

IN THE MATTER OF: :

:

Cancellation Agenda :

Investigative Agenda :

Legal Agenda :

Licensing Agenda :

:

Wednesday
February 14, 2018

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
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

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

2 3:55 p.m.

3 CHAIRPERSON ANDERSON: Okay. All
4 right. We are now going to do our Legal Agenda.

5 The first matter on our Legal Agenda
6 is the review of Coast in Liquors' request for
7 reinstatement, License No. 000014.

8 I make a motion that we deny this
9 request because it was untimely. Is there a
10 second?

11 MEMBER ALBERTI: Second.

12 CHAIRPERSON ANDERSON: Mr. Alberti has
13 seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes 6-0-0.

18 The next matter is the review of
19 Ajiboye Laosebikan's request for a Fact-Finding
20 Hearing regarding Vieux Carre, License No.
21 102576.

22 I make a motion that we deny this

1 request. Is there a second?

2 MEMBER SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 6-0-0.

9 The next matter is the review of
10 FoBoGro's Motion to Dismiss Protestants for lack
11 of standing. FoBoGro, License No. 082431.

12 I make a motion that we deny the
13 request as it relates to the ANC and that we
14 approve the request as it relates to WECA. Is
15 there a second?

16 MEMBER ALBERTI: Second.

17 CHAIRPERSON ANDERSON: Mr. Alberti has
18 seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes 6-0-0.

1 The next matter is the review of a
2 settlement agreement dated February 5, 2018
3 between ANC-2E and Reverie, License No. 108125.

4 I make a motion that we approve this
5 agreement with modifications. Is there a second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passes 6-0-0.

13 We now move to our Supplemental Legal
14 Agenda.

15 The first matter on our Supplemental
16 Legal Agenda is the review of protestant WECA's
17 response to applicant's Motion to Dismiss protest
18 for lack of standing for FoBoGro, License No.
19 082431.

20 This matter is now moot.

21 The second matter on our Supplemental
22 Legal Agenda is the review of applicant's

1 opposition to protestant WECA's response to
2 Motion to Dismiss for FoBoGro, License No.
3 082431.

4 This matter is also moot.

5 The third matter on our calendar is
6 the review of protestant ANC-2A's response to
7 applicant's Motion to Dismiss for FoBoGro,
8 License No. 082431.

9 This matter is also moot.

10 The next matter on our calendar is the
11 review of request to store invoices off-site and
12 within the District of Columbia for Chloe,
13 License No. 106997.

14 I make a motion that we approve this
15 request. Is there a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein
18 has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?

22 The matter passes 6-0-0.

1 The next matter is the review of ANC-
2 1B's resolution concerning Cork Wine Bar &
3 Market's application for substantial change,
4 License No. 107308.

5 This is just an FYI for the Board.

6 The next matter is the review of
7 settlement agreement dated February 8, 2018
8 between ANC-6A and the Truth Hookah/Cigar,
9 License No. 108602.

10 I make a motion that we approve this
11 agreement with modifications. Is there a second?

12 MEMBER SILVERSTEIN: Second.

13 CHAIRPERSON ANDERSON: Mr. Silverstein
14 has seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?
18 The matter passes 6-0-0.

19 The next matter is the review of
20 settlement agreement dated February 8, 2018
21 between ANC-2F and the Players Club, License No.
22 108190.

1 I make a motion we approve this
2 request with modifications. Is there a second?

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON ANDERSON: Mr. Silverstein
5 has seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?
9 The matter passes 6-0-0.

10 The next matter is the review of
11 settlement agreement dated February 9, 2018
12 between ANC-2F and Tenant, LLC t/a TBD, License
13 No. 108510.

14 I make a motion that we approve this
15 request with modifications. Is there a second?

16 MEMBER ALBERTI: Second.

17 CHAIRPERSON ANDERSON: Mr. Alberti has
18 seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes 6-0-0.

1 The next matter is the review of
2 Chinese Disco's Motion to Extend Time Line to
3 submit findings of fact and conclusions of law,
4 License No. 078058.

