



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

2 4:28 p.m.

3 CHAIRPERSON ANDERSON: Let's turn to  
4 our legal agenda. There are two matters on our  
5 legal agenda today. Hold on, please. Let me get  
6 the legal agenda. I apologize. Technology and  
7 myself are not necessarily compatible. There are  
8 two matters on the legal agenda today. The first  
9 one is a review of an offer in compromise in lieu  
10 of a hearing dated December 8, 2020. This is for  
11 Case No. 19-CMP-00194.

12 Ms. Crockett, do you have the OIC  
13 available in front of you, please? Or any other  
14 Board member if you have the OIC in front of you?

15 MEMBER CROCKETT: I can pull it up for  
16 you, Mr. Chairman.

17 CHAIRPERSON ANDERSON: Yes, can you  
18 please pull up the OIC for me, please?

19 MEMBER CROCKETT: Let me look in --  
20 the Public Group?

21 CHAIRPERSON ANDERSON: Yes.

22 MEMBER CROCKETT: Yes.

23 CHAIRPERSON ANDERSON: I know what the  
24 terms are. Can you please tell me what was in  
25 violation in the Public Group, please?

1                   MEMBER CROCKETT: This is the one we  
2 sign. It's actually not the actual order.

3                   CHAIRPERSON ANDERSON: Just let me  
4 know what the violation is, please, in the public  
5 group. What was the violation, please?

6                   MEMBER CROCKETT: It doesn't say  
7 specifically.

8                   CHAIRPERSON ANDERSON: Let me find it.  
9 Hold on, please. I was trying to do it a  
10 different way.

11                   MEMBER CROCKETT: The OIC I have sets  
12 forth the terms, but it's not stating what the  
13 infraction was.

14                   CHAIRPERSON ANDERSON: The terms of  
15 the OIC are as follows. This is the Public  
16 Group. The District of Columbia, jointly with  
17 the Licensee Respondent submits this offer in  
18 compromise, OIC, to the Alcoholic Beverage  
19 Control Board as authorized by 23 DCMR Section  
20 1604.5 for approval by the Board.

21                   The parties understand that if the  
22 Board approves the OIC, this case will be  
23 concluded and any scheduled show cause hearing  
24 will be vacated. Respondent will be obligated to  
25 abide by the terms of the OIC, a fine,

1 suspension, both, or other terms above. If the  
2 Board doesn't approve the OIC, the matter will be  
3 continued to a show cause hearing currently not  
4 set.

5 The Respondent has been advised that  
6 there is no obligation to accept an OIC.  
7 Respondent has been advised through service of  
8 the notice of status hearing and show cause  
9 hearing that at a show cause hearing Respondent  
10 may be represented by legal counsel, have  
11 subpoenas issued to require the production of  
12 witnesses and evidence, cross-examine witnesses  
13 and apply to the Board for a qualified  
14 interpreter.

15 Charge Number 1, increased summer  
16 garden occupancy. The statutory authority is DC  
17 Code Section 25762(b)(2), and the fine is a  
18 \$2,000.00 fine payable within 90 days or license  
19 shall be suspended immediately indefinitely until  
20 the fine has been paid.

21 Charge Number 2 is provide backup  
22 drinks. Statutory authority code section  
23 25741(b). That case has been dismissed. Charge  
24 Number 3, provide alcohol in a closed container.  
25 Statutory authority DC Code Section 25113(a)(3).

1 The Board will issue a warning.

2 Therefore, I make a motion that for  
3 the three charges in this case that there is a  
4 fine for charge 1 of \$2,000.00 payable within 90  
5 days. If the fine is not paid within 90 days the  
6 license will be suspended indefinitely until the  
7 fine has been paid. For charge 2, charge 2 will  
8 be dismissed. For charge 3, that a mandatory  
9 warning will be issued. Is there a second?

10 MEMBER SHORT: Mr. Short, I second.

11 CHAIRPERSON ANDERSON: Mr. Short has  
12 second the motion. We'll now have a roll call  
13 vote on the motion that has been properly second  
14 by Mr. Short. Mr. Short?

15 MEMBER SHORT: Mr. Short, I agree.

16 CHAIRPERSON ANDERSON: Mr. Cato?

17 MEMBER CATO: Bobby Cato, I agree.

18 CHAIRPERSON ANDERSON: Ms. Crockett?

19 MEMBER CROCKETT: Rafi Crockett, I  
20 agree.

21 CHAIRPERSON ANDERSON: Ms. Hansen?

22 MEMBER HANSEN: Jeni Hansen, I agree.

23 CHAIRPERSON ANDERSON: Mr. Grandis?

24 MEMBER GRANDIS: Ed Grandis, I agree.

25 CHAIRPERSON ANDERSON: Mr. Anderson,

1 I agree. The matter passes 6-0-0. Mr. Short,  
2 can you please put your phone on mute, please?  
3 The second matter on our legal agenda is review  
4 of an offer in compromise dated 12-9-2020, Case  
5 No. 19-CIT-00697, Shanghai Lounge, License No.  
6 087348.

