

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

2 10:40 a.m.

3 CHAIRPERSON ANDERSON: Good morning.

4 We are on the record.

5 Good morning, everyone. As
6 chairperson of the Alcoholic Beverage Control
7 Board for the District of Columbia, and in
8 accordance with DC Code Section 2571SC of the
9 Open Meetings Act, OMA, I am welcoming you to the
10 regular scheduled meeting of the Alcoholic
11 Beverage Control Board.

12 This meeting is being conducted
13 pursuant to guidance made available by the
14 District of Columbia's Office of Open Government
15 regarding electronic meetings held by public
16 bodies. Electronic meetings by the ABC Board are
17 authorized pursuant to Section 2577A of the DC
18 Code.

19 Pursuant to the OMA requirements notice of
20 today's meeting was provided 48 hours in advance
21 of the meeting on ABRA's website, and on the
22 District Central Meeting calendar. The notice
23 includes the time, date, agenda, and call in or
24 log in information for public participation.
25 This electronic meeting is being hosted by WebEx

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

4 My name is Donovan Anderson, I am
5 Chairman of the Board. I will introduce the
6 other members of the ABC Board who are also
7 participating electronically. Please respond
8 when I announce your name. Mr. James Short.

9 MEMBER SHORT: Mr. James Short,
10 present.

11 CHAIRPERSON ANDERSON: Mr. Bobby Cato.

12 MEMBER CATO: Bobby Cato, present.

13 CHAIRPERSON ANDERSON: Good morning,
14 Mr. Cato. Ms. Rafi Crockett.

15 MEMBER CROCKETT: Rafi Crockett,
16 present.

17 CHAIRPERSON ANDERSON: Mr. Edward
18 Grandis.

19 (No audible response, but present)

20 CHAIRPERSON ANDERSON: The Board has
21 five members in attendance for the conduct of
22 business today, and that constitutes a quorum.
23 Before we get underway with today's hearing
24 calendar I need to make a few instructions very
25 clear so that the conduct of these hearings is

1 honored by everyone. There are eight cases
2 scheduled for this morning's calendar. Once the
3 case is called I will take a moment for IT
4 specialist to elevate the rights for each party
5 to enable their camera and microphone. Then, and
6 only then, will you have the ability to enable
7 your equipment. If your case has not been heard
8 you will remain mute, and your camera will be
9 disabled.

10 Should you have - if your case has
11 not been heard you will remain - I'm sorry. At
12 the conclusion of each case the parties will have
13 the option to leave. If the party chooses to
14 stay, all cameras and microphones for the
15 completed case will be disabled. Should you have
16 any questions or require technical assistance
17 during this hearing, please submit them using the
18 question and answer feature.

19 Our first matter for this morning is
20 a protest hearing status, Case Number 22-PRO-
21 00071, Via Umbria, License Number 100387. Mr.
22 Orellana, Good morning, could you please elevate
23 the rights of the parties in this case, please.

24 MR. ORELLANA: Good morning, Manalle
25 Mahmoud, your access has been elevated, Rick

1 Murphy, your access has been elevated, Judith
2 Bunnell, your access has been elevated. That is
3 all, Chairman.

4 CHAIRPERSON ANDERSON: Good morning.

5 MS. MAHMOUD: Good morning.

6 CHAIRPERSON ANDERSON: All right, so
7 let's have - Ms. Mahmoud, can you please spell
8 and state your name for the record and who do you
9 represent?

10 MS. MAHMOUD: Of course. Good morning,
11 Mr. Chair. Manalle Mahmoud, with Mallious,
12 O'Brien, Sandground on behalf of the licensee, M-
13 A-N-A-L-L-E, M-A-H-M-O-U-D.

14 CHAIRPERSON ANDERSON: Good morning.
15 Now, the protestors, so let's start with who -
16 is there someone here from the ANC?

17 MR. MURPHY: Yes, Richard Murphy,
18 Commissioner from Single Member District, ANC
19 2E03, and also the chair of ANC 2E. Richard, R-
20 I-C-H-A-R-D, Murphy, M-U-R-P-H-Y.

21 CHAIRPERSON ANDERSON: Good morning,
22 Mr. Murphy. Do we have someone here from the
23 Group of five or more?

24 MS. BUNNELL: This is Judith Bunnell,
25 J-U-D-I-T-H, B-U-N-N-E-L-L, and I am here from

1 the Group of Five residents.

2 CHAIRPERSON ANDERSON: Mr. Orellana,
3 can you please look for Karen Cruse? I think
4 that she - her rights need to be elevated.

5 All right, so can we - do we have
6 someone from the abutting property owner? Do we
7 have the abutting property owner?

8 MS. BUNNELL: Sir, the abutting
9 property owner, Susan Rutledge designated me
10 yesterday to be a spokesperson for her. This is
11 Judith Bunnell again, one of the residents.