5 I make a motion that we approve this
6 request. Is there a second?

7 MEMBER SHORT: Second.

8 CHAIRPERSON ANDERSON: Mr. Short has
9 seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 6-0-0.

14 The next matter is the review of
15 amended settlement agreement dated February 12,
16 2018 between ANC-6D and Due South, License No.
17 097053.

18 I make a motion that we approve this
19 request. Is there a second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Silverstein
22 has seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 6-0-0.

5 We now move to our Licensing Agenda.

6 The first matter on our Licensing
7 Agenda is to review application for class change
8 from Retailer B 25% to Retailer B Beer and Wine
9 store for the Mediterranean Way Gourmet Market,
10 License No. 098845.

11 I make a motion that we placard this
12 matter. Is there a second?

13 MEMBER SHORT: Second.

14 CHAIRPERSON ANDERSON: Mr. Short has
15 seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?

19 The matter passes 6-0-0.

20 The next matter is to review
21 application for sidewalk cafe with seating for 26
22 patrons for Golden Paradise Restaurant, License

1 No. 098205.

2 I make a motion that we placard this
3 matter. Is there a second?

4 MEMBER SILVERSTEIN: Second.

5 CHAIRPERSON ANDERSON: Mr. Silverstein
6 has seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON ANDERSON: Those opposed?
10 The matter passes 6-0-0.

11 The next matter is to review
12 application for sidewalk cafe with seating for 48
13 patrons for Supra, License No. 106618.

14 I make a motion that we placard this
15 matter. Is there a second?

16 MEMBER SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has
18 seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes 6-0-0.

1 The next matter is to review request
2 to remove a projection booth and add an
3 additional bar in the same space for Lincoln
4 Theatre, License No. 093202.

5 I make a motion that we approve this
6 request. Is there a second?

7 MEMBER SHORT: Second.

8 CHAIRPERSON ANDERSON: Mr. Short has
9 seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 6-0-0.

14 The next matter is to review
15 application for a Tasting Permit, Good Hope Deli
16 & Market, License No. 108872.

17 I make a motion that we approve this
18 request. Is there a second?

19 MEMBER ALBERTI: Second.

20 CHAIRPERSON ANDERSON: Mr. Alberti has
21 seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: Those opposed?

3 The matter passes 6-0-0.

4 We now move to our Supplemental
5 Licensing Agenda.

6 The first matter on our Supplemental
7 Licensing Agenda is to review request for
8 stipulated license with letter of ANC support for
9 Little Pearl, License No. 107792.

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

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?

18 The matter passes 6-0-0.

19 The next matter is review request for
20 change of hours of alcoholic beverage sales and
21 consumption for The Star and Shamrock, License
22 No. 081804.

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

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON ANDERSON: Mr. Silverstein
5 has seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?
9 The matter passes 6-0-0.

10 The next matter is to review letter
11 requesting to remove entertainment endorsement
12 from license, Wok and Roll Restaurant, License
13 No. 085783.

14 I make a motion that we approve this
15 request. Is there a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein
18 has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes 6-0-0.

1 The next matter is to review
2 application for manager's license for Jerin Wall-
3 Thame, License No. 109041.

4 I make a motion that we approve this
5 request. Is there a second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passes 6-0-0.

13 We now move to our Second Supplemental
14 Licensing Agenda.

15 The first matter on our Second
16 Supplemental Licensing Agenda is to review
17 request for entertainment endorsement to provide
18 live entertainment indoors and also outdoors in
19 the summer garden for Trusty's Bar, License No.
20 071352.

21 I make a motion that we placard this
22 matter. Is there a second?

1 MEMBER SHORT: Second.

2 CHAIRPERSON ANDERSON: Mr. Short has
3 seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes 6-0-0.

8 We now move to our Cease & Desist
9 Agenda.

10 I move that the ABC Board issue an
11 order, a Cease & Desist Order to the following
12 licenses: Lena Market, License No. 082476. Is
13 there a second?