7 The OIC terms are as follows. The  
8 District of Columbia jointly with the Licensee  
9 and Respondent submits this offer in compromise  
10 to the Alcoholic Beverage Control Board as -- I'm  
11 sorry -- as authorized by 23 DCMR 1604.5 for  
12 approval by the Board. The parties understand  
13 that if the Board approves the OIC, this case  
14 will be concluded and any scheduled show cause  
15 hearing will be vacated. Respondent will be  
16 obligated to abide by the terms of the OIC, a  
17 fine, suspension, both or other terms shown  
18 below.

19 If the Board does not approve the OIC,  
20 the matter will be continued to the scheduled  
21 show cause hearing currently not set. The  
22 Respondent has been advised that there is no  
23 obligation to accept an OIC. Respondent has been  
24 advised through service of the notice of status  
25 hearing and show cause hearing that at a show

1 cause hearing Respondent may be represented by  
2 legal counsel, have subpoenas issued to require  
3 the production of witnesses and evidence, and  
4 produce witnesses and evidence, cross-examine  
5 witnesses and apply to the Board for a qualified  
6 interpreter.

7 The terms of the OIC are as follows.  
8 Charge 1, no ABC manager or owner on duty.  
9 Statutory authority, DC Code Section 25701.  
10 There will be a fine of \$1,000.00 to be paid  
11 within 90 days or the license will be suspended  
12 indefinitely until the fine is paid. That is the  
13 term of the OIC. Is there a second?

14 MEMBER CROCKETT: Ms. Crockett  
15 seconds.

16 CHAIRPERSON ANDERSON: Ms. Crockett  
17 has second the motion. We'll now have a roll  
18 call vote on the motion that has been properly  
19 second by Ms. Crockett. Mr. Short?

20 MEMBER SHORT: Mr. Short, I agree.

21 CHAIRPERSON ANDERSON: Mr. Cato?

22 MEMBER CATO: Bobby Cato, I agree.

23 CHAIRPERSON ANDERSON: Ms. Crockett?

24 MEMBER CROCKETT: Rafi Crockett, I  
25 agree.

1 CHAIRPERSON ANDERSON: Ms. Hansen?

2 MEMBER HANSEN: Jeni Hansen, I agree.

3 CHAIRPERSON ANDERSON: Mr. Grandis?

4 MEMBER GRANDIS: Ed Grandis, I agree.

5 CHAIRPERSON ANDERSON: Mr. Anderson,

6 I agree. The matter passes 6-0-0. That was the

7 end of our legal agenda. We now have our docket.

8 The way I'm going to do the docket today is there

9 are 18 cases on our docket today. I am going to

10 read the entire docket in the record and I will

11 also state what it is that we're voting for. At

12 the end of my reading of the 18 establishments on

13 our docket, then I will make a motion that the

14 ABC Board adopts the docket that is scheduled for

15 today, December 10, 2020.

16 The first Licensee on the docket is

17 Breakthru Beverage, License No. 60518. It's a

18 wholesaler A. They're asking for a gifts and

19 loans disclosure, holiday macarons. The second

20 establishment on our docket is another request

21 from Breakthru Beverage, License No. 60518, again

22 a wholesaler B. It's asking for permission for

23 gifts and loans disclosure of (audio

24 interference).

25 The next establishment on our docket



1 is a request from Breakthru Beverage, License No.  
2 60518 for a gifts and loans disclosure for --  
3 umbrellas. The next event request is a request  
4 from Cloakroom, License No. 087875, for sports  
5 wager application. Then we have Levy at DC  
6 United, License No. 60462. They are requesting a  
7 sports wagering application.

8 We now move to Jeffrey J. Wilson,  
9 License No. 20-IMP-00025. It's a personal  
10 importation permit application. Number 7, a  
11 request from Donna Chapin, License No. 20-IMP-  
12 00026. She is also requesting a personal  
13 importation permit application. Number 8 on the  
14 docket is a request from Chinatown Liquor,  
15 License No. 117572. It's a retailer A. It's a  
16 transfer with sale application.

17 Number 9 is Vinchase.com, License No.  
18 116874. It's an internet B. It is a new ABC  
19 license application. Number 10 is 1914 by  
20 Kolben, License No. 116067. This is a retailer  
21 C. They're asking for summer garden application.  
22 The next request is from 1914 by Kolben, License  
23 No. 116067. It's a retailer C tavern, change of  
24 hours application.