12 CHAIRPERSON ANDERSON: Ms. Mahmoud,
13 normally we ask that - we will ask the abutting
14 property owner to provide that to us in writing.

15 MS. BUNNELL: I believe she did that
16 via email yesterday. I saw an email go -

17 CHAIRPERSON ANDERSON: Were you aware
18 of that Ms. Mahmoud?

19 MS. MAHMOUD: Yes, I was cc'ed on that
20 email, and that was fine.

21 CHAIRPERSON ANDERSON: Okay, that's
22 fine. All right, so, I'm sorry, who was the
23 abutting property owner again, Ms. Bunnell?

24 MS. BUNNELL: It is Susan, S-U-S-A-N,
25 Rutledge, R-U-T-L-E-D-G-E.

1 CHAIRPERSON ANDERSON: Thank you, and
2 the agency did receive that written
3 authorization, so thank you. Ms. Cruse, can you
4 please spell and state your name for the record,
5 please?

6 MS. CRUSE: Karen, K-A-R-E-N, Cruse, C-
7 R-U-S-E, and I represent the Citizens Association
8 of Georgetown.

9 CHAIRPERSON ANDERSON: Thank you. All
10 right, Ms. Mahmoud, I need you to give us - let
11 us know where we are. It is my understanding
12 that this license is in safekeeping.

13 MS. MAHMOUD: Correct.

14 CHAIRPERSON ANDERSON: Right, so we
15 normally - we do not move forward with a protest
16 hearing unless it is renewal for a license that
17 is in safekeeping, so can you give us - tell us
18 what is going on, and what is it that the
19 licensee wants to do?

20 MS. MAHMOUD: Correct, Mr. Chair. As
21 you know, this license was approved into
22 safekeeping last week, and since plans for
23 reopening is completely up in the air, we
24 actually just suggest that the Board stay this
25 protest until such time that the license is

1 removed from safekeeping.

2 CHAIRPERSON ANDERSON: You are making
3 a formal request to us. Now, if this - I just
4 want to - before moving on I would like to
5 advise the parties that if the license remains in
6 safekeeping, and if we stay these proceedings, at
7 such time if the license is removed from
8 safekeeping we will still have to have a - we
9 have to go through this process to renew the
10 license, so if this matter stayed there will be
11 no - the community will still have an
12 opportunity once the license is removed from
13 safekeeping to protest the license if they so
14 choose to, okay? Any questions by anyone? Then
15 I am going to ask input from the parties, the
16 ANC, do you have an objection if the Board was to
17 grant this request to stay the proceeding because
18 of the status?

19 MR. MURPHY: Mr. Chairman, ANC 2E,
20 understanding that the protest would remain in
21 suspended animation while the proceeding is
22 stayed, ANC 2E has no objection to the request by
23 the applicant - by the licensee rather.

24 CHAIRPERSON ANDERSON: All right.
25 Thank you, Mr. Murphy. Ms. Bunnell.

1 MS. BUNNELL: We agree, we have no
2 problem with it being in safekeeping, and we are
3 actually going to be delighted when we get a new
4 neighbor, so we are looking forward to this
5 property being occupied soon.

6 CHAIRPERSON ANDERSON: What about -
7 are you speaking on behalf of Ms. Rutledge?

8 MS. BUNNELL: Yes, sir.

9 CHAIRPERSON ANDERSON: Ms. Cruse.

10 MS. CRUSE: What the previous two
11 people just said.

12 CHAIRPERSON ANDERSON: All right.
13 Thank you. So the motion is to stay these
14 proceedings, and I will make a motion that the
15 ABC Board stay these proceedings until the
16 license has been removed from safekeeping. Is
17 there a second?

18 MEMBER SHORT: Mr. Short, I second.

19 CHAIRPERSON ANDERSON: Mr. Short and
20 Mr. Grandis has seconded the motion. We will now
21 have a roll call vote. Mr. Short.

22 MEMBER SHORT: Mr. Short, I agree.

23 CHAIRPERSON ANDERSON: Cato.

24 MEMBER CATO: (No audible response.)

25 CHAIRPERSON ANDERSON: Crockett.

1 MEMBER CROCKETT: Rafi Crockett, I
2 agree.

3 CHAIRPERSON ANDERSON: Mr. Grandis.

4 MEMBER GRANDIS: (No audible response.)

5 CHAIRPERSON ANDERSON: Mr. Grandis and
6 I agree. The matter pass 5-0-0.

7 Thank you very much. I will also
8 advise the parties that once the license is
9 removed from safekeeping you could - and if you
10 decide that you want to continue to protest the
11 proceedings then you can make a motion to ask the
12 ABC Board to grant your request. You would not
13 necessarily have to file another request, but you
14 will have to advise the agency that you would
15 like your request to be grandfathered in and the
16 Board will grant that request, okay?

