

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

6:07 p.m.

CHAIRPERSON ANDERSON: All right. So I'm going to do the Legal Agenda.

The first matter on the Legal Agenda is the review of Dacha Beer Garden's Motion for Reconsideration of the Board's Order limiting occupancy. Dacha Beer Garden, License No. 105719.

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

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

Those in favor say aye.

ALL: Aye.

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

The next matter on the Legal Agenda is review of protestants' opposition to applicant's Motion for Reconsideration. Dacha Beer Garden, License No. 105719.

1 This matter is now moot.

2 The third matter on our agenda is
3 review of Dacha Beer Garden's reply in support of
4 Motion for Reconsideration of Board Order
5 limiting occupancy. Dacha Beer Garden, License
6 No. 105719.

7 This matter is now moot.

8 The next matter on the Legal Agenda is
9 the review of request from Police Chief Newsham
10 dated December 5, 2017 requesting a Fact-Finding
11 Hearing on Café Saint Ex, License No. 060456.

12 This is just an FYI for the Board.

13 The next matter on our agenda is the
14 review of a settlement agreement dated December
15 11, 2017 between 7 Food Store, ANC-5D and MPD,
16 Fifth District for 7 Food Store, License No.
17 093817.

18 I make a motion that we approve this
19 settlement agreement with modification. Is there
20 a second?

21 MEMBER SHORT: Second.

22 CHAIRPERSON ANDERSON: Mr. Short has

1 seconded the motion.

2 Those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 5-0-0.

6 The next matter is the review of
7 protestant Wang's Motion for Reconsideration of
8 Chi-Cha Lounge, License No. 026519.

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

11 MEMBER SILVERSTEIN: Second.

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

14 Those in favor say aye.

15 MEMBER SHORT: Aye.

16 CHAIRPERSON ANDERSON: Aye.

17 MEMBER SILVERSTEIN: Aye.

18 MEMBER ISAAC: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?

20 The matter passes 5-0-0.

21 MEMBER ALBERTI: I abstain. Mr.

22 Alberti abstains.

1 CHAIRPERSON ANDERSON: Those -- Mr.
2 Alberti abstains. The matter passes 4-0-1 with
3 Mr. Alberti abstaining.

4 We now move to the next matter on our
5 agenda, review of Chi-Cha Lounge's opposition to
6 Motion for Reconsideration. Chi-Cha Lounge,
7 License No. 026519.

8 This matter is now moot.

9 The next matter is review of
10 protestant Wang's Motion to Supplement the Record
11 to Motion for Reconsideration of Order No. 2017-
12 618. Chi-Cha Lounge, License No. 026519.

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

15 MEMBER SHORT: Second.

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

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON ANDERSON: Those opposed?
21 Any abstention? The matter passes 5-0-0.

22 The next matter is the review of

1 settlement agreement dated November 21, 2017
2 between ANC-6B and Wine and Butter, License No.
3 105990.

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

7 MEMBER ISAAC: Second.

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

10 Those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 5-0-0.

14 The next matter is the review of the
15 amended settlement agreement dated December 15,
16 2017 between ANC-6B and Lola's Barracks Bar and
17 Grill, License No. 086141.

18 I make a motion that we approve this
19 agreement with modification. Is there a second?

20 MEMBER SILVERSTEIN: Second.

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

1 Those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 5-0-0.

5 The next matter is the review of
6 settlement agreement dated December 5, 2017
7 between ANC-4A and Lena Market, License No.
8 082376.

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

11 MEMBER ISAAC: Second.

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

14 Those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?

17 The matter passes 5-0-0.

18 The next matter is the review of the
19 settlement agreement dated December 20, 2017
20 between Republic Cantina, ANC-5E, the Hanover
21 Area Civic Association, and the Group of Five or
22 More. The License No. is 107578.

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

3 MEMBER ISAAC: Second.

4 MEMBER SILVERSTEIN: Second.

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

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON ANDERSON: Those opposed?
10 The matter passes 5-0-0.

11 The next matter is the review of
12 settlement agreement dated December 14, 2017
13 between ANC-3F and Windsor Liquors, License No.
14 108149.

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

17 MEMBER ALBERTI: Second.

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

20 Those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 5-0-0.

2 The next matter is the review of ANC-
3 5C's Letter dated December 15, 2017 requesting
4 that the ABC Board amend the Langdon Park
5 Moratorium Rules.

6 I make a motion that we deny this
7 request. Is there a second?

8 MEMBER SHORT: Second.

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

11 Those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?

14 The matter passes 5-0-0.

15 The next matter on the agenda is the
16 review of the Technical Amendment Notice of
17 Second Proposed Rulemaking.

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

20 MEMBER SHORT: Second.

21 CHAIRPERSON ANDERSON: Mr. Alberti --
22 Mr. Short has seconded the motion.

1 Those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 5-0-0.

5 We now move to our Supplemental Legal
6 Agenda.

7 The first matter on our Supplemental
8 Legal Agenda is the review of applicant's
9 opposition to protestant's Motion to Supplement
10 the Record to Motion for Reconsideration of Order
11 No. 2017-618, Chi-Cha Lounge, License No. 026519.

12 This matter is now moot.

13 We now move to the next matter on our
14 agenda, review of Busboys and Poets' request to
15 store invoices off-site for its four licensed
16 establishments, License No. 071220 and License
17 No. 092008, License No. 094546, and License No.
18 077964.

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

21 MEMBER SILVERSTEIN: Second.

22 CHAIRPERSON ANDERSON: Mr. Silverstein

1 has seconded the motion.

