

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF: :
 :
Cancellation Agenda :
Legal Agenda :
Licensing Agenda :
Agenda for Approval to :
Rescind 405.1 Status :
 :

Thursday
December 5, 2019
(Hearing begun on December 4, 2019)

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Donovan W. Anderson, presiding.

PRESENT:

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

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

2 (12:05 a.m.)

3 CHAIRPERSON ANDERSON: All right.

4 Let's do our legal agenda. The first matter on
5 our legal agenda is to review D.C. International
6 Hostel LLC's motion for reconsideration of the
7 Board's dismissal of its protest against Glo-
8 Lalibela Restaurant and Lounge's license renewal
9 application, License Number 104701.

10 I make a motion that we deny this
11 request. Is there a second?

12 MEMBER CROCKETT: Second.

13 CHAIRPERSON ANDERSON: Ms. Crockett
14 has seconded the motion. All those in favor say
15 aye.

16 (Chorus of Ayes.)

17 CHAIRPERSON ANDERSON: All those
18 opposed? The matter passes, 4-0-0. The next
19 matter to review, Glo-Lalibela Restaurant and
20 Lounge opposition to DC International Hostel's
21 motion for reconsideration. This is now moot.

22 The next matter is the review of D.C.
23 International Hostel LLC's response to Glo-
24 Lalibela Restaurant and Lounge's opposition to
25 motion for reconsideration. This matter is also

1 moot.

2 Can you hold your voice down, please?

3 PARTICIPANT: I beg your pardon.

4 MEMBER SHORT: Go in the hallway,
5 please.

6 CHAIRPERSON ANDERSON: The next matter
7 on our calendar is review of My Houeland's
8 request for a reinstatement of its license, My
9 Houeland License Number 001290.

10 I make a motion that we approve the
11 license -- approve the request upon the licensee
12 paying its third year payment and late fees, if
13 applicable, within seven days. Is there a
14 second?

15 MEMBER SHORT: Second.

16 CHAIRPERSON ANDERSON: Mr. Short has
17 seconded the motion. All those in favor, say
18 aye.

19 (Chorus of Ayes.)

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passes, 4-0-0. The next matter is
22 review of Dangerously Delicious D.C.'s request to
23 store invoices off-site, Dangerously Delicious
24 License Number 087422. I make a motion that we
25 approve this request. Is there a second?

1 MEMBER CROCKETT: Second.

2 CHAIRPERSON ANDERSON: Ms. Crockett
3 has seconded the motion. All those in favor, say
4 aye.

5 (Chorus of Ayes.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes, 4-0-0. The next matter of
8 review is Pour's request to store invoices off-
9 site, License Number 113917. I make a motion
10 that we approve this request. Is there a second?

11 MEMBER CROCKETT: Second.

12 CHAIRPERSON ANDERSON: Ms. Crockett
13 has seconded the motion. All those in favor, say
14 aye.

15 (Chorus of Ayes.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes, 4-0-0. The next matter to
18 review is the settlement agreement dated November
19 22, 2019 between ANC 2F and Bluestone Lane,
20 License Number 114952. I make a motion that we
21 approve these modifications. Is there a second?

22 MEMBER CROCKETT: Second.

23 CHAIRPERSON ANDERSON: Ms. Crockett
24 has seconded the motion. All those in favor, say
25 aye.

1 (Chorus of Ayes.)

2 CHAIRPERSON ANDERSON: Those opposed?
3 The matter passes, 4-0-0. The next matter is the
4 review of the settlement agreement dated November
5 22, 2019 between ANC 1A and Washington Hospital
6 Venture AKA Bombay Street Food, License Number
7 112081. I make a motion that we approve this
8 request this modification. Is there a second?

9 MEMBER CROCKETT: Second.

10 CHAIRPERSON ANDERSON: Ms. Crockett
11 has seconded the motion. All those in favor, say
12 aye.

13 (Chorus of Ayes.)