17 MS. BUNNELL: Thank you.

18 CHAIRPERSON ANDERSON: All right.

19 Thank you very much, and have a great day.

20 (Whereupon, the above-entitled matter
21 went off the record at 10:51 a.m.)
22
23
24
25

A	9:1,8 10:17 business 3:22	delighted 9:3 designated 6:9 disabled 4:9,15 District 1:1 2:7,14,22 3:1 5:18 Donovan 1:14,17 3:4	James 1:19 3:8,9 JOSE 1:21 JR 1:17,19 Judith 1:24 5:1,24 6:11
A-N-A-L-L-E 5:13 a.m 2:2 10:21 ABC 2:16 3:6 9:15 10:12 ability 4:6 above-entitled 10:20 ABRA 1:21 ABRA's 2:21 abutting 6:6,7,8,13,23 access 4:25 5:1,2 account 3:1 Act 2:9 address 3:2 advance 2:20 advise 8:5 10:8,14 agency 7:2 10:14 agenda 2:23 agree 9:1,22 10:2,6 air 7:23 Alcoholic 1:2,13 2:6,10 ALIYA 1:18 ANC 1:7,23 5:16,18,19 8:16,19,22 Anderson 1:14,17 2:3 3:4,11,13,17,20 5:4,6 5:14,21 6:2,12,17,21 7:1,9,14 8:2,24 9:6,9 9:12,19,23,25 10:3,5 10:18 animation 8:21 announce 3:8 answer 4:18 applicant 1:22 8:23 Application 1:9 approved 7:21 assistance 4:16 Association 1:25 7:7 attendance 3:21 audible 3:19 9:24 10:4 authorization 7:3 authorized 2:17 available 2:13 Avenue 1:7 aware 6:17	C	E	K
B	D	F	L
B-U-N-N-E-L-L 5:25 behalf 5:12 9:7 believe 6:15 Beverage 1:2,13 2:6,11 Board 1:2,13 2:7,11,16 3:5,6,20 7:24 8:16 9:15 10:12,16 Bobby 1:17 3:11,12 bodies 2:16 Bunnell 1:24 5:2,24,24 6:8,11,15,23,24 8:25	9:23,24 cc'ed 6:19 Central 2:22 chair 5:11,19 7:20 Chairman 3:5 5:3 8:19 chairperson 1:14,17 2:3,6 3:11,13,17,20 5:4,6,14,21 6:2,12,17 6:21 7:1,9,14 8:2,24 9:6,9,12,19,23,25 10:3,5,18 choose 8:14 chooses 4:13 Citizen's 1:25 Citizens 7:7 clear 3:25 Code 2:8,18 Columbia 1:1 2:7 3:1 Columbia's 2:14 Commissioner 5:18 community 8:11 complaints 3:3 completed 4:15 completely 7:23 conclusion 4:12 conduct 3:21,25 conducted 2:12 constitutes 3:22 continue 10:10 Control 1:2,13 2:6,11 Correct 7:13,20 Counsel 1:22 course 5:10 CR 1:7 Crockett 1:18 3:14,15 3:15 9:25 10:1,1 Cruse 1:25 6:3 7:3,6,6 9:9,10	Edward 1:18 3:17 eight 4:1 electronic 2:15,16,25 electronically 3:7 elevate 4:4,22 elevated 4:25 5:1,2 6:4 email 6:16,16,20 enable 4:5,6 equipment 4:7	K-A-R-E-N 7:6 Karen 1:25 6:3 7:6
		G	M
		feature 4:18 file 10:13 fine 6:20,22 first 4:19 five 1:24 3:21 5:23 6:1 formal 8:3 forward 7:15 9:4	leave 4:13 let's 5:7,15 license 1:8,10 4:21 7:12 7:16,21,25 8:5,7,10 8:12,13 9:16 10:8 licensee 5:12 7:19 8:23 LLC 1:6 log 2:24 look 6:3 looking 9:4
		H	
		Georgetown 1:25 7:8 give 7:10,17 government 2:14 3:2 grandfathered 10:15 Grandis 1:18 3:18 9:20 10:3,4,5 grant 8:17 10:12,16 Group 1:24 5:23 6:1 guidance 2:13	M-5 12 M-A-H-M-O-U-D 5:13 M-U-R-P-H-Y 5:20 Mahmoud 1:22 4:25 5:5 5:7,10,11 6:12,18,19 7:10,13,20 making 8:2 Mallious 5:11 Manalle 4:24 5:11 MANELLE 1:22 matter 1:5 4:19 8:10 10:6,20 meeting 1:3 2:10,12,20 2:21,22,25 meetings 2:9,15,16 Member 1:17,18,18,19 3:9,12,15 5:18 9:18 9:22,24 10:1,4 members 3:6,21 met 1:14 microphone 4:5 microphones 4:14 moment 4:3 morning 2:3,5 3:13 4:19,22,24 5:4,5,10 5:14,21 morning's 4:2 motion 9:13,14,20 10:11 move 7:15 moving 8:4 Murphy 1:23 5:1,17,17 5:20,22 8:19,25 mute 4:8
		I	N
		I-C-H-A-R-D 5:20 includes 2:23 information 2:24 input 8:15 instructions 3:24 introduce 3:5	
		J	
		J-U-D-I-T-H 5:25	

