

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

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

Wednesday,
July 10, 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
MIKE SILVERSTEIN, Member

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

2 3:04 p.m.

3 CHAIRPERSON ANDERSON: All right.

4 Let's do our Legal Agenda.

5 The first matter on our Legal Agenda
6 is the review of Louise Sagalyn's Motion for
7 Reinstatement of her protest in the Il Canale
8 matter, License No. 083707.

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

11 MEMBER SILVERSTEIN: Second.

12 MEMBER CATO: Second.

13 CHAIRPERSON ANDERSON: Mr. Short --
14 I'm sorry, Mr. Silverstein and Mr. Cato seconded
15 the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes 3-0-0.

20 The next matter is the review of Il
21 Canale's opposition to Louise Sagalyn's Motion
22 for Reinstatement.

1 This matter is now moot.

2 The next matter on our agenda is the
3 review of Louise Sagalyn's Reply to Il Canale's
4 opposition to the Motion for Reinstatement of the
5 protest.

6 This matter is also moot.

7 The next matter on our agenda is the
8 review of the amendment of the settlement
9 agreement dated June 16, 2019 between ANC-1B and
10 Roy Boys, License No. 112358.

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

13 MEMBER SILVERSTEIN: Second.

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

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes 3-0-0.

20 The next matter is the review of
21 settlement agreement dated June 5, 2019 between
22 the Kalorama Citizens Association, ANC-1C and

1 Retrobottega.

2 MEMBER SILVERSTEIN: Retrobottega.

3 CHAIRPERSON ANDERSON: Retrobottega,
4 License No. 113763.

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

7 MEMBER SILVERSTEIN: Second.

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

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 3-0-0.

14 The next matter is the review of the
15 cooperative agreement dated June 10, 2019 between
16 ANC-6D and Mahzedahr, License No. 105205.

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

19 MEMBER CATO: Second.

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Cato and
22 Mr. Silverstein have seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 3-0-0.

5 The next matter is the review of the
6 Fact-Finding Hearing request from Police Chief
7 Newsham dated April 28, 2019 concerning events
8 that took place at El Rincon, License No. 060003.

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

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON ANDERSON: Mr. Cato -- I'm
13 sorry, Mr. Silverstein has seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?

17 The matter passes 3-0-0.

18 The next matter is the review of the
19 Fact-Finding Hearing request from Police Chief
20 Newsham dated June 4, 2019 concerning an incident
21 that took place at 18th Street Lounge. 18th Street
22 Lounge, License No. 021211.

1 I make a motion that we deny this
2 request. And the reason why we are denying this
3 request is that the matter is being sent to the
4 OAG for a Show Cause due to the severity of the
5 incident. 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 3-0-0.

13 The next matter is the review of
14 Duet's Motion for Reinstatement of its license
15 renewal application, License No. 110804.

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

18 MEMBER SILVERSTEIN: Second.

19 MEMBER CATO: Second.

20 CHAIRPERSON ANDERSON: Mr. Silverstein
21 and Mr. Cato have seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

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

4 The next matter is the review of ANC-
5 6C's response in support of Duet's Motion for
6 Reinstatement of its license renewal application.

7 This is now moot.

8 The next matter is the review of
9 amended settlement agreement dated July 2, 2019
10 between ANC-6C and Duet's, License No. 110804.

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

13 MEMBER CATO: Second.

14 MEMBER SILVERSTEIN: Second.

15 CHAIRPERSON ANDERSON: Mr. Cato and
16 Mr. Silverstein have seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes 3-0-0.

21 The next matter is the review of Mr.
22 Chen's Motion for Reinstatement of its license.

1 Mr. Chen's Restaurant, License No. 107059.

2 I make a motion that we deny this
3 request. It was untimely filed. The license was
4 canceled on May 15, 2019. Is there a second?

5 MEMBER SILVERSTEIN: 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 3-0-0.

12 The next matter is the review of The
13 Jefferson Hotel's request to store its invoices
14 off-site. The Jefferson Hotel, License No.
15 075526.

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

18 MEMBER SILVERSTEIN: Second.

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

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes 3-0-0. We now move to our
3 Supplemental Legal Agenda.

4 The first matter on our Supplemental
5 Legal Agenda is the review of Evan Schlom And
6 Paul Alvaro Marin's Joint Request for
7 Reinstatement of its Protest Petition in Po Boy
8 Jim 2, License No. 105468.

9 I make a motion that we grant in part
10 and deny in part. I make a motion that we grant
11 Mr. Paul Alvaro Marin's request for reinstatement
12 and deny Mr. Schlom's request for reinstatement.
13 Is there a second?

14 MEMBER SILVERSTEIN: Second.

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

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes 3-0-0.

21 The next matter is the review of
22 settlement agreement dated July 1, 2019 between

1 ANC-8A and Busboys and Poets, License No. 097639.

2 I make a motion that we approve this
3 request. 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 3-0-0.

11 We now move to our Second Supplemental
12 Legal Agenda.

13 The first matter on our Second
14 Supplemental Legal Agenda is the review of ANC-
15 3E's request for reinstatement of its protest in
16 Surfside, License No. 113253.

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

19 MEMBER CATO: Second.

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Cato and
22 Mr. Silverstein have seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 3-0-0.

