#### DISTRICT OF COLUMBIA

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# ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + + MEETING

IN THE MATTER OF:

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Investigative Agenda : Legal Agenda : Licensing Agenda :

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Wednesday
June 6, 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 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	12:50 p.m.
3	CHAIRPERSON ANDERSON: I am now going
4	to do the Legal Agenda, so we can close the
5	record.
6	So this is the Legal Agenda. The
7	first matter on the Legal Agenda is the review of
8	Protestant Group of 5 or More Motion for
9	Reconsideration, Cork Wine Bar and Market,
10	License No. 107308.
11	I make a motion that we deny this
12	request. 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 5-0-0.
20	The next matter on the agenda is the
21	review of Cork Wine Bar and Market opposition to
22	the Protestant Group of 5 or More Motion for

Reconsideration.

This matter is now moot.

The next matter is the review of Shaw

Dupont Citizens Association, Meridian Hill

Neighborhood Association, the West End Citizens

Association and the Federation of Citizens

Association of the District of Columbia's Letter

of Support of Protestants Group of 5 or More

Motion for Reconsideration.

This is an FYI to the Board.

The next matter is the review of the resident Elwyn Ferris' Letter of Support of the group -- the Protestant Group of 5 or More's Motion for Reconsideration for Cork Wine Bar and Market.

This is also an FYI for the Board.

The next matter on our agenda is the review of Advisory Neighborhood Commission 1B's Motion for Reconsideration of the order dismissing its protest in Asefu's Palace, License No. 105977.

I make a motion that we deny this

request because the protestant did not provide a 1 2 good cause reason for not attending the Protest (Status) Hearing. Is there a second? 3 4 MEMBER SHORT: Second. 5 CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. 6 7 All those in favor say aye. 8 ALL: Aye. 9 CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. 10 11 The next matter is the review of applicant's opposition to Advisory Neighborhood 12 13 Commission 1B's Motion to Dismiss of Asefu's 14 Palace. 15 This matter is now moot. 16 No. 7 on the agenda is the review of 17 Councilmember McDuffie's Letter of Support of 18 North Michigan Park Civic Association's protest 19 of 4 Seasons Convenience Store's license to renew 20 the application, License No. 109434. 21 This is an FYI to the Board. 22 The next matter is the review of Cedar

1	Hill Bar and Grill/Uniontown Bar & Grill's Motion
2	for Reconsideration, License No. 091887.
3	I make a motion to deny this request,
4	because it is untimely filed. 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 5-0-0.
12	The next matter is the review of
13	Breakthru Beverage's gifts and loans from
14	wholesalers or manufacturers disclosure form.
15	Breakthru Beverage, License No. 060518.
16	I make a motion that we approve this
17	request. Is there a second?
18	MEMBER CATO: Second.
19	CHAIRPERSON ANDERSON: Mr. Cato has
20	seconded the motion.
21	All those in favor say aye.

1	CHAIRPERSON ANDERSON: Those opposed?
2	The matter passes 5-0-0.
3	The next matter is the review of
4	Capital Eagle's gifts and loans from wholesalers
5	or manufacturers disclosure form, Capital Eagle,
6	License No. 026023.
7	I make a motion that we approve this
8	request. Is there a second?
9	MEMBER SHORT: Second.
10	CHAIRPERSON ANDERSON: Mr. Short has
11	seconded the motion.
12	All those in favor say aye.
13	ALL: Aye.
14	CHAIRPERSON ANDERSON: Those opposed?
15	The matter passes 5-0-0.
16	The next matter is the review of
17	Advisory Neighborhood Commission 1D's Letter of
18	Support of Sportsman Liquors, wine and liquor
19	petition to unilaterally amend or terminate
20	settlement agreement. Sportsman Wine and
21	Liquors, License No. 070310.
22	This is an FYI for the Board.

1	The next matter is the review of
2	settlement agreement dated April 4, 2018 between
3	ANC-2F and Phillips Seafood & Steaks, License No.
4	108756.
5	I make a motion that we approve this
6	agreement with modification. Is there a second?
7	MEMBER CATO: Second.
8	CHAIRPERSON ANDERSON: Mr. Cato has
9	seconded the motion.
10	All 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 MPD's
15	RDO Subsidy Program Notice of Emergency and
16	Proposed Rulemaking.
17	I make a motion that we approve this
18	request. Is there a second?
19	MEMBER CATO: Second.
20	CHAIRPERSON ANDERSON: Mr. Cato has
21	seconded the motion.
22	All those in favor say aye.

