(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review letter to withdraw request for extension to total occupancy load for --

MEMBER CROCKETT: Mezcalero Cocina Mexicana.

CHAIRPERSON ANDERSON: Thank you, Ms. Crockett. License No. 097794. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

MEMBER CATO: Second.

CHAIRPERSON ANDERSON: Ms. Crockett and Mr. Cano seconded the motion. All those in favor, say aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is to a request of a refund of late fees associated with a Class B annual payment, Dubai Market, License No. 111181. I make a motion that we deny this request. Is there a second?

MEMBER SHORT: Second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review request refund of late fees associated with a Class B annual payment for 7 Days Market, License No. 109916. I make a motion that we deny this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review request for approval to provide gifts of golf bags that do not exceed 500 dollars in value to various licensed D.C. realtors. The request is being made from Breakthru Beverages, License No.
060518. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The next matter is a review request for approval to provide gifts of Washington Redskin helmets that do not exceed 500 dollars in value to various licensed D.C. realtors. The request has been made by Breakthru Beverage, License No. 060518. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter
passes 4-0-0. We now move to our second supplemental license and agenda. The first matter on our second supplemental license and agenda, it's a review application for a transfer of license for Cloakroom, License No. 087875. I make a motion that we have a fact finding hearing. Is there a second?

MEMBER SHORT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. We now move to our vacate cease and desist orders agenda. The ABC Board is vacating the following orders to cease and desist previously issued on October 23rd, 2019:

The Pug/Toki Underground, License No. 073166; Union Kitchen, License No. 111995; Union Kitchen, License No. 111996; Eye Bar/Garden of Eden, License No. 083133; The Manor, License No. 099536; Broccoli Bar, License No. 098584; Food 7 Store, License No. 108479; The Sovereign, License
I then make a motion that the ABC Board vacate the cease and desist orders from the establishments whose names were just read in the record based on the fact that they have paid their third year payment. Is there a second?

MEMBER SHORT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. We now move to our cancellation agenda. The ABC Board will be cancelling the
following licenses for the reasons outlined below. Lawrence Boone Selections, License No. 108000, the licensee requests cancellation. Philly Wing Fry, License No. 112932, the licensee requests cancellation. Gonzaga College High School, License No. 108211, the licensee requests cancellation. And Del Frisco's Grille, License No. 089428, the licensee requests cancellation.

I then make a motion that ABC Board cancel the licenses on the cancellation agenda that were read in the record today. Is there a second?

MEMBER CROCKETT: Second.

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

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed.

(No audible response.)

CHAIRPERSON ANDERSON: The matter passes 4-0-0. The ABC Board then will be in recess until our 4:30 protest hearing. Thank you.

(Whereupon, the above-entitled matter went off the record at 2:51 p.m.)
C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Agenda

Before: DCABRA

Date: 10-30-19

Place: Washington, DC

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