



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

10:47 a.m.

1  
2  
3 CHAIRMAN ANDERSON: Good morning  
4 everyone. As Chairperson of the Alcoholic  
5 Beverage Control Board for the District of  
6 Columbia, and in accordance with D.C. Code  
7 Section 2571 et seq. of the Open Meetings Act,  
8 OMA, I'm welcoming you to the regular scheduled  
9 meeting of the Alcoholic Beverage Control Board.

10 This meeting is being conducted  
11 pursuant to guidance made available by the  
12 District of Columbia's Office of Open Government  
13 regarding electronic meetings held by public  
14 bodies. Electronic meetings by the ABC Board are  
15 authorized pursuant to Section 2577(a) of the  
16 D.C. Code.

17 Pursuant to the OMA requirements,  
18 notice of today's meeting was provided 48 hours  
19 in advance of the meeting on ABRA's website and  
20 on the District's Central Meeting Calendar. The  
21 notice included the time, date, agenda, and a  
22 call in or log in information for public  
23 participation.

24 This electronic meeting is being  
25 hosted by a WebEx account provided by the

1 District of Columbia government. Please address  
2 any questions or complaints to the OOG at  
3 opengovoffice@dc.gov.

4 My name is Donovan Anderson, I'm  
5 Chairman of the Board. I would like to introduce  
6 the other Members of the ABC Board who are also  
7 participating electronically.

8 Please respond when I announce your  
9 name. Mr. James Short?

10 MEMBER SHORT: Mr. James Short  
11 present.

12 CHAIRMAN ANDERSON: Mr. Bobby Cato?

13 MEMBER CATO: Bobby Cato, present.

14 CHAIRMAN ANDERSON: Ms. Jeni Hansen?

15 MEMBER HANSEN: Jeni Hansen, present.

16 CHAIRMAN ANDERSON: Mr. Edward  
17 Grandis?

18 MEMBER GRANDIS: Present.

19 CHAIRMAN ANDERSON: The Board has five  
20 members for the attendance of the -- for the  
21 conduct of business today and that constitutes a  
22 quorum.

23 Before we get underway with today's  
24 hearing calendar I need to make a few  
25 instructions very clear so that the conduct of

1 these hearings are understood by everyone.

2 There are eight cases scheduled on our  
3 calendar for this morning. Once a case is  
4 called, I will take a moment for our IT  
5 specialist to elevate the rights for each party  
6 to enable their camera and microphone.

7 Then and only then will you have the  
8 ability to enable your equipment. If your case  
9 is not being heard, you will remain mute and your  
10 camera will be disabled.

11 At the conclusion of each case, the  
12 parties will have the option to leave. If the  
13 party chooses to stay, all cameras and  
14 microphones for the concluded case will be  
15 disabled.

16 Should you have any questions or  
17 require technical assistance during the hearing,  
18 please submit them using the question and answer  
19 feature.

20 Our first case on our Protest Hearing  
21 Status Calendar is Case Number 23-PRO-00001,  
22 DCity Smokehouse, License Number 98368.

23 Good morning, Mr. Orellana, can you  
24 please elevate the rights of the licensee and the  
25 protestant in this case, please?

1 MR. ORELLANA: Good morning. Melvin  
2 Hines, your access has been elevated. Cory  
3 Brown, your access has been elevated.

4 That appears to be all Chairman.

5 CHAIRMAN ANDERSON: Okay. Thank you.  
6 Mr. Hines and Mr. Brown, if you have a camera,  
7 can you please turn your camera on, please?

8 Mr. Hines, do you have a camera, sir?

9 MR. HINES: Yes. I just turned it on,  
10 I believe.

11 CHAIRMAN ANDERSON: All right. Good  
12 morning. All right, good morning, sir. Can you  
13 please, starting with Hines, can you please  
14 identify yourself for the record, please?

15 MR. HINES: My name is Melvin Hines.  
16 I'm the owner of Southeast Restaurant Group.  
17 And, we do business as DCity Smokehouse located  
18 at 203 Florida Avenue, Northwest, Washington,  
19 D.C. 20001.

20 CHAIRMAN ANDERSON: Good morning  
21 again, sir. Can you also please spell your name  
22 for the record, please, sir?

23 MR. HINES: Melvin Hines, M-E-L-V-I-N  
24 Hines, H-I-N-E-S.

25 CHAIRMAN ANDERSON: Thank you. Mr.

1 Brown, can you please identify yourself for the  
2 record, and please spell and state your name,  
3 sir.

4 MR. BROWN: Good morning, Cory Brown.  
5 It is C-O-R-Y B-R-O-W-N. I'm an abutting  
6 property owner to DC Smokehouse at 1700 2nd  
7 Street, Northwest, Unit Number Three. And as  
8 well, representing the owner of Unit Number Six.

9 CHAIRMAN ANDERSON: All right. Thank  
10 you. All right, are there any -- I'm sorry, Mr.  
11 Hines, let me ask you a question.

12 So, the only protestant in this case  
13 is the abutting property owner. Did the ANC  
14 protest your liquor, your renewal, sir?

15 MR. HINES: No, they did not.

16 CHAIRMAN ANDERSON: Okay. Fine then.  
17 I just wanted to make sure of that. All right.

18 All right, are there any preliminary  
19 matters that either side wants to bring to the  
20 attention? Mr. Hines, just preliminary, any  
21 problems or issues you've been having?

