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

IN THE MATTER OF: : LEGAL AGENDA : SUPPLEMENTAL LEGAL AGENDA: LICENSING AGENDA : INVESTIGATIVE AGENDA :

> Wednesday February 13, 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 NICK ALBERTI, Member JAMES SHORT, Member MIKE SILVERSTEIN, Member REMA WAHABZADAH, Member

| 1 | P-R-O-C-E-E-D-I-N-G-S |
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| 2 | (6:23 p.m.) |
| 3 | CHAIRPERSON ANDERSON: Let's do our |
| 4 | legal agenda. The first matter in our legal |
| 5 | agenda is a review of the Kiss Tavern's motion |
| 6 | for reconsideration of Board Order No. 2019-037, |
| 7 | Kiss Tavern, License No. 104710. |
| 8 | I make a motion that we deny the |
| 9 | request. |
| 10 | Is there a second? |
| 11 | MR. SILVERSTEIN: Second. |
| 12 | CHAIRPERSON ANDERSON: Mr. Silverstein |
| 13 | has seconded the motion. |
| 14 | All those in favor say aye. |
| 15 | (Chorus of ayes.) |
| 16 | CHAIRPERSON ANDERSON: Those opposed? |
| 17 | The matter passes, four-zero-zero. |
| 18 | The next matter is the review of Seven |
| 19 | Seas' request for a contested fact-finding |
| 20 | hearing, Seven Seas Restaurant, License No. |
| 21 | 000654. |
| 22 | I make a motion to approve this |
| | |
| | |

request and set this matter for a hearing for 1 2 February 27, 2019, at 10:30 a.m. 3 Is there a second? 4 MR. SHORT: Second. 5 CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. 6 7 All those in favor say aye. (Chorus of ayes.) 8 9 CHAIRPERSON ANDERSON: Those opposed? 10 The matter has passed four-zero-zero. 11 We now move to our supplemental legal 12 agenda. The first matter on our supplemental 13 legal agenda is review of ANC 3D's letter dated 14 February 6, 2019, regarding Millie's Restaurant, License No. 100214. This is an FYI to the Board. 15 16 The next matter to review is a 17 settlement agreement dated February 6, 2019, 18 between Reveler's and ANC 1C and the Kalorama 19 Citizens Association. 20 I make a motion that we approve this 21 request. 22 Is there a second?

| 1 | MR. SILVERSTEIN: Second. |
|----|---|
| 2 | CHAIRPERSON ANDERSON: Mr. Silverstein |
| 3 | has seconded the motion. |
| 4 | All those in favor say aye. |
| 5 | (Chorus of ayes.) |
| 6 | CHAIRPERSON ANDERSON: Those opposed? |
| 7 | The matter passes four-zero-zero. |
| 8 | The next matter is a review of the |
| 9 | settlement agreement dated February 6, 2019, |
| 10 | between Alta Strada and ANC 6E. |
| 11 | I make a motion that we approve this |
| 12 | request as to the modification. |
| 13 | Is there a second? |
| 14 | MR. SILVERSTEIN: Second. |
| 15 | CHAIRPERSON ANDERSON: Mr. Silverstein |
| 16 | has seconded the motion. |
| 17 | All those in favor say aye. |
| 18 | (Chorus of ayes.) |
| 19 | CHAIRPERSON ANDERSON: Those opposed? |
| 20 | the matter passes four-zero-zero. |
| 21 | The next matter is to review a Kiss |
| 22 | Tavern supplementary motion for reconsideration |

| 1 | of Board Order No. 2019-037. This is Kiss Tavern |
|----|--|
| 2 | License No. 104710. |
| 3 | I make a motion that we deny the |
| 4 | request. |
| 5 | Is there a second? |
| 6 | MR. SILVERSTEIN: Second. |
| 7 | CHAIRPERSON ANDERSON: Mr. Silverstein |
| 8 | has seconded the motion. |
| 9 | All those in favor say aye. |
| 10 | (Chorus of ayes.) |
| 11 | CHAIRPERSON ANDERSON: Those opposed? |
| 12 | The matter passes four-zero-zero. |
| 13 | The next matter to review is the |
| 14 | government's opposition to Kiss Tavern's motion |
| 15 | for reconsideration and supplementary motion for |
| 16 | reconsideration. This matter is now moot. |
| 17 | The next matter to review of the first |
| 18 | amendment to settlement agreement dated February |
| 19 | 5th, 2019, between ANC 2E, the Citizens |
| 20 | Association of Georgetown, and the Escape Room. |
| 21 | I make a motion that we approve this |
| 22 | request. |
| | |

