# DISTRICT OF COLUMBIA <br> + + + + + <br> ALCOHOLIC BEVERAGE CONTROL BOARD <br> + + + + + <br> MEETING 

| IN THE MATTER OF: | $:$ |
| :--- | :--- |
| LEGAL AGENDA | $:$ |
| LICENSING AGENDA | $:$ |
| CANCELLATION AGENDA |  |

> Wednesday January 13, 2021

The Alcoholic Beverage Control Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

## PRESENT:

DONOVAN W. ANDERSON, Chairperson BOBBY CATO, JR., Member RAFI ALIYA CROCKETT, Member

EDWARD S. GRANDIS, Member
JAMES SHORT, JR., Member

## ALSO PRESENT:

SIMONE ANDREWS, DISCHARGE ABRA Staff

P-R-O-C-E-E-D-I-N-G-S
2:58 p.m.

CHAIRPERSON ANDERSON: We have now come to the end of our calendar for the day. Now that we have completed our calendar for the day, we will now do our legal agenda.

The first matter then on our legal agenda is a review of the consent motion to consolidate protest hearing and continue protest hearing dated January 13th, 2021, Case \# 19-PRO00113, and Case \# 19-PRO-00003, Mirror Lounge, License No. 111950.

I make a motion that we approve this request. Is there a second? MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. We'll now have a roll call to vote on the motion that was properly seconded Ms. Crockett. Mr. Short?

MEMBER SHORT: Mr. Short, I agree. CHAIRPERSON ANDERSON: Mr. Cato? MEMBER CATO: Bobby Cato, I agree. CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I
agree.
CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree. CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter therefore passes 5-0-0.

The next matter on our legal agenda is a review of a request from ANC $6 E$ to withdraw its protest dated January 7th, 2021, in Case \# 20-PRO-00061, Giant \#2376, License No. 092842.

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

MEMBER SHORT: Mr. Short, I second. CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll now have a roll call to vote on the motion that has been properly seconded by Mr. Short. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree. CHAIRPERSON ANDERSON: Mr. Anderson,

I agree. The matter passes, 5-0-0.
The next matter on our calendar, I'm sorry, on our agenda is review of a request from ANC 6D to extend the petition deadline dated January 11th, 2021. This is in Kirwan's on the Wharf, License No. 105765. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Ms. Crockett
seconds.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. We'll now have a roll call to vote on the motion that's properly seconded by Ms. Crockett. Mr. Short?

MEMBER SHORT: Mr. Short, I agree. CHAIRPERSON ANDERSON: Mr. Cato? MEMBER CATO: Bobby Cato, I agree. CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree. CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

The next matter in our legal agenda is the review of an offer in compromise in a hearing
dated January 30th, 2021, for Case \# 19-CC-00153. This is Downtown Liquors.

The Offer in compromise states as follows: Charge one, sale to minor. Statutory authority D.C. Official Code Section 25781, there will be a fine of $\$ 3,000$ payable within 90 days, or the license shall be suspended indefinitely until the fine has been paid.

Number two, there's a suspension. The license shall be suspended for ten days, with four days to be served January 25th, 2021 through January 28th, 2021, and six days to be stated for one year provided that there are no further violations in this time.

In addition, respondent shall serve five days suspensions from February 21st, 2021, through February 25th, 2021, which were activated from Case \# 19-CC-00057.

Term number three. All employees who serve alcoholic beverages in the licensed establishment, must complete an alcohol training program within three months from the date of this OIC. Is there a second?

MEMBER GRANDIS: Ed Grandis will second.

CHAIRPERSON ANDERSON: Mr. Grandis has seconded the motion. We'll have a roll call vote on the motion that's been properly seconded by Mr. Grandis. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis?
MEMBER GRANDIS: Ed Grandis, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0. Give me half a second. I'm sorry about that.

The next matter on our legal agenda is the review of a settlement agreement between ANC 6D and Surfside, License No. 11742. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. We'll now have a roll call to vote for the motion that's been properly
seconded by Ms. Crockett. Mr. Short?
MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson,
I agree. The matter passes 5-0-0.
The next matter on our legal agenda is the review of a settlement agreement between ANC 6A and Amazon Retail, trade name to be determined, License No. 116873. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. We'll now have a roll call to vote on the motion that's been properly seconded by Ms. Crockett. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree. CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

The next matter on our legal agenda is a suspension of on-premises alcohol sales and consumption notice of tenth emergency rule making. I make a motion that we approve this request. Is there a second? MEMBER SHORT: Mr. Short, I second. CHAIRPERSON ANDERSON: Mr. Grandis, I believe, Mr. Short has seconded the motion. We'll now have a roll call vote on the motion. Mr. Short?

