

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MICHAEL SILVERSTEIN

8 JAMES SHORT

9

10 ALSO PRESENT:

11

12 MARTHA JENKINS, ESQ.

13 On behalf of ABRA

14 DANETTE WALKER,

15 On behalf of ABRA

16 APRIL RANDALL,

17 On behalf of ABRA

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

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3 CHAIRMAN DONOVAN ANDERSON: Okay, we're
4 back on the record, and, um, we'll be, um,
5 addressing our licensing agenda. The first matter
6 on our licensing agenda is to review an
7 application for safekeeping for Mimosa
8 Restaurant, um, License #096758. Um, I make a
9 motion that we, um, approve the safekeeping
10 application through September 30, 2016. Is there
11 a second?

12 MR. JAMES SHORT: Second.

13 CHAIRMAN DONOVAN ANDERSON: Mr. Short has
14 seconded the motion. Those in favor say aye.

15 (Chorus of ayes)

16 CHAIRMAN DONOVAN ANDERSON: Those
17 opposed?

18 (No audible response)

19 MR. NICK ALBERTI: This is what?

20 CHAIRMAN DONOVAN ANDERSON: Mimosa
21 Restaurant, uh --

22 MR. NICK ALBERTI: Oh, approve.

1 CHAIRMAN DONOVAN ANDERSON: --

2 safekeeping. The matter passed, 4-0-0.

3 The second matter is to, um, review a
4 request to add a cover charge to an existing
5 entertainment endorsement for the Pitch, License
6 #095107. Is there a second?

7 MS. RUTHANNE MILLER: Second.

8 CHAIRMAN DONOVAN ANDERSON: Ms. Miller
9 has seconded the motion. Those in favor say aye.

10 (Chorus of ayes)

11 CHAIRMAN DONOVAN ANDERSON: Those
12 opposed?

13 (No audible response)

14 CHAIRMAN DONOVAN ANDERSON: The matter
15 passed, 4-0-0.

16 (Off-mic conversation)

17 CHAIRMAN DONOVAN ANDERSON: We now move
18 to our supplementary license agenda. The first
19 matter on our supplementary license agenda is to
20 review a request to extend safekeeping status of
21 license through September 2016 for Machu Picchu
22 Restaurant, License #008309. I make a motion that

1 this, um, request be, um -- that be approved. Is
2 there a second?

3 MR. JAMES SHORT: Second.

4 CHAIRMAN DONOVAN ANDERSON: Mr. Short has
5 seconded the motion. Those in favor say aye?

6 (Chorus of ayes)

7 CHAIRMAN DONOVAN ANDERSON: Those
8 opposed?

9 MR. NICK ALBERTI: Opposed.

10 CHAIRMAN DONOVAN ANDERSON: Um, the --
11 the -- the matter passed, 4-1, with Mr. Alberti
12 opposing.

13 Um, the second matter on --

14 MR. NICK ALBERTI: Mr. Short distracted
15 me.

16 (Laughter)

17 CHAIRMAN DONOVAN ANDERSON: The second
18 matter on -- the second matter on our
19 supplementary license agenda is to -- a request -
20 - review a request to extend sidewalk cafe hours
21 for -- for High Dive, License #097821. I make a
22 motion that we approve this matter. Is there a

1 second?

2 MR. NICK ALBERTI: Second.

3 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti
4 has seconded the motion. Those in favor say aye.

5 (Chorus of ayes)

6 CHAIRMAN DONOVAN ANDERSON: Those
7 opposed?

8 (No audible response)

9 CHAIRMAN DONOVAN ANDERSON: The matter
10 passed, 5-0-0.

11 The -- the second request -- the -- the
12 next matter is to review a request to increase
13 number of authorized hotel rooms for Morrison-
14 Clark Inn, License #020149. I make a motion that
15 we approve this increase in occupancy. Um, is
16 there a second?

17 MS. RUTHANNE MILLER: Second.

18 CHAIRMAN DONOVAN ANDERSON: Ms. Miller
19 has seconded the motion. Those in favor say aye.

20 (Chorus of ayes)

21 CHAIRMAN DONOVAN ANDERSON: Those
22 opposed?

1 (No audible response)

2 CHAIRMAN DONOVAN ANDERSON: The matter
3 passed, 4-0-0.

4 The next matter is to review a request
5 for an -- for an entertainment endorsement to
6 include live entertainment, dancing, and cover
7 charge for the Atlas Brew Works, um, License
8 #091282. I make a motion that this matter be
9 approved. Is there a second?

10 MR. NICK ALBERTI: Second.

11 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti
12 has seconded the motion. Those in favor say aye.

13 (Chorus of ayes)

14 CHAIRMAN DONOVAN ANDERSON: Those
15 opposed?

16 (No audible response)

17 CHAIRMAN DONOVAN ANDERSON: The matter
18 passed, 5-0-0.

19 The next matter is to review a request to
20 change hours of on-sale (sic) consumption of --
21 sales and consumption, tasting, sidewalk cafe for
22 Atlas Brew Works, License #091282. I make a

1 motion that this matter be approved. Is there a
2 second?

3 MR. JAMES SHORT: Second.

4 CHAIRMAN DONOVAN ANDERSON: Mr. -- Mr.
5 Short has seconded the motion. Those in favor say
6 aye.

7 (Chorus of ayes)

8 CHAIRMAN DONOVAN ANDERSON: Those
9 opposed?

10 (No audible response)

11 CHAIRMAN DONOVAN ANDERSON: The matter
12 passed, 5-0-0.

13 Um, the next matter is to review a
14 request to remove Tasting Endorsement from
15 license -- for Kovaks Liquors, License #076573. I
16 make a motion that this matter be approved. Is
17 there a second?