14 MEMBER ALBERTI: Second.

15 CHAIRPERSON ANDERSON: Mr. Alberti has
16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes 6-0-0.

21 We now move to our Cancellation
22 Agenda.

1 The Board will be canceling the
2 following licenses for the reasons outlined
3 below:

4 The Board will be canceling the
5 license for Vita Restaurant and Lounge/Penthouse
6 Nine, License No. 086037. The licensee has
7 requested cancellation. Is there a second?

8 MEMBER SHORT: Second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes 6-0-0.

15 As Chairperson of the Alcoholic
16 Beverage Control Board for the District of
17 Columbia and in accordance with DC Official Code
18 Section 2-574(b), closed meetings, and Section 2-
19 574, Notice of Meetings, of the Open Meetings
20 Act, I move that the ABC Board hold a closed
21 meeting on February 28, 2018 for the purpose of
22 discussing and hearing reports concerning ongoing

1 or planned investigations of alleged criminal or
2 civil misconduct or violations of law or
3 regulations and seeking legal advice from our
4 counsel on the Board's Investigative, Legal and
5 Licensing Agenda for February 28, 2018 as
6 published in the DC Register on February 23,
7 2018. Is there a second?

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON ANDERSON: Mr. Silverstein
10 has seconded the motion. I will now take a roll
11 call vote on the motion before us now that it has
12 been seconded.

13 Ms. Wahabzadah?

14 MEMBER WAHABZADAH: I agree.

15 CHAIRPERSON ANDERSON: Mr.
16 Silverstein?

17 MEMBER SILVERSTEIN: I agree.

18 CHAIRPERSON ANDERSON: Mr. Short?

19 MEMBER SHORT: I agree.

20 CHAIRPERSON ANDERSON: Mr. Alberti?

21 MEMBER ALBERTI: I agree.

22 CHAIRPERSON ANDERSON: Mr. Cato?

1 MEMBER CATO: I agree.

2 CHAIRPERSON ANDERSON: Mr. Anderson?

3 I agree.

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

12 It is now 4:09 p.m. and we are
13 adjourned for the day. Thank you.

14 (Whereupon, the above-entitled matter
15 went off the record at 4:09 p.m.)
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22