14 CHAIRPERSON ANDERSON: Those opposed?
15 The matter passes, 4-0-0. The next matter to
16 review is the settlement agreement dated January
17 29, 2019 between ANC 6A and Biergarten Haus,
18 License Number 083695. I make a motion that we
19 approve this request, this modification. Is
20 there a second?

21 MEMBER SHORT: Second.

22 CHAIRPERSON ANDERSON: Mr. Short has
23 seconded the motion. All those in favor, say
24 aye.

25 (Chorus of Ayes.)

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes, 4-0-0. The next matter to
3 review I have Green Island Heaven and Hell's
4 motion for reconsideration and stay order, Green
5 Island Café and Hell License Number 074503. I
6 make a motion that we deny this request because
7 it was untimely. Is there a second?

8 MEMBER CROCKETT: Second.

9 CHAIRPERSON ANDERSON: Ms. Crockett
10 has seconded the motion. All those in favor, say
11 aye.

12 (Chorus of Ayes.)

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes, 4-0-0. The next matter to
15 review is Mr. Henry's Motion for reconsideration
16 and request for hearing, and Mr. Henry's license
17 number is 017006. I make a motion that we deny
18 this request. Is there a second?

19 MEMBER CROCKETT: Second.

20 CHAIRPERSON ANDERSON: Ms. Crockett
21 has seconded the motion. All those in favor, say
22 aye.

23 (Chorus of Ayes.)

24 CHAIRPERSON ANDERSON: Those opposed?
25 The matter passes, 4-0-0.

1 We now move to our supplemental legal
2 agenda. The first matter on our supplemental
3 legal agenda is the review of the consent to
4 continue for Rito Loco, License Number 104119. I
5 make a motion to approve this request, to
6 continue this matter to January 8, 2020 at 4:30
7 p.m. Is there a second?

8 MEMBER SHORT: Second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion. All those in favor, say
11 aye.

12 (Chorus of Ayes.)

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes, 4-0-0.

15 We now move to our second supplemental
16 legal agenda. The first matter on our second
17 supplemental legal agenda is a review of the
18 Government's opposition to Green Island Café
19 Heaven or Hell's motion to reconsider and stay.
20 This matter is now moot.

21 We now move to our licensing agenda.
22 The first matter on our licensing agenda is the
23 review application for safekeeping of license for
24 -- to be determined Jemal's Dupont Hotel, LLC,
25 License Number 115679. I make a motion that we

1 approve this request through March 31, 2020. Is
2 there a second?

3 MEMBER CROCKETT: Second.

4 CHAIRPERSON ANDERSON: Ms. Crockett
5 has seconded the motion. All those in favor, say
6 aye.

7 (Chorus of Ayes.)

8 CHAIRPERSON ANDERSON: Those opposed?
9 The matter passes, 4-0-0. The next matter is a
10 review request to extend safekeeping of license,
11 Climax Restaurant and Hookah Lounge, License
12 Number 088290. I make a motion that we grant
13 this request through March 31, 2020. Is there a
14 second?

15 MEMBER CROCKETT: Second.

16 CHAIRPERSON ANDERSON: Ms. Crockett
17 has seconded the motion. All those in favor, say
18 aye.

19 (Chorus of Ayes.)

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passes, 4-0-0. The next matter to
22 review is to extend safekeeping of license, St.
23 Vincent Wine, License Number 114428. I make a
24 motion that we grant this request through March
25 31, 2020. Is there a second?

1 MEMBER CROCKETT: Second.

2 CHAIRPERSON ANDERSON: Ms. Crockett
3 has seconded the motion. All those in favor, say
4 aye.

5 (Chorus of Ayes.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes, 4-0-0. The next matter is the
8 review of request to increase approved Sidewalk
9 Café seating from 28 to 31, Le Pain Quotidien,
10 License Number 080832. I make a motion that we
11 approve this request. Is there a second?

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion. All those in favor, say
15 aye.

16 (Chorus of Ayes.)

17 CHAIRPERSON ANDERSON: Those opposed?
18 The matter passes, 4-0-0. The next matter is the
19 review request for approval to provide a gift of
20 Thursday night football tickets that do not
21 exceed \$500 in value, Breakthru Beverage, License
22 Number 060518. I make a motion that we approve
23 this request. Is there a second?

