DISTRICT OF COLUMBIA + + + + +

ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

IN THE MATTER OF: : LEGAL AGENDA : LICENSING AGENDA : CANCELLATION AGENDA : APPLICATION DECISION : DOCKET :

> Wednesday January 27, 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 JENI HANSEN, Member JAMES SHORT, JR., Member REMA WAHABZADAH, Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff

#### T-A-B-L-E O-F C-O-N-T-E-N-T-S

# LEGAL AGENDA

Review of Settlement Agreement dated January 11,
2021, between Applicant and ANC-6B, Dwarkadhish,
LLC t/a BR Fine Wine & Spirits 3
Review of Offer in Compromise in Lieu of Hearing,
dated October 26, 2020, for Case No. 19-AUD-00082
and No. 19-AUD-00120, Escobar Ricon, Inc. t/a La
Lomita Dos

#### LICENSING AGENDA

Review	Application for a Stipulated License with
Letter	of ANC Support for a new ABC license, 3321
Bistro	DC Restaurant 7
Review	of Architectural Floor Plans for a Class
Change	application from Retail Class B to a Full-
Service	e Grocery Store, Rodman's Discount Drugs 8

### CANCELLATION AGENDA

ABRA-107615 -	- Circa	at	: Ch	ina	to	wn	•	•	•	•	•	•	•	•	•	9
ABRA-107616,	Circa	at	Chi	Inat	owi	n.	•	•	•	•	•	•	•	•	•	9
ABRA-097231,	Madidu	s.	•	• •	•	•	•	•	•	•	•	•	•	•	•	9

# APPLICATION DECISION DOCKET

Lillie's Restaurant & Bar	•	•	•	•	•	•	•	•	•	•	•	•	.11
Embassy Suites Hotel	•	•	•	•	•	•	•	•	•	•	•	•	.11
Breakthru Beverage	•	•	•	•	•	•	•	•	•	•	•	•	.11
Surfside	•	•	•	•	•	•	•	•	•	•	•	•	.11
Matthew J. Irwin	•	•	•	•	•	•	•	•	•	•	•	•	.11
Liaison Capitol Hill	•	•	•	•	•	•	•	•	•	•	•	•	.12
Gold Coast Cafe & Mart .	•	•	•	•	•	•	•	•	•	•	•	•	.12
Jemal's Dupont Hotel, LLC		•	•	•	•	•	•	•	•	•	•	•	.12

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1	P-R-O-C-E-E-D-I-N-G-S
2	10:43 a.m.
3	CHAIRPERSON ANDERSON: Before the
4	licensing agenda, I apologize, we are going to do
5	our legal agenda. That's the first agenda we'll
6	do this morning.
7	Mr. Strand, you can your case is
8	over so you don't have to be on camera anymore.
9	Thank you, sir.
10	We now have our legal agenda. The
11	first matter on our legal agenda is a review of a
12	settlement agreement dated January 11, 2021
13	between ANC-6B and BR Wine and Spirits, License
14	No. 116730. I make a motion that we approve this
15	request. Is there a second?
16	MEMBER WAHABZADAH: Rema Wahabzadah.
17	Second.
18	CHAIRPERSON ANDERSON: Ms. Wahabzadah
19	seconded the motion. We'll now have a roll call
20	vote on the motion that's been properly seconded
21	by Ms. Wahabzadah.
22	Mr. Short. Mr. Short. Unmute your
23	microphone, Mr. Short. Mr. Short, unmute your
24	microphone, sir.
25	MEMBER SHORT: I'm trying.

CHAIRPERSON ANDERSON: It has been 1 2 unmuted so Mr. Short. 3 MEMBER SHORT: Mr. Short. I agree. 4 CHAIRPERSON ANDERSON: Mr. Cato. 5 MEMBER CATO: I agree. CHAIRPERSON ANDERSON: Ms. Wahabzadah. 6 7 MEMBER WAHABZADAH: Rema Wahabzadah. 8 I agree. 9 CHAIRPERSON ANDERSON: Ms. Crockett. MEMBER CROCKETT: Rafi Crockett. 10 Ι 11 agree. 12 CHAIRPERSON ANDERSON: Ms. Hansen. 13 MEMBER HANSEN: Jeni Hansen. I agree. 14 CHAIRPERSON ANDERSON: Mr. Grandis. 15 Ed Grandis. MEMBER GRANDIS: I agree. CHAIRPERSON ANDERSON: 16 And Mr. 17 I agree. The matter passes 7-0-0. Anderson. 18 The next matter on our agenda is a 19 review of an offer in compromise in lieu of a hearing dated October 26, 2020, for Case No. 19-20 21 AUD-00082 and Case No. 19-AUD-00120, La Lomita 22 Dos, License No. 015387. The terms of the OIC are as follows: 23 24 The OIC, first charge. Charge 1, fail 25 -- I'm sorry. Let me read the offer in