Is there a second? 1 2 MR. SHORT: Second. 3 CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. 4 5 All those in favor say aye. (Chorus of ayes.) 6 7 CHAIRPERSON ANDERSON: Those opposed? The matter passes five-zero-zero. 8 9 We now move to our licensing agenda. 10 The first matter on our licensing agenda is to 11 review application for safekeeping of license for 12 Ruta Del Vino, License No. 101091. 13 I make a motion that we refer this 14 matter back to Licensing. 15 Is there a second? 16 MR. SILVERSTEIN: Second. 17 Mr. Silverstein CHAIRPERSON ANDERSON: 18 seconded the motion. 19 All those in favor say aye. 20 (Chorus of ayes.) 21 CHAIRPERSON ANDERSON: All those 22 opposed?

1 The matter passes four-zero-zero. 2 The next matter to review application 3 for entertainment endorsement for live entertainment for Chinatown Garden Restaurant, 4 5 License No. 025796. I make a motion that we placard this 6 7 matter. Is there a second? 8 9 MR. SHORT: Second. 10 CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. 11 12 All those in favor say aye. 13 (Chorus of ayes.) 14 CHAIRPERSON ANDERSON: Those opposed? 15 The matter passes four-zero-zero. 16 The next matter is to review 17 application for change of hours for Jo Jo's 18 Restaurant and Bar, License No. 060737. 19 I make a motion that we placard this 20 matter. 21 Is there a second? 22 MR. SILVERSTEIN: Second.

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CHAIRPERSON ANDERSON: Mr. Silverstein 1 2 has seconded the motion. All those in favor say aye. 3 4 (Chorus of ayes.) 5 CHAIRPERSON ANDERSON: Those opposed? The matter passes four-zero-zero. 6 7 The next matter is to review a request for a new storage facility permit originally 8 9 issued March 31st, 2012, and most recent on 10 January 25, 2018, for Domaine, LLC. I make a motion that we approve this 11 12 request. 13 Is there a second? 14 MR. SHORT: Second. Mr. Short has 15 CHAIRPERSON ANDERSON: 16 seconded the motion. 17 All those in favor say aye. 18 (Chorus of ayes.) 19 CHAIRPERSON ANDERSON: Those opposed? 20 The matter passes four-zero-zero. 21 We now move to our supplemental 22 The first matter on our license agenda.

| 1 | supplemental license agenda is a review request |
|----|---|
| 2 | for a temporary operating permit retail permit |
| 3 | for The Liaison Capitol Hill Hotel, License No. |
| 4 | 112447. |
| 5 | I make a motion that we approve this |
| 6 | request. |
| 7 | Is there a second? |
| 8 | MR. SILVERSTEIN: Second. |
| 9 | CHAIRPERSON ANDERSON: Mr. Silverstein |
| 10 | has seconded the motion. |
| 11 | All those in favor say aye. |
| 12 | (Chorus of ayes.) |
| 13 | CHAIRPERSON ANDERSON: Those opposed? |
| 14 | The matter is passed four-zero-zero. |
| 15 | The next matter is a review request |
| 16 | for temporary operating retail permit for Hotel |
| 17 | Palomar, otherwise known as Urbana Restaurant and |
| 18 | Wine Bar, License No. 112818. |
| 19 | I make a motion that we approve this |
| 20 | request. |
| 21 | Is there a second? |
| 22 | MR. SILVERSTEIN: Second. |
| | |