<p>A</p> <p>ABC 15:10 16:20 18:5,8</p> <p>above-entitled 18:14</p> <p>ABRA's 18:10</p> <p>Act 16:20 18:7</p> <p>add 11:2</p> <p>additional 11:3</p> <p>adjourned 18:13</p> <p>advice 17:3</p> <p>aforementioned 18:6</p> <p>Agenda 1:6,6,7,7 2:4,5 4:14,16,22 9:5,7 12:5,7 14:14 14:16 15:9,22 17:5</p> <p>agree 17:14,17,19 17:21 18:1,3</p> <p>agreement 4:2,5 6:7,11,20 7:11 8:15</p> <p>Ajiboye 2:19</p> <p>Alberti 1:17 2:11,12 3:16,17 7:16,17 11:19,20 15:14,15 17:20,21</p> <p>alcoholic 1:2,12,12 12:20 16:15</p> <p>alleged 17:1</p> <p>amended 8:15</p> <p>ANC 3:13 12:8</p> <p>ANC-6 1</p> <p>ANC-2A's 5:6</p> <p>ANC-2E 4:3</p> <p>ANC-2F 6:21 7:12</p> <p>ANC-6A 6:8</p> <p>ANC-6D 8:16</p> <p>Anderson 1:14,16 2:3,12,16 3:3,7,17 3:21 4:7,11 5:17 5:21 6:13,17 7:4,8 7:17,21 8:8,12,21 9:3,14,18 10:5,9 10:17,21 11:8,12 11:20 12:2,13,17 13:4,8,17,21 14:7</p>	<p>14:11 15:2,6,15 15:19 16:9,13 17:9,15,18,20,22 18:2,2</p> <p>appears 18:4</p> <p>applicant's 4:17,22 5:7</p> <p>application 6:3 9:7 9:21 10:12 11:15 14:2</p> <p>approve 3:14 4:4 5:14 6:10 7:1,14 8:5,18 11:5,17 12:10 13:1,14 14:4</p> <p>aye 2:14,15 3:5,6 3:19,20 4:9,10 5:19,20 6:15,16 7:6,7,19,20 8:10 8:11 9:1,2,16,17 10:7,8,19,20 11:10,11,22 12:1 12:15,16 13:6,7 13:19,20 14:9,10 15:4,5,17,18 16:11,12</p> <p>B</p> <p>B 9:8,8</p> <p>bar 6:2 11:3 14:19</p> <p>Beer 9:8</p> <p>beverage 1:2,12,12 12:20 16:16</p> <p>board 1:2,12 6:5 15:10 16:1,4,16 16:20 18:5,8,9</p> <p>Board's 17:4</p> <p>BOBBY 1:17</p> <p>booth 11:2</p> <p>Building 1:13</p> <p>bulletin 18:9</p> <p>C</p> <p>cafe 9:21 10:12</p> <p>calendar 5:5,10 18:9</p> <p>call 17:11</p> <p>canceled 16:1,4</p>	<p>cancellation 1:6 15:21 16:7</p> <p>Carre 2:20</p> <p>Cato 1:17 17:22 18:1</p> <p>Cease 15:8,11</p> <p>Chairperson 1:13 1:16 2:3,12,16 3:3 3:7,17,21 4:7,11 5:17,21 6:13,17 7:4,8,17,21 8:8,12 8:21 9:3,14,18 10:5,9,17,21 11:8 11:12,20 12:2,13 12:17 13:4,8,17 13:21 14:7,11 15:2,6,15,19 16:9 16:13,15 17:9,15 17:18,20,22 18:2</p> <p>change 6:3 9:7 12:20</p> <p>Chinese 8:2</p> <p>Chloe 5:12</p> <p>civil 17:2</p> <p>class 9:7</p> <p>closed 16:18,20 18:6</p> <p>Club 6:21</p> <p>Coast 2:6</p> <p>Code 16:17</p> <p>Columbia 1:1 5:12 16:17</p> <p>concerning 6:2 16:22</p> <p>conclusions 8:3</p> <p>consumption 12:21</p> <p>Control 1:2,12,12 16:16</p> <p>Cork 6:2</p> <p>counsel 17:4</p> <p>criminal 17:1</p> <p>D</p> <p>D.C 1:13</p> <p>dated 4:2 6:7,20 7:11 8:15</p> <p>day 18:13</p> <p>DC 16:17 17:6</p>	<p>18:10</p> <p>Deli 11:15</p> <p>deny 2:8,22 3:12</p> <p>Desist 15:8,11</p> <p>Disco's 8:2</p> <p>discussing 16:22</p> <p>Dismiss 3:10 4:17 5:2,7</p> <p>District 1:1 5:12 16:16</p> <p>Donovan 1:14,16</p> <p>Due 8:16</p> <p>E</p> <p>electronic 18:9</p> <p>endorsement 13:11 14:17</p> <p>entertainment 13:11 14:17,18</p> <p>Extend 8:2</p> <p>F</p> <p>fact 8:3</p> <p>Fact-Finding 2:19</p> <p>favor 2:14 3:5,19 4:9 5:19 6:15 7:6 7:19 8:10 9:1,16 10:7,19 11:10,22 12:15 13:6,19 14:9 15:4,17 16:11</p> <p>February 1:10 4:2 6:7,20 7:11 8:15 16:21 17:5,6</p> <p>findings 8:3</p> <p>first 2:5 4:15 9:6 12:6 14:15</p> <p>FoBoGro 3:11 4:18 5:2,7</p> <p>FoBoGro's 3:10</p> <p>following 15:11 16:2</p> <p>FYI 6:5</p> <p>G</p> <p>garden 14:19</p> <p>give 18:5</p> <p>going 2:4</p> <p>Golden 9:22</p>
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Date: 02-14-18

Place: Washington, DC

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