2 Those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 5-0-0.

6 The next matter is the review of
7 amended settlement agreement dated May -- and
8 this is an error; the agenda said the settlement
9 agreement is dated May 23, 2018; however, this is
10 an error, between XO and ANC-6C. The license
11 number for XO is License No. 100316.

12 I make a motion that we approve this
13 agreement with modification. Is there a second?

14 MEMBER SHORT: Second.

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

17 Those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?

20 The matter passes 5-0-0.

21 The Board will ensure that the Agency
22 changes the date of the settlement agreement,

1 because the agenda stated that the settlement
2 agreement is dated May 23, 2018, so we will
3 correct the date of the settlement agreement
4 between the establishment.

5 The next matter is the review of the
6 letter from the Group of 23 (Seniors) dated
7 January 8, 2018 for Republic Cantina N, License
8 No. 107578.

9 This is just an FYI for the Board.

10 The next matter is the review of
11 Councilmember McDuffie's letter dated January 9,
12 2018 in support of Gateway Community
13 Association's protest for XS Lounge, License No.
14 104228.

15 This is just an FYI for the Board.

16 We now move to our Licensing Agenda.

17 The first matter on our Licensing
18 Agenda is to review application for change of
19 hours for Downtown Liquors, License No. 108146.

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

22 MEMBER ISAAC: Second.

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

3 Those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON ANDERSON: Those opposed?

6 The matter passes 5-0-0.

7 The next matter is to review
8 application for change of hours of live
9 entertainment for Wicked Bloom Social Club,
10 License No. 099450.

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 Those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?

19 The matter passes 5-0-0.

20 The next matter is to review request
21 for summer garden endorsement with seating for 80
22 patrons for Firehook Bakery, License No. 041370.

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

3 MEMBER ISAAC: Second.

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

6 Those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?

9 The matter passes 5-0-0.

10 The next matter is to review request
11 to increase total occupancy load of second summer
12 garden from 21 to 55 with seating for 52 for Due
13 South/Due South Dockside, License No. 097053.

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 Those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?

22 The matter passes 4-0-0.

1 We now move to our Supplemental
2 Licensing Agenda.

3 The first matter on our Supplemental
4 Licensing Agenda is to review request for
5 Temporary Operating Permit for Washington DC
6 Marriott Wardman Park Hotel, License No. 108783.

7 I make a motion that we approve this
8 request. Is there a second?

9 MEMBER ALBERTI: Second.

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

12 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 request
17 to add two additional marine vessels for the
18 Potomac Riverboat Company, LLC, License No.
19 098753.

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

22 MEMBER ISAAC: Second.

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

3 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 Tasting Permit for Park Market,
9 License No. 094178.

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

12 MEMBER ISAAC: Second.

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

15 Those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?

18 The matter passes 3-0-0.

19 The next matter is to review request
20 to refund payment for a Temporary Class G License
21 for Engine 12 Company, License No. 108704.

22 I make a motion that we approve this

1 request. Is there a second?

2 MEMBER SHORT: Second.

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

5 Those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 3-0-0.

9 The next matter is to review
10 application for a manager's license for Angel N.
11 Portillo, License No. 108774.

12 I make a motion that we have a Fact-
13 Finding Hearing in this matter. Is there a
14 second?

15 MEMBER ISAAC: Second.

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

18 Those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passes 5-0-0.

22 We now move to our Cancellation

1 Agenda.

2 I make a motion that all the
3 establishments listed on the January 10, 2018
4 Cancellation Agenda, that their license be
5 canceled:

6 Le Caprice DC Bakery, License No.
7 093180;

8 Levy Restaurant at MCI Center, License
9 No. 094073;

10 Heritage India/Malgudi, License No.
11 020640.

12 I make a motion that these
13 establishments listed on the Cancellation Agenda
14 that their license be canceled. Is there a
15 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 5-0-0.

1 As Chairperson of the Alcoholic
2 Beverage Control Board for the District of
3 Columbia and in accordance with DC Official Code
4 Section 2-574(b), closed meetings, and Section 2-
5 574, Notice of Meetings, of the Open Meetings
6 Act, I move that the ABC Board hold a closed
7 meeting on January 24, 2018 for the purpose of
8 discussing and hearing reports concerning ongoing
9 or planned investigations of alleged criminal or
10 civil misconduct or violations of law or
11 regulations and seeking legal advice from our
12 counsel on the Board's Investigative, Legal and
13 Licensing Agenda for January 24, 2018 as
14 published in the DC Register on January 19, 2018.
15 Is there a second?

16 MEMBER SILVERSTEIN: Second.

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

19 I will now take a roll call vote on
20 the motion before us now that it has been
21 seconded.

22 Mr. Silverstein? Mr. Silverstein?

1 MEMBER SILVERSTEIN: I agree.

2 CHAIRPERSON ANDERSON: Mr. Short?

3 MEMBER SHORT: I agree.

4 CHAIRPERSON ANDERSON: Mr. Alberti?

5 MEMBER ALBERTI: I agree.

6 CHAIRPERSON ANDERSON: Mr. Isaac?

7 MEMBER ISAAC: I agree.

8 CHAIRPERSON ANDERSON: Mr. Anderson?

9 I agree.

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

18 It is 6:22 p.m. and we are adjourned
19 for the day. Thank you.

20 (Whereupon, the Legal, Licensing and
21 Cancellation Agendas were concluded at 6:22 p.m.)

22

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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: Cancellation Agenda
Legal Agenda
Licensing Agenda

Before: DC Alcoholic Beverage Control Board

Date: 01-10-18

Place: Washington, DC

was duly recorded and accurately transcribed under
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Court Reporter

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