

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

2:09 p.m.

CHAIRPERSON ANDERSON: We are going to do the Licensing Agenda.

The first matter on the Licensing Agenda is to review application for safekeeping of license for Liberte, License No. 109013.

I make a motion that we grant this request through March 31, 2019. Is there a second?

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON ANDERSON: Those opposed? The matter passes 6-0-0.

The next matter on our calendar is to review application for safekeeping of license for Liberte, License No. 109012.

I make a motion that we grant this request through March 31, 2019. Is there a

1 second?

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON ANDERSON: Mr. Silverstein
4 has seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 6-0-0.

9 The next matter is to review
10 application for a sidewalk cafe with 42 seats, El
11 Don Restaurant, License No. 088757.

12 I make a motion that we placard this
13 matter. Is there a second?

14 MEMBER SHORT: Second.

15 CHAIRPERSON ANDERSON: Mr. Short has
16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes 6-0-0.

21 We now move to our Supplemental
22 Licensing Agenda.

1 The first matter on our Supplemental
2 Licensing Agenda is to review request for
3 stipulated license with letter of ANC support for
4 Catch 22, License No. 111880.

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

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein
9 has seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?

13 The matter passes 6-0-0.

14 The next matter is to review
15 application for change of hours, Legal Sea Bar,
16 License No. 106977.

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

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON ANDERSON: Mr. Silverstein
21 has seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: Those opposed?

3 The matter passes 6-0-0.

4 The next matter is to review
5 application for a Manager's License for Benjamin
6 J. Martucci, License No. 112004.

7 I make a motion that we have a Fact-
8 Finding Hearing on this request. Is there a
9 second?

10 MEMBER SHORT: Second.

11 CHAIRPERSON ANDERSON: Mr. Short has
12 seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 6-0-0.

17 We now move to our Notice of Vacated
18 Cease and Desist Orders Agenda.

19 I make a motion that the ABC Board is
20 vacating the following orders to cease and desist
21 previously issued on October 24, 2018:

22 Georgia Line Convenience Store, ABRA-

1 091196; Smith Public Trust, License No. 094424;
2 Billy Goat Tavern & Grill, License No. 070520;
3 The Elroy, License No. 096771; The Airedale,
4 License No. 100018; Cucina al Volo, License No.
5 104755; Peace Lounge, License No. 106785; L
6 Street Market, License No. 079164; Elevate,
7 License No. 100316.

8 I make a motion that the
9 establishments whose names and license numbers
10 that I just called that are listed on the Board's
11 Vacate Cease and Desist Orders for Wednesday,
12 October 31, 2018 be approved. Is there a second?

13 MEMBER CATO: Second.

14 CHAIRPERSON ANDERSON: Mr. Cato has
15 seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes 6-0-0.

20 We now move to our Cancellation
21 Agenda.

22 The Board will be canceling the

1 following license for the reasons outlined below:

2 Imm Thai on Georgia, License No.
3 105514, the licensee did not pay safekeeping fee
4 within 30 days;

5 Duffy's Irish Restaurant, License No.
6 100438, the licensee requested cancellation.

7 I then make a motion that we cancel
8 the license for the two establishments that are
9 listed on the Board's Cancellation Agenda for
10 October 31, 2018. Is there a second?

11 MEMBER CATO: Second.

12 CHAIRPERSON ANDERSON: Mr. Cato has
13 seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes 6-0-0.

18 The Board then will be in recess until
19 our -- all right, no, I'm sorry. Before we go on
20 recess, let me go back to our calendar.

21 (Whereupon, the above-entitled matter
22 went off the record at 2:14 p.m. and resumed at

1 2:20 p.m.)

2 CHAIRPERSON ANDERSON: All right.

3 Let's go back on the record.

4 All right. So let's do the Legal
5 Agenda.

6 The first matter on the Legal Agenda
7 is the review of settlement agreement dated
8 October 15, 2018 between ANC-6D and Circa at Navy
9 Yard/El Bebe, License No. 109955.