1	ALL: Aye.
2	CHAIRPERSON ANDERSON: Those opposed?
3	The matter passes 5-0-0.
4	We now move to our Supplemental Legal
5	Agenda.
6	The first matter on our Supplemental
7	Legal Agenda is the review of settlement
8	agreement dated May 31, 2018 between ANC-2B,
9	Dupont Circle Citizens Association and Astoria,
10	License No. 109333.
11	I make a motion that we approve this
12	request with modification. 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 5-0-0.
20	The next matter is the review of
21	amended settlement agreement dated May 14, 2018
22	between Advisory Neighborhood Commission 6C and

1	Wunder Garten, License No. 098173.
2	I make a motion that we approve this
3	request with modifications. Is there a second?
4	MEMBER CATO: Second.
5	CHAIRPERSON ANDERSON: Mr. Cato 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 on our agenda is the
12	review of settlement agreement dated June 1, 2018
13	between ANC-6C and The Ministry, License No.
14	108087.
15	I make a motion that we approve this
16	request with modifications. Is there a second?
17	MEMBER SILVERSTEIN: Second.
18	MEMBER CATO: Second.
19	CHAIRPERSON ANDERSON: Mr. Cato has
20	seconded the motion.
21	All those in favor say aye.

1	CHAIRPERSON ANDERSON: Those opposed?
2	The matter passes 5-0-0.
3	We now move to our Licensing Agenda.
4	The first matter on our Licensing
5	Agenda is to review request for change of hours
6	for Heurich House Museum, License No. 100673.
7	I make a motion that we placard this
8	matter. Is there a second?
9	MEMBER SHORT: Second.
10	CHAIRPERSON ANDERSON: Mr. Short has
11	seconded the motion.
12	All those in favor say aye.
13	ALL: Aye.
14	CHAIRPERSON ANDERSON: Those opposed?
15	The matter passes 5-0-0.
16	The next matter is to review request
17	to reduce interior total occupancy load from 350
18	to 150 for Heurich House Museum, License No.
19	100673.
20	I make a motion that we placard this
21	matter. Is there a second?
22	MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein 1 2 has seconded the motion. All those in favor say aye. 3 4 ALL: Aye. 5 CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. 6 7 I just want the record to reflect that 8 we -- the only reason we are placarding this 9 establishment to reduce its hours, which is something that is normally approved, is because 10 11 this establishment is making some changes to its 12 operation and just for consistency sake, we are 13 just placarding all the issues to ensure that the 14 community knows what is occurring. 15 However, it is not the Board's 16 position that if a licensee is reducing its 17 hours, that this is something that should be 18 placarded. 19 The next matter on our agenda is the 20 review of application for summer garden with 21 seating for 350 patrons for Heurich House Museum,

22

License No. 100673.

1	I make a motion that this matter be
2	placarded. 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 5-0-0.
10	The next matter is to review request
11	to change hours of operation for Saint Yves,
12	License No. 099876.
13	I make a motion that this matter be
14	placarded. Is there a second?
15	MEMBER CATO: Second.
16	CHAIRPERSON ANDERSON: Mr. Cato has
17	seconded the motion.
18	All those in favor say aye.
19	ALL: Aye.
20	CHAIRPERSON ANDERSON: Those opposed?
21	The matter passes 5-0-0.

1	for change of hours for The Brig, License No.
2	085710.
3	I make a motion that we approve this
4	request. Is there a second?
5	MEMBER CATO: Second.
6	CHAIRPERSON ANDERSON: Mr. Cato has
7	seconded the motion.
8	All those in favor say aye.
9	ALL: Aye.
10	CHAIRPERSON ANDERSON: Those opposed?
11	The matter passes 5-0-0.
12	The next matter is to review
13	application for a sidewalk cafe with seating for
14	10 patrons for Buredo, License No. 107488.
15	I make a motion that this matter be
16	placarded. 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 5-0-0.
2	The next matter is to review
3	application for summer garden with seating for 75
4	patrons for The Manor, License No. 099536.
5	I make a motion that this matter be
6	placarded. 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 5-0-0.
14	The next matter is to review request
15	to expand rooftop summer garden into space over
16	adjacent property, The Dirty Goose, License No.
17	101299.
18	I make a motion that we placard this
19	matter. Is there a second?
20	MEMBER CATO: Second.
21	CHAIRPERSON ANDERSON: Mr. Cato has
22	seconded the motion.