5 The next matter is the review of
6 Surfside's opposition to ANC-3E's request for
7 reinstatement of its protest.

8 This matter is now moot.

9 CHAIRPERSON ANDERSON: We now move to
10 our Licensing Agenda.

11 The first matter on our licensing
12 agenda is to review application for change of
13 hours for Jaleo, License No. 019105.

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 3-0-0.

1 The next matter is to review
2 application for change of hours for Lost and
3 Found, License No. 094510.

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 3-0-0.

13 The next matter is to review
14 application for change of hours for Maggiano's,
15 License No. 072256.

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

18 MEMBER SILVERSTEIN: Second.

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

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes 3-0-0.

3 The next matter is to review
4 application for a summer garden with 13 seats for
5 Dulcinea Bar & Grill.

6 MEMBER SILVERSTEIN: Dulcinea.

7 CHAIRPERSON ANDERSON: License No.
8 088870.

9 I make a motion that we placard this
10 matter. Is there a second?

11 MEMBER CATO: Second.

12 MEMBER SILVERSTEIN: Second.

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

15 All 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
20 application for an entertainment endorsement to
21 provide live entertainment endorsement outdoors.
22 Dacha Navy Yard, License No. 106040.

1 I make a motion that we placard this
2 matter. 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 3-0-0.

10 The next matter is to review
11 application for a Tasting Permit, New Seven
12 Market, License No. 113576.

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 3-0-0.

22 The next matter is to review request--

1 We now move to our Supplemental
2 Licensing Agenda. The first matter on our
3 Supplemental Licensing Agenda is to review
4 request to remove license from safekeeping. They
5 are open under new ownership. El Camino, License
6 No. 094426.

7 I make a motion that we approve the
8 request to remove it from safekeeping and also to
9 placard this matter. Is there a second?

10 MEMBER SILVERSTEIN: Second.

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

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passes 3-0-0.

17 The next matter is to review
18 application for change of hours for Angelo
19 Restorante Italiano, License No. 109417.

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 3-0-0.

7 The next matter is the review of
8 police clearance for applicant for Mr. Braxton
9 Bar and Kitchen, License No. 114201.

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

12 MEMBER CATO: Second.

13 MEMBER SILVERSTEIN: Second.

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

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?

19 The matter passes 3-0-0.

20 The next matter is to review letter
21 from ANC-6D regarding Dacha's application for an
22 entertainment endorsement.

1 This is an FYI for the Board.

2 The next matter is to review
3 application for manager's license for Sherette L.
4 Williams, License No. 114391.

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

7 MEMBER CATO: Second.

8 MEMBER SILVERSTEIN: Second.

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

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes 3-0-0.

15 We now move to our Second Supplemental
16 Licensing Agenda.

17 The first matter on our Second
18 Supplemental Licensing Agenda is to review
19 application for stipulated license with letter of
20 ANC support for a new ABC License, Piccolina,
21 License No. 114225.

22 I make a motion that we approve this

1 request. Is there a second?

2 MEMBER CATO: Second.

3 CHAIRPERSON ANDERSON: Mr. Cato

4 seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?

8 The matter passes 3-0-0.

9 We now move to our Cancellation
10 Agenda.

11 The first matter on our Cancellation
12 Agenda is that the ABC Board will cancel the
13 license for Marrakech Restaurant, License No.
14 111165. The license is out of business.

15 And the ABC Board will be canceling
16 the ABC License of The Abbey Rathskeller, License
17 No. 001104, because the licensee did not renew
18 its license.

19 So I therefore make a motion that the
20 ABC Board cancels the license for the two
21 establishments listed on the Cancellation Agenda
22 that were reviewed in the record today.

1 Is there a second?

2 MEMBER SILVERSTEIN: Second.

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

5 All those in favor say aye.

6 ALL: Aye.

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

9 As Chairperson of the Alcoholic
10 Beverage Control Board for the District of
11 Columbia and in accordance with DC Official Code
12 Section 2-574(b) of the Open Meetings Act, I move
13 that the ABC Board hold a closed meeting on July
14 17, 2019 for the purpose of seeking legal advice
15 from our counsel on the matters identified on the
16 Board's Legal, Licensing and Investigative Agenda
17 for July 17, 2019 as published in the DC Register
18 on July 12, 2019.

19 Is there a second?

20 MEMBER CATO: Second.

21 MEMBER SILVERSTEIN: Second.

22 CHAIRPERSON ANDERSON: Mr. Cato and

1 Mr. Silverstein have seconded the motion. I will
2 now take a roll call vote on the motion before us
3 now that it has been seconded.

4 Mr. Silverstein?

5 MEMBER SILVERSTEIN: I agree.

6 CHAIRPERSON ANDERSON: Mr. Cato?

7 MEMBER CATO: 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 closed meeting pursuant to the
13 Open Meetings Act. Notice will also be posted on
14 the ABC Board hearing room bulletin board, placed
15 on the electronic calendar on ABRA's website and
16 published in the DC Register in as timely a
17 manner as practicable.

18 It is 3:19 p.m. and we are adjourned
19 for the day. Thank you.

20 (Whereupon, the Legal, Licensing and
21 Cancellation Agenda Hearings were concluded at
22 3:19 p.m.)

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This is to certify that the foregoing transcript

In the matter of: Agenda

Before: DCABRA

Date: 07-10-19

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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