24 MEMBER CROCKETT: Second.

25 CHAIRPERSON ANDERSON: Ms. Crockett

1 has seconded the motion. All those in favor, say
2 aye.

3 (Chorus of Ayes.)

4 CHAIRPERSON ANDERSON: Those opposed?
5 The matter passes, 4-0-0. The next matter is a
6 review request for approval to provide gift of
7 Capitals versus Pittsburgh tickets that do not
8 exceed \$500 in value from Breakthru Beverage,
9 License Number 060518. I make a motion that we
10 approve this request. Is there a second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON ANDERSON: Mr. Short has
13 seconded the motion. All those in favor, say
14 aye.

15 (Chorus of Ayes.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes, 4-0-0. The next matter --
18 excuse me -- is review request for approval to
19 provide a gift of Capitals versus Tampa tickets
20 that do not exceed \$500 in value to various D.C.
21 retailers, Breakthru Beverage, License Number
22 060518. I make a motion that we approve this
23 request. Is that a second?

24 MEMBER CATO: Second.

25 CHAIRPERSON ANDERSON: Mr. Cato has

1 seconded the motion. All those in favor, say
2 aye.

3 (Chorus of Ayes.)

4 CHAIRPERSON ANDERSON: Those opposed?
5 The matter passes, 4-0-0. The next matter is a
6 review request for approval to provide a gift of
7 Capitals versus New Jersey tickets that do not
8 exceed \$500 in value, Breakthru Beverage, License
9 Number 060518. I make a motion that we approve
10 this request. Is there a second?

11 MEMBER CROCKETT: Second.

12 CHAIRPERSON ANDERSON: Ms. Crockett
13 has seconded the motion. All those in favor, say
14 aye.

15 (Chorus of Ayes.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes, 4-0-0. The next matter is the
18 review request for approval to provide a gift of
19 Capitals versus Montreal tickets that do not
20 exceed \$500 in value, Breakthru Beverages,
21 License Number 060518. I make a motion that we
22 approve this request. Is there a second?

23 MEMBER SHORT: Second.

24 CHAIRPERSON ANDERSON: Mr. Short has
25 seconded the motion. All those in favor, say

1 aye.

2 (Chorus of Ayes.)

3 CHAIRPERSON ANDERSON: Those opposed?
4 The matter passes, 4-0-0. The next matter is the
5 review request for approval to provide a gift of
6 Capitals versus Chicago tickets to various D.C.
7 retailers that do not exceed \$500 in value,
8 Breakthru Beverages, License Number 060518. I
9 make a motion that we approve this request. Is
10 there a second?

11 MEMBER CROCKETT: Second.

12 CHAIRPERSON ANDERSON: Ms. Crockett
13 has seconded the motion. All those in favor, say
14 aye.

15 (Chorus of Ayes.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes, 4-0-0. The next matter is the
18 review request for approval to provide a gift of
19 Capitals versus St. Louis tickets that do not
20 exceed \$500 in value to various D.C. retailers,
21 Breakthru Beverages, License Number 060518. I
22 make a motion that we approve this request. Is
23 there a second?

24 MEMBER SHORT: Second.

25 MEMBER CROCKETT: Second.

1 CHAIRPERSON ANDERSON: Mr. Short and
2 Ms. Crockett have seconded the motion. All those
3 in favor, say aye.

4 (Chorus of Ayes.)

5 CHAIRPERSON ANDERSON: Those opposed?
6 The matter passes, 4-0-0. The next matter is the
7 review request for approval to provide a gift of
8 Capitals versus New York Islanders tickets that
9 do not exceed \$500 in value to various D.C.
10 retailers, Breakthru Beverages, License Number
11 060518. I make a motion that we approve this
12 request. Is there a second?

13 MEMBER CROCKETT: Second.

14 CHAIRPERSON ANDERSON: Ms. Crockett
15 has seconded the motion. All those in favor, say
16 aye.

17 (Chorus of Ayes.)