1	All 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 to review request
6	to expand seating from 32 to 132 for Dangerously
7	Delicious DC, License No. 087422.
8	I make a motion that we placard this
9	matter. Is there a second?
10	MEMBER SILVERSTEIN: Second.
11	MEMBER CATO: Second.
12	CHAIRPERSON ANDERSON: Mr. Cato has
13	seconded the matter.
14	All 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 to review request
19	for entertainment endorsement to provide live
20	entertainment with dancing for Georgetown Inn-
21	Daily Grill.
22	I make a motion that we placard this

1	matter. 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 5-0-0.
9	The next matter is to review
10	application for a Tasting Permit for Target
11	Store, License No. 078895.
12	I make a motion that we approve this
13	request. Is there a second?
14	MEMBER CATO: Second.
15	CHAIRPERSON ANDERSON: Mr. Cato has
16	seconded the motion.
17	All those in favor say aye.
18	ALL: Aye.
19	CHAIRPERSON ANDERSON: Those opposed?
20	The matter passes 5-0-0.
21	We now move to our Supplemental
22	Licensing Agenda.

1	The first matter on our Supplemental	
2	Licensing Agenda is to review request for change	
3	of hours for Fancy Radish, License No. 107118.	
4	I make a motion that we approve this	
5	request. Is there a second?	
6	MEMBER CATO: Second.	
7	CHAIRPERSON ANDERSON: Mr. Cato has	
8	seconded the motion.	
9	All those in favor say aye.	
10	ALL: Aye.	
11	CHAIRPERSON ANDERSON: Those opposed?	
12	The matter passes 5-0-0.	
13	The next matter is to review	
14	application for a summer garden with seating of	
15	56 patrons for Park Hyatt, License No. 096399.	
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 5-0-0.	
3	The next matter is to review	
4	application for a manager's license for Britaine	
5	A. Reid, License No. 110123.	
6	I make a motion that we approve this	
7	request. Is there a second?	
8	MEMBER SILVERSTEIN: Second.	
9	CHAIRPERSON ANDERSON: Mr. Silverstein	
LO	has seconded the motion.	
11	All those in favor say aye.	
<b>L2</b>	ALL: Aye.	
L3	CHAIRPERSON ANDERSON: Those opposed?	
L <b>4</b>	The matter passes 5-0-0.	
15	We now move to our Second Supplemental	
L6	Licensing Agenda.	
L7	The first matter on our Second	
18	Supplemental Licensing Agenda is to review	
19	request to add summer garden with seating of 20	
20	patrons for Dangerously Delicious DC, License No.	
21	087422.	
22	I make a motion that we placard this	

1	matter. 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 5-0-0.		
9	We now move to our Cancellation		
10	Agenda.		
11	The Board will be canceling the		
12	following license for the reason below:		
13	The Argonaut, License No. 072672, the		
14	licensee did not pay the safekeeping fee within		
15	30 days.		
16	I make a motion that we cancel this		
17	license. Is there a second?		
18	MEMBER CATO: Second.		
19	CHAIRPERSON ANDERSON: Mr. Cato has		
20	seconded the motion.		
21	All those in favor say aye.		
22	ALL: Aye.		

CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0.

As Chairperson of the Alcoholic
Beverage Control Board for the District of
Columbia and in accordance with DC Official Code
Section 2-574(b), closed meetings, and Section 2574, Notice of Meetings, of the Open Meetings
Act, I move that the ABC Board hold a closed
meeting on June 13, 2018 for the purpose of
discussing and hearing reports concerning ongoing
or planned investigations of alleged criminal or
civil misconduct or violations of law or
regulations and seeking legal advice from our
counsel on the Board's Investigative, Legal and
Licensing Agenda for June 13, 2018 as published
in the DC Register on June 8, 2018.

Is there a second?

MEMBER SILVERSTEIN: Second.

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

1	Ms. Wahabzadah?	
2	MEMBER WAHABZADAH: I agree.	
3	CHAIRPERSON ANDERSON: Mr. Silverstein?	
4	MEMBER SILVERSTEIN: I agree.	
5	CHAIRPERSON ANDERSON: Mr. Short?	
6	MEMBER SHORT: I agree.	
7	CHAIRPERSON ANDERSON: Mr. Cato?	
8	MEMBER CATO: I agree.	
9	CHAIRPERSON ANDERSON: Mr. Anderson?	
10	I agree.	
11	As it appears that the motion has	
12	passed, I hereby give notice that the ABC Board	
13	will hold this aforementioned closed meeting	
14	pursuant to the Open Meetings Act. Notice will	
15	also be posted on the ABC Board hearing room	
16	bulletin board, placed on the electronic calendar	
17	on ABRA's website and published in the DC	
18	Register in as timely a manner as practicable.	
19	It is 1:04 p.m. and we are adjourned	
20	for the day. Thank you.	
21	(Whereupon, the proceedings were	
22	concluded at 1:04 p.m.)	