22 MR. HINES: No.

23 CHAIRMAN ANDERSON: No. And, Mr.  
24 Brown, any on your part?

25 MR. BROWN: After our mediation, there

1 was some delay in getting that information from  
2 the mediator to connect us with the investigators  
3 at ABRA.

4 We had discussed in our, and agreed  
5 that we would have folks come out. We would get  
6 our tenants to let us in and have ABRA there to  
7 help resolve some of the noise issues by having  
8 them present. And, Mr. Hines had disclosed that  
9 he had a new system that could be remotely  
10 controlled.

11 I did finally get that information and  
12 then got in contact with the Investigations  
13 Branch Chief. And, just the other day, I was  
14 able to connect with the investigator who offered  
15 to come out this weekend.

16 CHAIRMAN ANDERSON: All right. I'm  
17 glad, I'm glad to hear that, that you were able  
18 to get that to occur.

19 And, one of the things I'll say, if  
20 you believe, if the parties truly believe this  
21 matter will be settled, this matter is schedule  
22 for a protest hearing -- a protest hearing on  
23 March 29, 2023, at 1:30 p.m.

24 So, if the parties believe that this  
25 matter will be settled, then I would ask that you

1 just advise our legal office so that we don't  
2 have to assign another investigator to write a  
3 report.

4 But, I hope that if the parties are  
5 able to solve the problems on time, we support  
6 settlements. Because, at the end of the day, you  
7 both might have to coexist in the same space.

8 And so, therefore, if the parties are  
9 able to come to some type of agreement, then you  
10 will be able -- you would -- you're able to solve  
11 the problem rather than having the Board issue a  
12 decision that one side might be happy and the  
13 other side unhappy.

14 So, but so if the parties can truly  
15 settle this matter, we just -- we support that.  
16 What I said before, this matter is scheduled for  
17 a protest hearing on March 29, 2023.

18 And, I have -- are you -- are you, are  
19 the parties -- are the parties familiar with  
20 this, with the process if we were to go to a  
21 protest hearing?

22 (No response.)

23 CHAIRMAN ANDERSON: Well, I'll read  
24 the other part.

25 MR. HINES: I am familiar with it.



1 CHAIRMAN ANDERSON: Mr. Hines?

2 MR. HINES: I was just saying, I am  
3 familiar. And, I am retaining counsel to help to  
4 walk me through this as well.

5 CHAIRMAN ANDERSON: If you retain  
6 counsel, then you make sure that, and, if we're  
7 going to go to a hearing, please make sure that  
8 counsel, if we are truly going to the hearing,  
9 make sure that your counsel provides the agents  
10 who are on, with the notice of appearance.

11 So, there is some formal documentation  
12 that needs to be filed with the agency to advise  
13 us that you, that someone else will be, you'll  
14 have counsel representing you.

15 But, anyway, all right. So, following  
16 this hearing, you'll receive an email from ABRA  
17 legal that will include a copy of a Protest  
18 Information Form, PIF, and a copy of an Exhibit  
19 Form, as well as specific instructions for the  
20 hearing.

21 You are required -- you are required  
22 to complete and submit the PIF and Exhibit Forms  
23 at least seven days before the date of the  
24 hearing.

25 If we do not receive a copy of your

1 forms seven days before the hearing, your  
2 application or your protest may be subject to  
3 dismissal. These documents need to be submitted  
4 to ABRA legal and to the opposing parties.

5 Please know that these documents  
6 greatly assist the Board in narrowing the protest  
7 issues, facilitating the process, and keeping the  
8 parties on point during the hearing.

9 Each side is limited to no more than  
10 five witnesses, and you'll only have 60 minutes  
11 to present your case. So, I just want to remind  
12 folks that no more than five witnesses, and you  
13 have 60 minutes to present your case.

14 The Board does not intend to hear  
15 testimony on matters that are not relevant to  
16 those issues that are being protested.

17 Any questions?

18 MR. HINES: No.

19 MR. BROWN: None.

20 CHAIRMAN ANDERSON: Okay. All right,  
21 we thank you for your cooperation. If you have  
22 any questions, please reach out to ABRA legal and  
23 we will provide guidance to both sides in -- in  
24 how to, if we're going to move to a hearing.

25 But, I'm hoping that the parties are

1 able to mediate the issue successfully. If there  
2 is any -- if you have, if you need any  
3 assistance, you can always reach out to ABRA  
4 legal.

5 If you have a -- and, I guess you  
6 said, Mr. Brown, you do have the information for  
7 the Chief of Enforcement. So, please follow up  
8 with that person if you have -- if you continue.

9 And, both parties can reach out to the  
10 Chief of Enforcement if they have concerns with  
11 getting an investigator to come and do -- to  
12 check the noise. Okay?

13 All right. Well, good luck with your  
14 negotiations. If not, I'll see you on the 29th  
15 at 1:30. Have a great day. Thank you very much.

16 MR. HINES: Thank you.

17 MR. BROWN: Thank you.

18 (Whereupon, the above-entitled matter  
19 went off the record at 10:57 a.m.)  
20  
21  
22  
23  
24  
25

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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: DCity Smokehouse

Before: DC ABRA

Date: 03-08-23

Place: teleconference

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

*Neal R Gross*

-----  
Court Reporter

**NEAL R. GROSS**

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