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes, 4-0-0. The next matter is the
20 review request for approval to provide a gift of
21 Capitals versus Boston Bruins tickets that do not
22 exceed \$500 in value to various D.C. licensed
23 retailers, Breakthru Beverages, License Number
24 060518. I make a motion that we approve this
25 request. Is there a second?

1 MEMBER SHORT: Second.

2 CHAIRPERSON ANDERSON: Mr. Short has
3 seconded the motion. All those in favor, say
4 aye.

5 (Chorus of Ayes.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes, 4-0-0. The next matter is the
8 review request for approval to provide a gift of
9 six bottle wine fridges that do not exceed \$500
10 in value to various D.C. retailers, Breakthru
11 Beverages, License Number 060518. I make a
12 motion that we approve this request. Is there a
13 second?

14 MEMBER CROCKETT: Second.

15 CHAIRPERSON ANDERSON: Ms. Crockett
16 has seconded the motion. All those in favor, say
17 aye.

18 (Chorus of Ayes.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes, 4-0-0.

21 We now move to our supplemental
22 licensing agenda. The first matter in our
23 supplemental licensing agenda is a request to
24 review application for change our hours for Astro
25 Beer Hall. License number is 079786. I make a

1 motion that we approve this request. Is there a
2 second?

3 MEMBER SHORT: Second.

4 CHAIRPERSON ANDERSON: Mr. Short has
5 seconded the motion. All those in favor, say
6 aye.

7 (Chorus of Ayes.)

8 CHAIRPERSON ANDERSON: All those
9 opposed? The matter passes, 4-0-0. The next
10 matter is review request for a disposal permit to
11 transport unopened alcoholic beverage inventory
12 to Uptown Market, whose license number is 113404.
13 The request has been made by La Tasca, whose
14 license number is 060735. I make a motion that
15 we approve this request. Is there a second?

16 MEMBER CROCKETT: Second.

17 CHAIRPERSON ANDERSON: Ms. Crockett
18 has seconded the motion. All those in favor, say
19 aye.

20 (Chorus of Ayes.)

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes, 4-0-0. The next matter is the
23 moratorium on review for application for New
24 Tavern license located in or near Adams Morgan
25 Moratorium Zone. That request is from MAHK

1 Meetings, LLC, License Number 115363.

2 I make a motion that we continue this
3 matter until the licensee has provided us the
4 requested documents regarding the location of its
5 address. Is there a second?

6 MEMBER SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion. All those in favor, say
9 aye.

10 (Chorus of Ayes.)

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passes, 4-0-0. The next matter for
13 review is a letter from Carolyn Frain, Deputy
14 Director of The Choral Arts Society of Washington
15 requesting a Nonprofit Corporation Auction Permit
16 for an event to be held December 16, 2019 at the
17 Kennedy Center, License Number 19-AUCTION-00002.
18 I make a motion that we approve this request. Is
19 there a second?

20 MEMBER CROCKETT: Second.

21 MEMBER CATO: Second.

22 CHAIRPERSON ANDERSON: Mr. Cato and
23 Ms. Crockett have seconded the motion. All those
24 in favor, say aye.

25 (Chorus of Ayes.)

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes, 4-0-0.

3 We now move to our second supplemental
4 licensing agenda. The first matter on our second
5 supplemental licensing agenda is to review
6 application for stipulated license with letter of
7 ANC support to operate for Buckaroos, License
8 Number 115707. I make a motion that we approve
9 this request. Is there a second?

10 MEMBER CROCKETT: Second.

11 MEMBER CATO: Second.

12 CHAIRPERSON ANDERSON: Both Ms.
13 Crockett and Mr. Cato seconded the motion. All
14 those in favor, say aye.

15 (Chorus of Ayes.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes, 4-0-0.

18 We now move to our notice of meeting
19 agenda for approval to rescind 405.1 status. The
20 first matter is to request to rescind approval of
21 405.1 status for Topsy Peacock, License Number
22 094764. I make a motion that we approve this
23 request. Is there a second?

24 MEMBER CROCKETT: Second.

25 CHAIRPERSON ANDERSON: Ms. Crockett

1 has seconded the motion. All those in favor, say
2 aye.