MEMBER SHORT: Mr. Short, I agree. CHAIRPERSON ANDERSON: Mr. Cato? MEMBER CATO: Bobby Cato, I agree. CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

The next matter on our legal agenda is a vote on the addition of outdoor public or private space notice of seventh emergency rule making. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. We'll now have a roll call to vote on the motion that's been properly seconded by Ms. Crockett. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis?
MEMBER GRANDIS: Ed Grandis, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

We now move to our licensing agenda. The first matter on our licensing agenda is a
review application for a Stipulated License with a letter of ANC support to operate a new ABC license. This is Las Gemelas, License No. 117461. I make a motion that we approve this matter. Is there a second?

MEMBER SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll now have a roll call to vote on the motion that's been properly seconded by Mr. Short. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis?
MEMBER GRANDIS: Ed Grandis, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

The next matter on our agenda is review application for a Stipulated License with a letter of ANC support to operate a new ABC license. This is Taqueria Las Gemelas, License No. 117462. I make the motion that we approve
this request. Is there a second?
MEMBER GRANDIS: Ed Grandis will second.

CHAIRPERSON ANDERSON: Mr. Grandis has seconded the motion. We'll now have a roll call vote on the motion that has been properly seconded by Mr. Grandis. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

The next matter is, it's review requested an increasing number of approved hotel rooms from 99 to 143, reopening in June 2021. This is to be determined, formally Topaz Hotel. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

MEMBER CATO: Bobby Cato seconds. CHAIRPERSON ANDERSON: Mr. Cato, Ms. Crockett has seconded the motion. We'll now have a roll call to vote on the motion that Ms. Crockett seconded. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

The next matter to review request for a sports wagering substantial change to include six betting machines. This is for Next Door, License No. 077567. I make a motion that we placard this matter. Is there a second?

MEMBER GRANDIS: Ed Grandis will second.

CHAIRPERSON ANDERSON: Mr. Grandis has seconded the motion. We'll now have a roll call to vote on the motion that has been properly
seconded by Mr. Grandis. Mr. Short?
MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

The next matter on our agenda, it's a review request for approval to provide a gift of gov coolers, that does not exceed $\$ 500$ in value to various license D.C. retailers. The request is being made from Breakthrough Beverage, License No. 060518. I make a motion that we approve this request. Is there a second?

MEMBER CROCKETT: Ms. Crockett seconds.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. We'll now have a roll call vote on the motion that's been properly seconded by Ms. Crockett. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.

CHAIRPERSON ANDERSON: Mr. Cato? MEMBER CATO: Bobby Cato, I agree. CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree. CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0. We now move to our cancellation agenda. The ABC Board will be canceling the following licenses for the reasons outlined below.

Roses Dejavu, License No. 089342. The licensee requests cancellation. Roses Dream, License No. 087032. The licensee requests cancellation. Wine and Friends, License No. 112538. Licensee requests cancellation. And World Market, License No. 072611. Licensee requests cancellation.

I make a motion that ABC Board cancels the licenses of all the establishments that $I$ just read in the record, based on the fact that the licensee requested cancellation. Is there a second?

MEMBER SHORT: Mr. Short, I second. CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We will now have roll call to vote on the motion that's been properly seconded by Mr. Short. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett? MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree. CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 5-0-0.

We now move to our docket. Our docket is a request from establishments for changes to their license application. There are 11 licensee on the docket today. I will read the name of the licensee. I will also read the category and the request.

MS. ANDREWS: It seems as though the Chair is having some technical difficulties. Everyone, please stand by.

CHAIRPERSON ANDERSON: All right. I'm
back. Am I back online?
MS. ANDREWS: Yes, Mr. Chair. We can hear you, but we can't see you just yet.

CHAIRPERSON ANDERSON: All right. I turned my video back on. I don't know what happened. Hold on. For some strange -- can you hear me?

MS. ANDREWS: Yes, we can hear you. MEMBER CROCKETT: Yes, we can hear you.

CHAIRPERSON ANDERSON: All right. I don't know, $I$ also -- I'm turning my video on. It's, okay, there it is. I don't know what happened. Maybe I lost the connection for -- I am not sure the last, $I$ believe that prior to being frozen, $I$ said number nine was a request from Marriott at Metro Center, License No. 117 -MEMBER CROCKETT: Oh, no. Mr. Anderson, we never made it through the docket at all.

CHAIRPERSON ANDERSON: So where -MEMBER CROCKETT: We're on number one of the docket.

CHAIRPERSON ANDERSON: All right. So let me, you know, I apologize.