25 Then Number 12 is another request by

1 1914 by Kolben, License No. 116067. This is a  
2 letter to request to increase the capacity from  
3 76 to 100. Then we have the Cheesecake Factory,  
4 License No. 113566. This is a new ABC license  
5 application. Number 14 is Victory Restaurant and  
6 Lounge, License No. 117539. This is a transfer  
7 with sale application.

8           Number 15 is the Mayflower Club,  
9 License No. 116450. This is a new ABC license  
10 application. Number 16 is North Shaw, LLC, trade  
11 name To Be Determined. License No. 117070. This  
12 is also a new ABC license application. Number 17  
13 is Hilton Washington, DC National Mall, License  
14 No. 117214. This is also another new ABC license  
15 application. Number 18, the last one on our  
16 calendar today -- on our docket today, is from  
17 the Wegmans Food Market, Wegmans, License No.  
18 116841. This is a new ABC application.

19           I then make a motion that the requests  
20 that were made on the docket for today that were  
21 just read in the record, that they be approved.  
22 Is there a second?

23           MEMBER CROCKETT: Ms. Crockett  
24 seconds.

25           CHAIRPERSON ANDERSON: Ms. Crockett

1 has second the motion. We'll now have a roll  
2 call vote on the motion that has been properly  
3 second by Ms. Crockett. Mr. Short?

4 MEMBER SHORT: Mr. Short, I agree.

5 CHAIRPERSON ANDERSON: Mr. Cato?

6 MEMBER CATO: Bobby Cato, 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 Mr. Grandis?

14 MEMBER GRANDIS: I'm muted, I agree.

15 CHAIRPERSON ANDERSON: Mr. Anderson,  
16 I agree. The matter passes 6-0-0. Thank the ABC  
17 Board members for voting on the docket today. We  
18 have no other scheduled events for the day, so  
19 with that I will close the public hearing for  
20 today.

21 As Chairperson of the Alcoholic  
22 Beverage Control Board for the District of  
23 Columbia, and in accordance with Title 3, Chapter  
24 405, Office of Open Government, I move that the  
25 ABC Board hold a closed meeting on January 6,

1 2021, for the purpose of discussing and hearing  
2 reports concerning ongoing or planned  
3 investigations of alleged criminal or civil  
4 misconduct or violations of law or regulations  
5 and seeking legal advice from our legal counsel  
6 on the Board's investigative agenda, legal agenda  
7 and licensing agenda for January 6, 2021 as  
8 published in the DC Register on December 11,  
9 2020. Is there a second?

10 MEMBER SHORT: Mr. Short, I second.

11 CHAIRPERSON ANDERSON: Mr. Short has  
12 second the motion. We'll now have a roll call  
13 vote on the motion that has been properly second  
14 by Mr. Short. Mr. Short?

15 MEMBER SHORT: Mr. Short, I agree.

16 CHAIRPERSON ANDERSON: Mr. Cato?

17 MEMBER CATO: Bobby Cato, I agree.

18 CHAIRPERSON ANDERSON: Ms. Crockett?

19 MEMBER CROCKETT: Rafi Crockett, I  
20 agree.

21 CHAIRPERSON ANDERSON: Ms. Hansen?

22 MEMBER HANSEN: Jeni Hansen, I agree.

23 CHAIRPERSON ANDERSON: Mr. Grandis?

24 MEMBER GRANDIS: Ed Grandis, I agree.

25 CHAIRPERSON ANDERSON: Mr. Anderson,

1 I agree. As it appears that the motion has  
2 passed 6-0-0, I hereby give notice that the ABC  
3 Board will hold this aforementioned closed  
4 meeting pursuant to the Open Meetings Act. The  
5 notice will also be posted on the ABC Board  
6 hearing room bulletin board, placed on the  
7 electronic calendar on ABRA's website and  
8 published in the DC Register in as timely a  
9 manner as practical.

10 This is our last scheduled hearing on  
11 our calendar for 2020. I would like to thank the  
12 Board members. This has been a very trying year.  
13 We have tried out a new technology and it has  
14 worked. So I would like to thank formally the  
15 Board for their active participation in all the  
16 hearings today and look forward to continued  
17 working relationship for 2021.

18 Thank you very much. This closes our  
19 public session and the Board will now return to  
20 executive session. Thank you.

21 (Whereupon, the above-entitled matter  
22 went off the record at 4:46 p.m.)  
23  
24  
25

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In the matter of: Agenda Hearing

Before: DCABRA

Date: 12-10-20

Place: teleconference

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Court Reporter

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