3 (Chorus of Ayes.)

4 CHAIRPERSON ANDERSON: Those opposed?
5 The matter passes, 4-0-0. The next matter is to
6 request to rescind approval of 405.1
7 establishment for failure to renew and pay the
8 license fee, Yard and Toast, License Number
9 101636. I make a motion that we approve this
10 request. Is there a second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON ANDERSON: Mr. Short has
13 seconded the motion. All those in favor, say
14 aye.

15 (Chorus of Ayes.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes, 4-0-0. The next matter is a
18 request to rescind approval of 405.1
19 establishment due to failure to renew and pay
20 license fees, The Darkroom, License Number
21 103803. I make a motion that we approve this
22 request. Is there a second?

23 MEMBER CROCKETT: Second.

24 CHAIRPERSON ANDERSON: Ms. Crockett
25 has seconded the motion. All those in favor, say

1 aye.

2 (Chorus of Ayes.)

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes, 4-0-0. The next matter is
5 request rescind approval of 405.1 establishment
6 due to failure to renew and pay license fees,
7 Escape Restaurant and Lounge, License Number
8 105812. I make a motion that we approve this
9 request. Is there a second?

10 MEMBER CROCKETT: Second.

11 CHAIRPERSON ANDERSON: Ms. Crockett
12 has seconded the motion. All those in favor, say
13 aye.

14 (Chorus of Ayes.)

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes, 4-0-0.

17 We now move to our cancellation
18 agenda. The ABC Board will be cancelling the
19 following license for the reasons outlined
20 before, La Tasca, License Number 060735 based on
21 the request from the licensee to cancel the
22 license.

23 I make a motion that we cancel this
24 license. Is there a second?

25 MEMBER CROCKETT: Second.

1 CHAIRPERSON ANDERSON: Ms. Crockett
2 has seconded the motion. All those in favor, say
3 aye.

4 (Chorus of Ayes.)

5 CHAIRPERSON ANDERSON: Those opposed?
6 The matter passes, 4-0-0.

7 As Chairperson of the Alcoholic
8 Beverage Control Board for the District of
9 Columbia, in accordance with Title III, Chapter
10 405, Open Government, I move that ABC Board hold
11 a closed meeting on December 11, 2019, for the
12 purpose of discussing and hearing reports
13 concerning ongoing planned investigation of
14 alleged criminal or civil misconduct or
15 violations of law or regulations and seeking
16 legal advice from our counsel on the Board's
17 investigative agenda, legal agenda, licensing
18 agenda for the December 11, 2019, published in
19 D.C. Register on December 6, 2019.

20 Is there a second?

21 MEMBER CROCKETT: Second.

22 CHAIRPERSON ANDERSON: Ms. Crockett
23 has seconded the motion. I will now take a roll
24 call vote in the motion. Of course, it has been
25 seconded. Ms. Crockett?

1 MEMBER CROCKETT: I agree.

2 CHAIRPERSON ANDERSON: Mr. Cato?

3 MEMBER CATO: I agree.

4 CHAIRPERSON ANDERSON: Mr. Short?

5 MEMBER SHORT: I agree.

6 CHAIRPERSON ANDERSON: Mr. Anderson?

7 I agree. As it appears that the motion has
8 passed, I hereby give notice that the ABC Board
9 will hold this aforementioned closed meeting.

10 Pursuant to Open Meetings Act, notice
11 will also be posted on the ABC Board Hearing Room
12 bulletin board, placed on the electronic calendar
13 on ABRA's website and published in the D.C.
14 Register in as timely a manner as practical. It
15 is 12:23 a.m.

16 MEMBER CROCKETT: On December the 5th.

17 CHAIRPERSON ANDERSON: On December the
18 5th. And we are adjourned for the day. Thank
19 you.

20 (Whereupon, the above-entitled matter
21 went off the record at 12:22 a.m.)

22

23

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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: Agenda

Before: DCABRA

Date: 12-04-19

Place: Washington, DC

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



Court Reporter

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