name 3:4,8 5:8 7:4
necessarily 10:13
need 3:24 6:4 7:10
neighbor 9:4
new 9:3
normally 6:13 7:15
notice 2:19,22
Number 4:20,21
NW 1:7

O

O'Brien 5:12
objection 8:16,22
occupied 9:5
October 1:12
Office 2:14
OMA 2:9,19
once 4:2 8:12 10:8
OOG 3:3
Open 2:9,14
opengovoffice@dc.g...
3:3
opportunity 8:12
option 4:13
Orellana 1:21 4:22,24
6:2
owner 6:6,7,9,14,23

P

P-R-O-C-E-E-D-I-N-G-S
2:1
participating 3:7
participation 2:24
parties 4:12,23 8:5,15
10:8
party 4:4,13
pass 10:6
people 9:11
plans 7:22
please 3:2,7 4:17,22,23
5:7 6:3 7:4,5
present 1:16,20 3:10,12
3:16,19
presiding 1:14
previous 9:10
problem 9:2
proceeding 8:17,21
proceedings 8:6 9:14
9:15 10:11
process 8:9
property 6:6,7,9,14,23
9:5
protest 1:7 4:20 7:15,25
8:13,20 10:10
protestors 5:15
provide 6:14
provided 2:20 3:1
public 2:15,24

pursuant 2:13,17,19

Q

question 4:18
questions 3:2 4:16 8:14
quorum 3:22

R

R- 5:19
R-U-S-E 7:7
R-U-T-L-E-D-G-E 6:25
Rafi 1:18 3:14,15 10:1
receive 7:2
record 2:4 5:8 7:4 10:21
regarding 2:15
regular 2:10
remain 4:8,11 8:20
remains 8:5
removed 8:1,7,12 9:16
10:9
renew 1:9 8:9
renewal 7:16
reopening 7:23
represent 5:9 7:7
request 8:3,17,22 10:12
10:13,15,16
require 4:16
requirements 2:19
residents 6:1,11
respond 3:7
response 3:19 9:24
10:4
Retailer 1:7
Richard 1:23 5:17,19
Rick 4:25
rights 4:4,23 6:4
roll 9:21
Rutledge 6:9,25 9:7

S

S 1:18
S-U-S-A-N 6:24
safekeeping 7:12,17,22
8:1,6,8,13 9:2,16 10:9
Sandground 5:12
saw 6:16
scheduled 2:10 4:2
second 9:17,18
seconded 9:20
Section 2:8,17
Short 1:19 3:8,9,9 9:18
9:18,19,21,22,22
Single 5:18
sir 6:8 9:8
soon 9:5
sorry 4:11 6:22
speaking 9:7
specialist 4:4

spell 5:7 7:4
spokesperson 6:10
Staff 1:21
start 5:15
state 5:8 7:4
status 1:7 4:20 8:18
stay 4:14 7:24 8:6,17
9:13,15
stayed 8:10,22
submit 4:17
suggest 7:24
Susan 6:9,24
suspended 8:21

T

t/a 1:6
technical 4:16
tell 7:17
thank 7:1,3,9 8:25 9:13
10:7,17,19
today 3:22
today's 2:20 3:23
two 9:10

U

Umbria 1:6,6 4:21
understanding 7:11
8:20
underway 3:23

V

videoconference 1:14
vote 9:21

W

W 1:14,17
wants 7:19
WebEx 1:14 2:25
website 2:21
Wednesday 1:11
week 7:22
welcoming 2:9
went 10:21
Wisconsin 1:7
writing 6:14
written 7:2

X

Y

yesterday 6:10,16

Z

0

00071 4:21

1

10:40 2:2
10:51 10:21
100387 1:8 4:21
1525 1:7

2

2022 1:12
22-PRO- 4:20
22-PRO-00071 1:8
2571SC 2:8
2577A 2:17
26 1:12
2E 1:7,23 5:19 8:19,22
2E03 5:19

3

4

48 2:20

5

5-0-0 10:6

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Via Umbria

Before: DC ABRA

Date: 10-26-22

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.



Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1716 14TH ST., N.W., STE. 200

WASHINGTON, D.C. 20009-7831