Okay, this is the offer in 1 compromise. 2 compromise. The District of Columbia jointly 3 with the licensee submits this offer in compromise to the Alcohol Beverage Control Board 4 as authorized by 23 DCMR Section 1604.5 for 5 approval by the Board. 6 7 The parties understand that if the 8 Board approves the OIC in the above-captioned 9 case any scheduled show cause hearing would be 10 vacated. Respondent would be obligated to abide 11 by the terms of the OIC. A fine and suspension 12 both are below. 13 If the Board does not approve the OIC 14 in Case No. 19-AUD-00082, we'll proceed to a show 15 cause hearing currently scheduled for January 27, 16 2021 at 1:30 p.m. 17 Mr. Grandis, would you mute your 18 microphone, please. 19 Case No. 19-AUD-00120 will be 20 scheduled for a hearing. The Respondent has been 21 advised that there is no obligation to accept the 22 Respondent has been advised and served with OIC. 23 a notice of status hearing and show cause 24 hearing. At the show cause hearing Respondent may 25 be represented by counsel, have subpoenas issued

Neal R. Gross and Co., Inc. Washington DC to require the production of witnesses and evidence, produce witnesses and evidence, crossexamine witnesses and apply for a qualified interpreter.

5 The OIC terms are as follows: Charge 6 1, failure to file the required quarterly 7 statements, statutory authority D.C. Code Section 8 25113(b)(2)(a). The fine for the charge is a 9 \$2,000 fine for Case No. -- There are two cases 10 and it's the same charge in both cases.

For the first case there is a fine of 11 12 \$2,000 for Case No. 19-AUD-00082, and also a fine 13 of \$2,000 for Case No. 19-AUD-00120 for a total 14 fine of \$4,000 to be paid within 90 days or the 15 license will be suspended until the fine has been 16 paid. The Government has decided that in Case 17 No. 20-AUD-00018 it will be declined meaning that 18 it will -- they will not pursue Case No. 20-AUD-19 00018.

I make a motion that the Board accept this offer in compromise. Is there a second? MEMBER SHORT: Mr. Short. Second. CHAIRPERSON ANDERSON: Mr. Short just seconded the motion. We'll now have a roll call on the motion that has been properly seconded by

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1 Mr. Short. 2 MEMBER SHORT: Mr. Short. I agree. 3 CHAIRPERSON ANDERSON: Mr. Cato. 4 MEMBER CATO: I agree. 5 CHAIRPERSON ANDERSON: Ms. Wahabzadah. MEMBER WAHABZADAH: Rema Wahabzadah. 6 7 I agree. 8 CHAIRPERSON ANDERSON: Ms. Crockett. 9 MEMBER CROCKETT: Rafi Crockett. Ι 10 agree. 11 CHAIRPERSON ANDERSON: Ms. Hansen. 12 MEMBER HANSEN: Jeni Hansen. I agree. 13 CHAIRPERSON ANDERSON: Mr. Grandis. MEMBER GRANDIS: Ed Grandis. 14 I do not 15 agree. 16 CHAIRPERSON ANDERSON: And Mr. 17 I agree. The matter passes 6-1-0 with Anderson. 18 Mr. Grandis in opposition. 19 We now move to our licensing agenda. 20 The first matter on our licensing agenda. The 21 first matter on our licensing agenda is a Review 22 Application for a Stipulated License with Letter 23 of ANC Support for a new ABC license. This is 24 Bistro DC Restaurant, License No. 117625. I make 25 a motion that we approve this matter. Is there a

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1 second? MEMBER GRANDIS: Ed Grandis will 2 3 second. CHAIRPERSON ANDERSON: Mr. Grandis has 4 5 seconded the motion. We'll now have a roll call 6 vote on the motion that has been properly 7 seconded by Mr. Grandis. 8 CHAIRPERSON ANDERSON: Mr. Short. 9 MEMBER SHORT: Mr. Short. I agree. CHAIRPERSON ANDERSON: 10 Mr. Cato. 11 MEMBER CATO: Bobby Cato. I agree. 12 CHAIRPERSON ANDERSON: Ms. Wahabzadah. MEMBER WAHABZADAH: Rema Wahabzadah. 13 14 I agree. 15 CHAIRPERSON ANDERSON: Ms. Crockett. MEMBER CROCKETT: Rafi Crockett. 16 Ι 17 agree. 18 CHAIRPERSON ANDERSON: Ms. Hansen. 19 MEMBER HANSEN: Jeni Hansen. I agree. 20 CHAIRPERSON ANDERSON: Mr. Grandis. 21 MEMBER GRANDIS: Ed Grandis. I agree. 22 CHAIRPERSON ANDERSON: And Mr. 23 I agree. The matter passes 7-0-0. Anderson. 24 The next matter on our licensing 25 agenda is the Review of Architectural Floor Plans