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.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?

18 The matter passes 5-0-0.

19 We now move to our Supplemental Legal
20 Agenda.

21 The first matter on our Supplemental
22 Legal Agenda is the review of settlement

1 agreement dated October 20, 2018 between ANC-1A
2 and Agave Mexican Restaurant, License No. 110928.

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

5 MEMBER SILVERSTEIN: Second.

6 MEMBER CATO: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 and Mr. Cato seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?

12 The matter passes 5-0-0.

13 The next matter is the review of a
14 settlement agreement dated October 29, 2018
15 between Marrakech Restaurant and ANC-1A, License
16 No. 111165.

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

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON ANDERSON: Mr. Silverstein
21 has seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: Those opposed?

3 The matter passes 5-0-0.

4 The next matter is the review of a
5 settlement agreement dated October 29, 2018
6 between ANC-5B and Big Ben Liquors, License No.
7 060652.

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

10 MEMBER SHORT: Second.

11 MEMBER CATO: Second.

12 CHAIRPERSON ANDERSON: Mr. Short and
13 Mr. Cato have seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?

17 The matter passes 5-0-0.

18 Thank you. We are now in recess until
19 our 4:30 hearing. Thank you.

20 (Whereupon, the Legal, Licensing,
21 Cancellation and Vacated Cease and Desist Agenda
22 Hearings were concluded at 2:22 p.m.)

