

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
 :
Cancellation Agenda :
Legal Agenda :
Licensing Agenda :
Supplemental Legal :
Agenda :
Supplemental Licensing :
Agenda :

Wednesday,
February 27, 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
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member

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

2 1:40 p.m.

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

5 The first matter on our Legal Agenda
6 is review of settlement agreement dated February
7 14, 2019 between ANC-2B and Chiko Dupont, License
8 No. 104710.

9 I make a motion that we approve this
10 request with modification. Is there a second?

11 MEMBER SILVERSTEIN: Second.

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

14 All those in favor say aye.

15 ALL: Aye.

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

18 The next matter is the review of
19 Crimson's request to store invoices off-site.
20 The Crimson, License No. 103085.

21 I make a motion that we approve this
22 request. Is there a second?

1 MEMBER CATO: Second.

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

4 All those in favor say aye.

5 ALL: Aye.

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

8 The next one is the review of On the
9 Rocks' request for reinstatement of its normal
10 business hours and entertainment. On the Rocks,
11 License No. 106695.

12 I make a motion that we schedule a
13 Fact-Finding Hearing and this Fact-Finding
14 Hearing will be scheduled for March 13th at 1:30
15 p.m. 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 4-0-0.

1 The next matter is review of Bliss'
2 motion to stay and reconsideration. Bliss,
3 License No. 095711.

4 I make a motion that we postpone this
5 matter for two weeks. 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 4-0-0.

13 The next matter is review of the
14 Government's Consent Motion to extend the time to
15 file its response to respondent's motion to stay
16 and reconsideration. Bliss, License No. 095711.

17 I make a motion that we approve this
18 request and the response is now due on March 6,
19 2019. Is there a second?

20 MEMBER SILVERSTEIN: Second.

21 MEMBER CATO: Second.

22 CHAIRPERSON ANDERSON: Mr. Silverstein

1 and Mr. Cato have seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 4-0-0.

6 The next matter is review of
7 settlement agreement dated February 12, 2019
8 between The Eastern and ANC-6B. The Eastern,
9 License No. 112356.

10 I make a motion that we approve this
11 request. 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 4-0-0.

19 We now move to our Supplemental Legal
20 Agenda.

21 The first matter on our Supplemental
22 Legal Agenda is the review of Hopeful's motion

1 for reconsideration. Hopeful, Inc., License No.
2 091955.

3 I make a motion that we deny this
4 request. Is there a second?

5 MEMBER SILVERSTEIN: I second.

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

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: Those opposed?
11 The matter passes 4-0-0.

12 The next matter is the review of Dirty
13 Martini/Dirty Bar's Motion for Continuance,
14 License No. 083919.

15 I make a motion that we deny this
16 request. Is there a second?

17 MEMBER SILVERSTEIN: Second.

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

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 4-0-0.

2 We now move to our Licensing Agenda.

3 The first matter on our Licensing
4 Agenda is to review request to extend safekeeping
5 of license, Safeway #4205, License No. 097707.

6 I make a motion that we grant this
7 request through September 30, 2019. Is there a
8 second?

9 MEMBER SILVERSTEIN: Second.

10 CHAIRPERSON ANDERSON: Mr. Silverstein
11 has seconded the motion.

12 All those in favor say aye.

13 ALL: Aye.

14 CHAIRPERSON ANDERSON: Those opposed?

15 The matter passes 4-0-0.

16 The next matter is to review
17 application for a class change from Wholesaler B
18 to Wholesaler A. Hub Wine Corporation, License
19 No. 099364.

20 I make a motion that we approve this
21 request. Is there a second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON ANDERSON: Mr. Silverstein
2 has seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON ANDERSON: Those opposed?

6 The matter passes 4-0-0.

7 The next matter is to review
8 application for a class -- for a change of hours
9 for Agora, License No. 098029.

10 I make a motion that we approve this
11 request. 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 4-0-0.

19 The next matter is to review
20 application for a summer garden with seating for
21 64 patrons for La Jambe, License No. 112405.

22 I make a motion that we placard this

1 matter. Is there a second?

2 MEMBER CATO: Second.

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

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 4-0-0.

9 The next matter is to review request
10 to enclose a portion of the currently approved
11 sidewalk cafe for The Dubliner, License No.
12 001330.

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

15 MEMBER SILVERSTEIN: Second.

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

18 All those in favor say aye.

19 ALL: Aye.

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

22 The next matter is to review request

1 to deliver alcoholic beverage products to various
2 licensed retailers on Sunday, March 17, 2019.
3 Premium Distributors, License No. 060290.

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

6 MEMBER CATO: Second.

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Both Mr.
9 Silverstein and Mr. Cato have seconded the
10 motion.

11 All those in favor say aye.

12 ALL: Aye.

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

15 We now move to our Supplemental
16 Licensing Agenda.

17 The first matter on our Supplemental
18 Licensing Agenda is to review request to remove
19 license from safekeeping to reopen immediately,
20 Bullfrog Bagels, License No. 100249.