1	for a new Full-Service Grocery Store. This is
2	Rodman's Discount Drugs, License No. 000394. I
3	make a motion that we placard this matter. Is
4	there a second?
5	MEMBER SHORT: Mr. Short. I second.
6	CHAIRPERSON ANDERSON: Mr. Short has
7	seconded the motion. We'll now have a roll call
8	vote on the motion that has been properly
9	seconded by Mr. Short.
10	CHAIRPERSON ANDERSON: Mr. Short.
11	MEMBER SHORT: Mr. Short. I agree.
12	CHAIRPERSON ANDERSON: Mr. Cato.
13	MEMBER CATO: Bobby Cato. I agree.
14	CHAIRPERSON ANDERSON: Ms. Wahabzadah.
15	MEMBER WAHABZADAH: Rema Wahabzadah.
16	I agree.
17	CHAIRPERSON ANDERSON: Ms. Crockett.
18	MEMBER CROCKETT: Rafi Crockett. I
19	agree.
20	CHAIRPERSON ANDERSON: Ms. Hansen.
21	MEMBER HANSEN: Jeni Hansen. I agree.
22	CHAIRPERSON ANDERSON: Mr. Grandis.
23	MEMBER GRANDIS: Ed Grandis. I agree.
24	CHAIRPERSON ANDERSON: And Mr.
25	Anderson. I agree. The matter passes 7-0-0.

1	We now move onto our cancellation
2	agenda. The ABC Board will be cancelling the
3	following licenses for the reasons outlined
4	below:
5	The first case is Cira at Chinatown,
6	License No. 107615. This is a Retailer C
7	restaurant. The licensee requested cancellation.
8	The next matter is Circa at Chinatown,
9	caterer. Their license is 107616. The licensee
10	requested cancellation.
11	And the other establishment is
12	Madidus. It's a wholesale A. Their license
13	number is 097321.
14	I, therefore, make a motion that ABC
15	Board cancels the licenses that were just read in
16	the record that are on the cancellation agenda
17	for today based on the request from the licensees
18	for cancellation.
19	Is there a second?
20	MEMBER GRANDIS: Ed Grandis.
21	CHAIRPERSON ANDERSON: Mr. Grandis has
22	seconded the motion. We'll now have a roll call
23	vote on the motion that was properly seconded by
24	Mr. Grandis.
25	CHAIRPERSON ANDERSON: Mr. Short.

1	MEMBER SHORT: Mr. Short. I agree.
2	CHAIRPERSON ANDERSON: Mr. Cato.
3	MEMBER CATO: Bobby Cato. I agree.
4	CHAIRPERSON ANDERSON: Ms. Wahabzadah.
5	MEMBER WAHABZADAH: Rema Wahabzadah.
6	I agree.
7	CHAIRPERSON ANDERSON: Ms. Crockett.
8	MEMBER CROCKETT: Rafi Crockett. I
9	agree.
10	CHAIRPERSON ANDERSON: Ms. Hansen.
11	MEMBER HANSEN: Jeni Hansen. I agree.
12	CHAIRPERSON ANDERSON: Mr. Grandis.
13	MEMBER GRANDIS: Ed Grandis. I agree.
14	CHAIRPERSON ANDERSON: And Mr.
15	Anderson. I agree. The matter passes 6-0-0.
16	We now move to our docket. Our docket
17	changes to established license to licensees
18	that the licensees have requested that some
19	specific change be made to their license
20	category. There are eight licensees on our
21	docket today. I will state what type of
22	establishment they are and what type of request
23	that they are requesting. At the end I will make
24	a motion that the ABC Board approve the requests.
25	The first request is Lillie's

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Restaurant & Bar, License No. 117664. This is a 1 restaurant. This is a transfer without sale 2 3 application. The next establishment is Embassy 4 5 Suites Hotel, License No. 117510. This is a 6 Retailer C hotel. It's a transfer with sale 7 application. The next establishment is Breakthru 8 9 Beverage, License No. 60518. They are a wholesaler A. This is a gift and loan 10 11 application for coolers. 12 The next application is Surfside, License No. 117402. They are a restaurant, 13 Retailer C restaurant. 14 15 New ABC license application. This is 16 a request from Matthew J. Irwin. He is 17 requesting an import license, personal import license, License No. 21-IMP-000001. Again, as 18 19 stated, he is requesting a personal importation 20 permit application. 21 The next request is from Liaison 22 Capitol Hill, License No. 112447. This is a 23 Retailer C hotel. This is a trade name change 24 application. The new name that's being requested is Yotel, Y-O-T-E-L, Washington DC. 25

