DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

ROLL CALL HEARING

IN THE MATTER OF:

Capo, LLC,
t/a Capo
715 Florida Avenue NW
Retailer CT
License No. ABRA-103693
Case #19-PRO-00161

(New Application)

Monday
December 30, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, LaVerne Fletcher, Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

SIDON YOHANNES, COUNSEL FOR APPLICANT
ANITA NORMAN, ANC 1B, PROTESTANT
AGENT FLETCHER: Would the parties in the matter of Capo -- parties in the matter of Capo please come forward? The parties in the matter of Capo, Case Number 19-PRO-00161, Capo LLC, 715 Florida Ave Northwest, License Number ABRA-103693. This is a Retailer Class CT, substantial change.

Licensee is applying to add sports wagering to their operation. Establishment will have one sports-wagering machine and a cell phone application available to download on the premises. The protest issues are adverse impact on peace, order, and quiet, residential parking, and vehicular, and pedestrian safety, and real property values.

My name is LaVerne Fletcher conducting the roll call hearing as the Board's Agent. Introductions beginning with the Applicant, please.


AGENT FLETCHER: And present on behalf
of ANC 1B?


AGENT FLETCHER: Thank you, Ms. Norman.

ANC 1B has standing as a Protestant. We need to set a date for mediation, the status hearing, and the protest hearing. And I'll give you the date for the status and protest hearing first.

The status hearing is set for January 15 at 9:30 a.m.

MS. NORMAN: 9:30?

AGENT FLETCHER: Yes, at 9:30.

And the protest hearing is set for February 12, 2020, at 1:30.

I'll give you the next available day for mediation. There are a few dates left in January. If none of those work, it will be okay if we have to move the mediation to beyond the status hearing, but I'll give you the next date available for a mediation in January.

The next day available is Tuesday, January 7, at 10:00 or 11:00.

MS. YOHANNES: That date does not work for me.

AGENT FLETCHER: Okay. The next day
available is Thursday, January 9, at 10:00, 11:00, 1:00, 2:00, pretty much any time that day. Pretty much any time that day. 10:00 or 11:00.

MS. YOHANNES: I'm available anytime in the afternoon.

AGENT FLETCHER: Okay, Ms. Norman do you have a --

MS. NORMAN: The afternoon is fine.

AGENT FLETCHER: So we could do 2:00 in the afternoon.

MS. YOHANNES: What about 2:30?

AGENT FLETCHER: We could do 2:30.

MS. YOHANNES: That works.

AGENT FLETCHER: Mediation is set for 2:30 on January 9. Okay. Nothing more?

MS. NORMAN: I actually want to ask a question.

AGENT FLETCHER: Yes.

MS. NORMAN: I don't know if this should be on or off the record.

AGENT FLETCHER: Right.

MS. NORMAN: The only real concern that the ANC has is security and my understanding as per ABRA when you have sports betting you're required to have security or a security plan. So
if that is the case, then the ANC would withdraw
its protest.

AGENT FLETCHER: Okay. And I will
check that. That's a new regulation that I don't
know about that yet, Ms. Norman. But I'll check
that, and if that's the case, I'll send you the
regulations. And once you see those, if that is
the case, then the ANC would just withdraw the
protest if that's the case.

MS. NORMAN: What would I do send in
a letter?

AGENT FLETCHER: Yeah. So I'll send
you -- I'll get the regulations and see if that's
the case, send them to you, and if you're okay
with that, then you could just send a response to
that by saying the ANC withdraws the protest.

MS. NORMAN: Okay. Is it fine if it
comes from me, or does it need to be on
letterhead from the Commission?

AGENT FLETCHER: The email will get the
withdrawal moving. You can follow it up with
something on letterhead from the ANC just for the
record, but your email would get it moving.

MS. NORMAN: Okay.

AGENT FLETCHER: Well, then let me make
a note to look at the regulations, Ms. Norman.

And if that's not a requirement, I know you're going to continue, and then we'll have the mediation.

    MS. NORMAN: Yes.

    AGENT FLETCHER: Okay.

    MS. YOHANNES: It's a requirement.

    AGENT FLETCHER: Okay.

    MS. YOHANNES: Thank you.

    AGENT FLETCHER: Then I'll just send it to you just to confirm it.

    MS. YOHANNES: Okay.

    AGENT FLETCHER: And then -- okay, so I'm going to put a question mark for the 9th, and I'll just do what I said and know that we may not have to meet on January 9.

    MS. YOHANNES: Great.

    AGENT FLETCHER: Okay. Well, Ms. Norman, I'll take care of that.

    MS. NORMAN: All right, thank you.

    AGENT FLETCHER: All right. Thank you, Ms. Yohannes. Thank you for coming. The roll call hearing is concluded.

    (Whereupon, the Roll Call Hearing was concluded at 10:26 a.m.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Capo

Before: DCABRA

Date: 12-30-19

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