21 I make a motion that we approve this
22 request. Is there a second?

1 MEMBER CATO: Second.

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

4 All those in favor say aye.

5 ALL: Aye.

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

8 The next matter is to review request
9 to remove summer garden endorsement from license,
10 Easy Eats, License No. 112757.

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

13 MEMBER ALBERTI: Mr. Alberti has
14 seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

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

19 The next matter is to review request
20 for disposal permit to transport unopened
21 alcoholic beverage inventory to the Courtyard by
22 Marriott for Hen Quarter, License No. 076102.

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 4-0-0.

10 The next matter is to review request
11 for refund due to cancellation of event for
12 Maliaka Mealy, License No. 112744.

13 I make a motion that we deny this
14 request. Is there a second?

15 MEMBER SILVERSTEIN: Second.

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

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON ANDERSON: Those opposed?

21 The matter passes 4-0-0.

22 We now move to our Cancellation

1 Agenda.

2 The first matter on our Cancellation
3 Agenda is that the Board will move to cancel the
4 Bachelor's Mill/Back Door Pub, License No.
5 011277.

6 The Board also will be canceling the
7 license of 11th & M Corner Market, License No.
8 086606.

9 And the Board will also be canceling
10 the license for DC Kyoto Sushi, License No.
11 102890.

12 I make a motion that the three
13 establishments that are listed on the
14 Cancellation Agenda for February 27, 2019, that
15 we cancel the license. Is there a second?

16 MEMBER CATO: Second.

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

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?

22 The matter passes 4-0-0.

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Thank you. We are off the record.

(Whereupon, the Legal, Licensing and
Cancellation Agenda Hearings were concluded at
1:48 p.m.)

<p style="text-align: center;">A</p> <p>Agenda 1:6,6,7,8,9 2:4 2:5 5:20,22 7:2,4 10:16,18 13:1,3,14 14:3</p> <p>Agora 8:9</p> <p>agreement 2:6 5:7</p> <p>Alberti 1:18 11:13,13</p> <p>alcoholic 1:2,13,13 10:1 11:21</p> <p>ANC-2B 2:7</p> <p>ANC-6B 5:8</p> <p>Anderson 1:15,17 2:3 2:12,16 3:2,6,17,21 4:7,11,22 5:4,13,17 6:6,10,18,22 7:10,14 8:1,5,13,17 9:3,7,16 9:20 10:8,13 11:2,6 11:17 12:4,8,16,20 13:17,21</p> <p>application 7:17 8:8,20</p> <p>approve 2:9,21 4:17 5:10 7:20 8:10 9:13 10:21 11:11 12:1</p> <p>approved 9:10</p> <p>aye 2:14,15 3:4,5,19,20 4:9,10 5:2,3,15,16 6:8 6:9,20,21 7:12,13 8:3 8:4,15,16 9:5,6,18,19 10:11,12 11:4,5,15,16 12:6,7,18,19 13:19,20</p>	<p>4:7,11,22 5:4,13,17 6:6,10,18,22 7:10,14 8:1,5,13,17 9:3,7,16 9:20 10:8,13 11:2,6 11:17 12:4,8,16,20 13:17,21</p> <p>change 7:17 8:8</p> <p>Chiko 2:7</p> <p>class 7:17 8:8</p> <p>COLUMBIA 1:1</p> <p>concluded 14:3</p> <p>Consent 4:14</p> <p>Continuance 6:13</p> <p>Control 1:2,13,13</p> <p>Corner 13:7</p> <p>Corporation 7:18</p> <p>Courtyard 11:21</p> <p>Crimson 2:20</p> <p>Crimson's 2:19</p> <p>currently 9:10</p>	<p>13:2</p> <p style="text-align: center;">G</p> <p>garden 8:20 11:9</p> <p>Government's 4:14</p> <p>grant 7:6</p> <p style="text-align: center;">H</p> <p>Hearing 1:13 3:13,14</p> <p>Hearings 14:3</p> <p>Hen 11:22</p> <p>Hopeful 6:1</p> <p>Hopeful's 5:22</p> <p>hours 3:10 8:8</p> <p>Hub 7:18</p>	<p>MEETING 1:3</p> <p>Member 1:18,18,19 2:11 3:1,16 4:6,20,21 5:12 6:5,17 7:9,22 8:12 9:2,15 10:6,7 11:1,13 12:3,15 13:16</p> <p>met 1:13</p> <p>MIKE 1:19</p> <p>Mill/Back 13:4</p> <p>modification 2:10</p> <p>motion 2:9,13,21 3:3,12 3:18 4:2,4,8,14,15,17 5:1,10,14,22 6:3,7,13 6:15,19 7:6,11,20 8:2 8:10,14,22 9:4,13,17 10:4,10,21 11:3,11,14 12:1,5,13,17 13:12,18</p> <p>move 5:19 7:2 10:15 12:22 13:3</p>
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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: 02-27-19

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

NEAL R. GROSS

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