CHAIRPERSON ANDERSON: Mr. Silverstein 1 2 has seconded the motion. 3 All those in favor say aye. 4 (Chorus of ayes.) 5 CHAIRPERSON ANDERSON: Those opposed? The matter passes four-zero-zero. 6 The next item on our agenda is a 7 8 review request to remove license from safekeeping 9 to transfer license and reopen under new 10 ownership for Deli Corner Store, License No. 11 108585. I make a motion that we approve this 12 13 request. 14 Is there a second? 15 MR. SHORT: Second. 16 CHAIRPERSON ANDERSON: Mr. Short has 17 seconded the motion. 18 All those in favor say aye. 19 (Chorus of ayes.) 20 CHAIRPERSON ANDERSON: Those opposed? 21 The matter passes four-zero-zero. 22 We now move to our second supplemental

license agenda. The first matter on our second 1 2 supplemental license agenda is a review 3 application for a stipulated license pending receipt of ANC letter of support, CHIKO Dupont, 4 5 License No. 112647. I make a motion that we approve this 6 7 request. Is there a second? 8 9 MR. SILVERSTEIN: Second. 10 CHAIRPERSON ANDERSON: Mr. Silverstein 11 has seconded the motion. 12 All those in favor say aye. 13 (Chorus of ayes.) 14 CHAIRPERSON ANDERSON: Those opposed? 15 The matter passes four-zero-zero. 16 We now move to our third supplemental 17 license agenda. The first matter in our third 18 supplemental license agenda is the review 19 application for obtaining a license with ANC 20 letter of support, Chaia, License No. 112653. 21 I make a motion that we approve this 22 request.

| 1 | Is there a second? |
|----|---|
| 2 | MR. SILVERSTEIN: Second. |
| 3 | CHAIRPERSON ANDERSON: Mr. Silverstein |
| 4 | has seconded the motion. |
| 5 | All those in favor say aye. |
| 6 | (Chorus of ayes.) |
| 7 | CHAIRPERSON ANDERSON: Those opposed? |
| 8 | The matter passes four-zero-zero. |
| 9 | All right. |
| 10 | (Pause.) |
| 11 | CHAIRPERSON ANDERSON: As chairperson |
| 12 | of the Alcoholic Beverage Control Board for the |
| 13 | District of Columbia in accordance with DC Code |
| 14 | Section 2574(b) closed meetings, and Section 2574 |
| 15 | notice of meetings of the Open Meetings Act, I |
| 16 | move that ABC Board hold a closed meeting on |
| 17 | February 27th, 2019, for the purpose of |
| 18 | discussing and hearing reports concerning ongoing |
| 19 | our plan investigation of the alleged criminal or |
| 20 | civil misconduct or violations of law or |
| 21 | regulations and seek legal advice from our |
| 22 | counsel on the Board's investigative, legal and |

| 1 | licensing agenda for February 27th, 2019, as |
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| 2 | published in the DC Register on February 15th, |
| 3 | 2019. |
| 4 | Is there a second? |
| 5 | MR. SHORT: Second. |
| 6 | MR. SILVERSTEIN: Second. |
| 7 | CHAIRPERSON ANDERSON: Mr. Short and |
| 8 | Mr. Silverstein have seconded the motion. |
| 9 | I will now take a roll call vote on |
| 10 | the motion before us now that has been seconded. |
| 11 | Ms. Wahabzadah? |
| 12 | MS. WAHABZADAH: I agree. |
| 13 | CHAIRPERSON ANDERSON: Mr. |
| 14 | Silverstein? |
| 15 | MR. SILVERSTEIN: I agree. |
| 16 | CHAIRPERSON ANDERSON: Mr. Short? |
| 17 | MR. SHORT: I agree. |
| 18 | CHAIRPERSON ANDERSON: Mr. Anderson. |
| 19 | I agree. |
| 20 | As it appears that the motion has |
| 21 | passed, I hereby give notice that the ABC Board |
| 22 | will hold this aforementioned closed meeting |
| | |

pursuant to the Open Meetings Act. Notice will also be posted on the ABC Board hearing room bulletin board, placed on electronic calendar on ABRA's website, and published in the DC Register in as timely a manner as practical. It is 6:32 and we are adjourned. Thank you. (Whereupon, the above-entitled matter went off the record at 6:32 p.m.)

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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Meeting Agenda

Before: DC ABRA

Date: 2-13-19

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.

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