18 MR. NICK ALBERTI: Second.

19 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti
20 has seconded the motion. Those in favor say aye.

21 (Chorus of ayes)

22 CHAIRMAN DONOVAN ANDERSON: Those

1 opposed?

2 (No audible response)

3 CHAIRMAN DONOVAN ANDERSON: The matter
4 passed, 5-0-0.

5 The next matter is to review a request to
6 withdraw application for a new CR license for the
7 Navy Yard Oyster Company, License #096888. I make
8 a motion that this matter be approved. Is there a
9 second?

10 MR. NICK ALBERTI: Second.

11 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti
12 has seconded the motion. Those in favor say aye.

13 (Chorus of ayes)

14 CHAIRMAN DONOVAN ANDERSON: Those
15 opposed?

16 (No audible response)

17 CHAIRMAN DONOVAN ANDERSON: The matter
18 passed, 5-0-0.

19 We now move to our legal agenda, and the
20 first matter in the legal agenda is to review a
21 settlement agreement between, um, Capitol Skyline
22 Hotel and ANC-6D, License #072534. I make a

1 motion that we approve the settlement agreement,
2 with modification. Is there a second?

3 MR. NICK ALBERTI: Second.

4 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti
5 has seconded the motion. Those in favor say aye.

6 (Chorus of ayes)

7 CHAIRMAN DONOVAN ANDERSON: Those
8 opposed?

9 (No audible response)

10 CHAIRMAN DONOVAN ANDERSON: The matter
11 passed, 5-0-0.

12 The next matter is to review a letter
13 from Balducci's requesting, uh, progress report
14 of returning -- and return to operations and
15 renewing support for extended safekeeping dated
16 March 15, 2016. So it's Balducci's, um, License
17 #088667. I make a motion that there are two -- I
18 make a motion -- there are two motions going to -
19 - I make a motion that we approve this, um --
20 this request. Is there a second?

21 MR. NICK ALBERTI: Second.

22 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti

1 has seconded the motion. Those in favor say aye.

2 (Chorus of ayes)

3 CHAIRMAN DONOVAN ANDERSON: Those
4 opposed?

5 (No audible response)

6 CHAIRMAN DONOVAN ANDERSON: The matter
7 passed, 5-0-0.

8 The second part of the motion is that we
9 also, um, approve to place the license in
10 safekeeping through September 30, 2016. Is there
11 a second?

12 MR. NICK ALBERTI: Second.

13 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti
14 has seconded the motion. Those in favor say aye.

15 (Chorus of ayes)

16 CHAIRMAN DONOVAN ANDERSON: Those
17 opposed?

18 (No audible response)

19 CHAIRMAN DONOVAN ANDERSON: The matter
20 passed, 5-0-0.

21 The next matter on our agenda is a notice
22 to revoke certificate of occupancy. It's

1 basically regarding Bistro Italiano, um, License
2 #023539, and this is just an FYI for the Board.
3 Thank you. All right.

4 (Off-record discussion)

5 CHAIRMAN DONOVAN ANDERSON: All right.
6 All right. Let me, um, just move back. There was
7 a, um -- also a -- there was --

8 (Off-record discussion)

9 CHAIRMAN DONOVAN ANDERSON: As
10 chairperson of the Alcoholic Beverage Control
11 Board for the District of Columbia, in accordance
12 with D.C. Official Code Section 2-574(b), Closed
13 Meetings, and Section 2-574, Notice of Meetings
14 of the Open Meetings Act, I move that ABC Board
15 hold a closed meeting on March 30, 2016, for the
16 purpose of discussing and hearing reports
17 concerning ongoing or planned investigations of
18 alleged criminal or civil misconduct, or
19 violations of law or regulations, and seeking
20 legal advice from our counsel on the Board's
21 investigative, um, licensing and legal agenda for
22 March 30, 2013, as published in the D.C. Registry

1 on March 25, 2013. Is there a second?

2 MS. RUTHANNE MILLER: Second.

3 CHAIRMAN DONOVAN ANDERSON: Ms. Miller
4 has seconded the motion. I will now take a roll
5 call vote on the motion before us now that -- now
6 it has been seconded. Uh, Mr. Silverstein?

7 MR. MICHAEL SILVERSTEIN: Aye.

8 CHAIRMAN DONOVAN ANDERSON: Mr. Short?

9 MR. JAMES SHORT: I agree.

10 CHAIRMAN DONOVAN ANDERSON: Mr. Alberti?

11 MR. NICK ALBERTI: I agree.

12 CHAIRMAN DONOVAN ANDERSON: Ms. Miller?

13 MS. RUTHANNE MILLER: Agree.

14 CHAIRMAN DONOVAN ANDERSON: Mr. Anderson?

15 I agree. As it appears that the motion has
16 passed, I hereby give notice that the ABC Board
17 will hold this aforementioned closed meeting
18 pursuant to the Open Meetings Act. Notice will
19 also be posted on the ABC Board hearing bulletin
20 board, placed on electronic calendar on ABRA's
21 website, and published in the D.C. Registry in as
22 timely as -- a manner as practical. It's 4:27,

1 and we are now adjourned for the day. Thank you.

2 (Whereupon, the above-entitled matter was

3 concluded.)