<p style="text-align: center;">A</p> <p>ABC 5:19 above-entitled 7:21 ABRA- 5:22 Agave 9:2 Agenda 1:6,7,8,8,9,10 2:4,6 3:22 4:2 5:18 6:21 7:9 8:5,6,20,22 10:21 agreement 8:7 9:1,14 10:5 Airedale 6:3 al 6:4 ALBERTI 1:19 Alcoholic 1:2,14,14 ANC 4:3 ANC-1A 9:1,15 ANC-5B 10:6 ANC-6D 8:8 Anderson 1:16,18 2:3 2:12,16 3:3,7,15,19 4:8,12,20 5:2,11,15 6:14,18 7:12,16 8:2 8:13,17 9:7,11,20 10:2,12,16 application 2:6,19 3:10 4:15 5:5 approve 4:5,17 8:10 9:3 9:17 10:8 approved 6:12 aye 2:14,15 3:5,6,17,18 4:10,11,22 5:1,13,14 6:16,17 7:14,15 8:15 8:16 9:9,10,22 10:1 10:14,15</p>	<p>7:6,9 10:21 Catch 4:4 Cato 1:19 6:13,14 7:11 7:12 9:6,8 10:11,13 cease 1:7 5:18,20 6:11 10:21 Chairperson 1:15,18 2:3,12,16 3:3,7,15,19 4:8,12,20 5:2,11,15 6:14,18 7:12,16 8:2 8:13,17 9:7,11,20 10:2,12,16 change 4:15 Circa 8:8 COLUMBIA 1:1 concluded 10:22 Control 1:2,14,14 Convenience 5:22 Cucina 6:4</p>	<p style="text-align: center;">I</p> <p>Imm 7:2 Irish 7:5 ISAAC 1:21 issued 5:21</p> <p style="text-align: center;">J</p> <p>J 5:6 JAMES 1:20 JR 1:19</p> <p style="text-align: center;">K</p> <p style="text-align: center;">L</p> <p>L 6:5 Legal 1:9,9 4:15 8:4,6 8:19,22 10:20 let's 8:3,4 letter 4:3 Liberte 2:7,20 license 2:7,7,19,20 3:11 4:3,4,16 5:5,6 6:1,2,3 6:4,4,5,6,7,9 7:1,2,5,8 8:9 9:2,15 10:6 licensee 7:3,6 Licensing 1:6,6 2:4,5 3:22 4:2 10:20 Line 5:22 Liquors 10:6 listed 6:10 7:9 Lounge 6:5</p>	<p>8:10,14 9:3,8,17,21 10:8,13 move 3:21 5:17 6:20 8:19</p>
<p style="text-align: center;">B</p> <p>back 7:20 8:3 Bar 4:15 Bebe 8:9 Ben 10:6 Benjamin 5:5 Beverage 1:2,14,14 Big 10:6 Billy 6:2 Board 1:2,14 5:19 6:22 7:18 Board's 6:10 7:9 BOBBY 1:19 Building 1:15</p>	<p style="text-align: center;">D</p> <p>D.C 1:15 dated 8:7 9:1,14 10:5 days 7:4 desist 1:7 5:18,20 6:11 10:21 DISTRICT 1:1 Don 3:11 DONALD 1:21 Donovan 1:16,18 Duffy's 7:5</p>	<p style="text-align: center;">M</p> <p>Manager's 5:5 March 2:9,22 Market 6:6 Marrakech 9:15 Martucci 5:6 matter 1:5 2:5,17,18 3:8 3:9,13,20 4:1,13,14 5:3,4,16 6:19 7:17,21 8:6,18,21 9:12,13 10:3,4,17 MEETING 1:3 Member 1:19,19,20,20 1:21,21 2:11 3:2,14 4:7,19 5:10 6:13 7:11 8:12 9:5,6,19 10:10 10:11 met 1:14 Mexican 9:2 MIKE 1:20 modification 10:9 modifications 9:4,18 motion 2:8,13,21 3:4,12 3:16 4:5,9,17,21 5:7 5:12,19 6:8,15 7:7,13</p>	<p style="text-align: center;">N</p> <p>N.W 1:15 names 6:9 Navy 8:8 NICK 1:19 Notice 5:17 numbers 6:9</p>
<p style="text-align: center;">C</p> <p>cafe 3:10 calendar 2:18 7:20 called 6:10 cancel 7:7 canceling 6:22 cancellation 1:8 6:20</p>	<p style="text-align: center;">E</p> <p>EI 3:10 Elevate 6:6 Elroy 6:3 establishments 6:9 7:8</p> <p style="text-align: center;">F</p> <p>Fact- 5:7 favor 2:14 3:5,17 4:10 4:22 5:13 6:16 7:14 8:15 9:9,22 10:14 fee 7:3 Finding 5:8 first 2:5 4:1 8:6,21 following 5:20 7:1</p> <p style="text-align: center;">G</p> <p>Georgia 5:22 7:2 Goat 6:2 grant 2:8,21 Grill 6:2</p> <p style="text-align: center;">H</p> <p>hearing 1:14 5:8 10:19 Hearings 10:22 hours 4:15</p>	<p style="text-align: center;">O</p> <p>October 1:12 5:21 6:12 7:10 8:8 9:1,14 10:5 opposed 2:16 3:7,19 4:12 5:2,15 6:18 7:16 8:17 9:11 10:2,16 orders 1:8 5:18,20 6:11 outlined 7:1</p>	
			<p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 2:2 7:22 8:1 10:22 passes 2:17 3:8,20 4:13 5:3,16 6:19 7:17 8:18 9:12 10:3,17 pay 7:3 Peace 6:5 placard 3:12 PRESENT 1:17 presiding 1:16 previously 5:21 Public 6:1</p> <p style="text-align: center;">Q</p> <p style="text-align: center;">R</p> <p>reasons 7:1 recess 7:18,20 10:18 record 7:22 8:3 Reeves 1:15 REMA 1:21 request 2:9,22 4:2,6,18 5:8 8:11 9:4,18 10:9 requested 7:6 Restaurant 3:11 7:5 9:2 9:15 resumed 7:22 review 2:6,19 3:9 4:2,14 5:4 8:7,22 9:13 10:4 Room 1:15</p> <p style="text-align: center;">S</p> <p>safekeeping 2:6,19 7:3 Sea 4:15</p>

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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: 10-31-18

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.



Court Reporter

NEAL R. GROSS

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