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The next request is a request made by 1 2 Gold Coast Cafe & Mart, License No. 98589. They are a Retailer B, change of hours application. 3 The next request is from Jemal's 4 5 Dupont Hotel, LLC. The trade name is to be 6 determined. License No. 115679. They are a 7 Retailer C hotel. A letter of request to 8 increase guest rooms from 99 to 143. 9 I, therefore, make a motion that we 10 approve the requests of all the establishments on 11 our docket. Is there a second? 12 MEMBER CROCKETT: Ms. Crockett 13 seconds. 14 CHAIRPERSON ANDERSON: Ms. Crockett 15 has seconded the motion. We'll have a roll call 16 vote on the motion that has been properly seconded by Ms. Crockett. 17 18 CHAIRPERSON ANDERSON: Mr. Short. 19 MEMBER SHORT: Mr. Short. I agree. 20 CHAIRPERSON ANDERSON: Mr. Cato. 21 MEMBER CATO: Bobby Cato. I agree. 22 CHAIRPERSON ANDERSON: Ms. Wahabzadah. 23 MEMBER WAHABZADAH: Rema Wahabzadah. 24 I agree. 25 CHAIRPERSON ANDERSON: Ms. Crockett.

MEMBER CROCKETT: Rafi Crockett. 1 Ι 2 agree. 3 CHAIRPERSON ANDERSON: Ms. Hansen. 4 MEMBER HANSEN: Jeni Hansen. I agree. 5 CHAIRPERSON ANDERSON: Mr. Grandis. 6 MEMBER GRANDIS: Ed Grandis. I agree. 7 CHAIRPERSON ANDERSON: And Mr. 8 Anderson. I agree. The matter passes 7-0-0. 9 CHAIRPERSON ANDERSON: We have now concluded our morning -- the Board's morning 10 11 The Board will, therefore, be in business. 12 recess until our 1:30 hearing. I will now direct 13 that the Board members return to executive 14 session for further discussion. Thank you very 15 much and I'll see you at the public 1:30 p.m. 16 Thank you. Bye bye. 17 (Whereupon, the above-entitled matter went off the record at 10:57 a.m.) 18 19 20 21 22 23 24 25

Α **a.m** 3:2 14:18 **ABC** 2:9 7:23 10:2,14 11:24 12:15 abide 5:10 above-captioned 5:8 above-entitled 14:17 **ABRA** 1:19 ABRA-097231 2:15 ABRA-107615 2:14 ABRA-107616 2:15 accept 5:21 6:20 advised 5:21,22 agenda 1:6,6,7 2:2,8,13 3:4,5,5,10,11 4:18 7:19,20,21 8:25 10:2 10:16 agree 4:3,5,8,11,13,15 4:17 7:2,4,7,10,12,15 7:17 8:9,11,14,17,19 8:21,23 9:11,13,16,19 9:21,23,25 11:1,3,6,9 11:11,13,15 13:19,21 13:24 14:2,4,6,8 agreement 2:3 3:12 Alcohol 5:4 Alcoholic 1:2,11 **ALIYA** 1:15 ANC 2:9 7:23 ANC-6B 2:3 3:13 Anderson 1:12,14 3:3 3:18 4:1,4,6,9,12,14 4:16,17 6:23 7:3,5,8 7:11,13,16,17 8:4,8 8:10,12,15,18,20,22 8:23 9:6,10,12,14,17 9:20,22,24,25 10:21 10:25 11:2,4,7,10,12 11:14,15 13:14,18,20 13:22,25 14:3,5,7,8,9 **ANDREWS** 1:19 anymore 3:8 apologize 3:4 Applicant 2:3 **application** 1:7 2:9,11 2:16 7:22 12:3,7,11 12:12,15,20,24 13:3 **apply** 6:3 approval 5:6 approve 3:14 5:13 7:25 11:24 13:10 approves 5:8 Architectural 2:11 8:25 AUD-00082 4:21 authority 6:7 authorized 5:5 В

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This is to certify that the foregoing transcript

In the matter of: Agenda Hearing

Before: DCABRA

Date: 01-27-21

Place: teleconference

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

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Court Reporter

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