MEMBER CROCKETT: No, it's okay. CHAIRPERSON ANDERSON: I am not looking, I'm reading from the form, so I did not realize that $I$ was not online until I looked, and I heard a click. So let me start us back on the -- I'm sorry.

MEMBER CROCKETT: You made it through your introduction and that was the end of it. So we're back on number one, Breakthru Beverage.

CHAIRPERSON ANDERSON: All right. You know, as I tell everyone, when I'm doing this on the video, I'm so into what I'm doing so I'm not looking on the screen to realize I was frozen for whatever reason. And I wasn't even paying attention to my cell phone because someone normally texts me.

So if you see me looking at my cell phone, it's not because I'm receiving personal messages. It's because someone from the agency is texting me to keep me on point.

And I should say that our IT person did text me, but I was just so into reviewing what I'm doing, I didn't even see my cell phone, that I need to respond. So I apologize.

So let's start back at the beginning
on our docket. So there are 11 cases on our docket and are docket are requests that are being made by a licensee to make some type of changes to their license.

So let me now, let me go back to the beginning of our docket. So the first request on our docket is a request made from Breakthru Beverage, License No. 60518. It is a wholesaler. A, it's a gift and loan application, which is their requesting a guitar presenter.

The second request on our docket is a request made from Breakthru Beverage, License No. 60518. This is a gift and loan application. They are requesting tabletop propane patio heater.

The next request is a request, again, made by Breakthru Beverage, License No. 60518. Again, gift and loan application, bottle service bucket.

The next request, a request made again, from Breakthru Beverage, License No. 60518. Again, gift and loan application of slim bottle service kit.

The next request is being made by Generator, License No. 111618. It is a change of
officer application to add Bernard J. Campbell as third vice president and secretary.

The next request is a request made by AB Liquors, License No. 117666. They are a retailer. A, transfer without sale application. The next request is being made by Uncorked, License No. 108135. They're retailer A, stock transfer application safekeeping.

The next request, request number eight, is a request from Royal Sonesta, Washington D.C., License No. 117665. This is again, they're a retailer, $C$ hotel, transfer without sale application.

The next request is being made by Metro -- Marriott at Metro Center, License No. 117396. They are a retailer, B 25 percent, new ABC license application.

The next request, a request made by Cambria Hotel, Washington D.C., License No. 117331. They are requesting -- they're a retailer, B 25 percent. New ABC license application.

And the final request is a request made by City State Brewing Company, License No. 117581. They are a manufacturer $B$, and this is a
new ABC license application.
I therefore make a motion that all the requests made by the licensees on our docket be approved. Is there a second?

MEMBER CROCKETT: Ms. Crockett
seconds.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded. Ms. Crockett has seconded the motion. We'll now have a roll call vote on the motion that has been properly seconded by Ms. Crockett. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis?
MEMBER GRANDIS: Ed Grandis, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passes 7-(sic)0-0.

We have now come to the end of our scheduled business for the day, and if there's no further questions, I will now close the record officially.

As Chairperson of the Alcohol Beverage Control Board for the District of Columbia, in accordance with Title 3, Chapter 405, Office of Open Government, I move that ABC Board hold a closed meeting on January 14th, 2021, for the purpose of discussing and hearing reports concerning ongoing or planned investigations of alleged criminal or civil misconduct, or violations of law, or regulations, and seeking legal advice from our legal counsel on the Board's investigative agenda, legal agenda, and licensing agenda for January 14th, 2021, as published in the D.C. Register on January 8th, 2021. Is there a second?

MEMBER SHORT: Mr. Short, I'll second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. I will now take a roll call vote on the motion before us that has been properly seconded by Mr. Short. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Cato?
MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree. CHAIRPERSON ANDERSON: Mr. Grandis? MEMBER GRANDIS: Ed Grandis, I agree. CHAIRPERSON ANDERSON: Mr. Anderson, I agree. As it appears that the motion has passed, $I$ hereby give notice that the ABC Board will hold this aforementioned closed meeting pursuant to the Open Meetings Act. The notice will also be posted on the ABC Board hearing room bulletin board, placed on the electronic calendar on ABRA's website, and published in the D.C. Register in as timely a manner as practical. We have now adjourned for the day. I want to thank the public for its participation. I also want to thank our Board members for their participation. And now that we are at the end of our public session, and will now direct the Board to return to our executive session. Thank you. (Whereupon, the above-entitled meeting went off the record at 3:24 p.m.)
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Neal R. Gross and Co., Inc.


Neal R. Gross and Co., Inc. Washington DC

This is to certify that the foregoing transcript

In the matter of: Agenda Hearing

Before: DCABRA

Date: 01-13-21

Place: teleconference
was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

> Neae $\operatorname{cors} \rho$ ------------------Court Reporter