#### civil 20:12 9:8.21.22 10:12.13 12:18 13:8,20 14:10 close 2:4 11:3,4 12:6,7,18,19 15:1,14 16:5,17 17:9 **ABC** 20:8 21:12,15 closed 20:6,8 21:13 13:8,9,20,21 14:10,11 17:21 18:11 19:5,21 **ABRA's** 21:17 Federation 3:6 15:1,2,14,15 16:5,6 **Code** 20:5 Act 20:8 21:14 16:17,18 17:9,10,21 **Columbia** 1:1 20:5 fee 19:14 add 18:19 17:22 18:11,12 19:5,6 Columbia's 3:7 **Ferris'** 3:12 adjacent 14:16 **Commission** 3:18 4:13 19:21,22 filed 5:4 adjourned 21:19 first 2:7 8:6 10:4 17:1 6:17 8:22 advice 20:13 В community 11:14 18:17 **Advisory** 3:18 4:12 Bar 2:9,21 3:14 5:1,1 concerning 20:10 following 19:12 6:17 8:22 concluded 21:22 **Beverage** 1:2,11,12 **form** 5:14 6:5 aforementioned 21:13 **FYI** 3:10,16 4:21 6:22 5:15 20:4 consistency 11:12 agenda 1:6,6,7 2:4,6,7 Control 1:2,11,12 20:4 Beverage's 5:13 2:20 3:17 4:16 8:5,7 G **board** 1:2,11 3:10,16 Convenience 4:19 9:11 10:3,5 11:19 Cork 2:9,21 3:14 4:21 6:22 19:11 20:4 garden 11:20 14:3,15 16:22 17:2 18:16,18 Councilmember 4:17 20:8 21:12,15,16 17:14 18:19 19:10 20:15 Board's 11:15 20:14 counsel 20:14 Garten 9:1 agree 21:2,4,6,8,10 **BOBBY** 1:16 criminal 20:11 Georgetown 15:20 agreement 6:20 7:2,6 **Breakthru** 5:13,15 gifts 5:13 6:4 8:8,21 9:12 D **Brig** 13:1 give 21:12 **Alcoholic** 1:2,11,12 going 2:3 Britaine 18:4 **D.C** 1:13 20:3 good 4:2 Building 1:12 **Daily** 15:21 alleged 20:11 bulletin 21:16 dancing 15:20 Goose 14:16 amend 6:19 **Buredo** 13:14 **Grill** 15:21 **Dangerously** 15:6 amended 8:21 18:20 Grill's 5:1 **ANC-2B** 8:8 C dated 7:2 8:8,21 9:12 Grill/Uniontown 5:1 **ANC-2F** 7:3 cafe 13:13 day 21:20 group 2:8,22 3:8,13,13 **ANC-6C** 9:13 days 19:15 calendar 21:16 **Anderson** 1:13,16 2:3 Н **DC** 15:7 18:20 20:5,16 call 20:21 2:14,18 4:5,9 5:6,10 cancel 19:16 hearing 1:12 4:3 20:10 5:19 6:1,10,14 7:8,12 canceling 19:11 **Delicious** 15:7 18:20 21:15 7:20 8:2,14,18 9:5,9 Cancellation 19:9 deny 2:11 3:22 5:3 **Heurich** 10:6,18 11:21 9:19 10:1,10,14 11:1 Capital 6:4.5 **Dirty** 14:16 Hill 3:4 5:1 11:5 12:4,8,16,20 Cato 1:16 5:18,19 7:7,8 **disclosure** 5:14 6:5 **hold** 20:8 21:13 13:6,10,18,22 14:8,12 7:19,20 9:4,5,18,19 discussing 20:10 **hours** 10:5 11:9,17 14:21 15:3,12,16 16:3 12:15,16 13:5,6 14:20 **Dismiss** 4:13 12:11 13:1 17:3 16:7,15,19 17:7,11,19 14:21 15:11,12 16:14 dismissing 3:20 House 10:6,18 11:21 18:1,9,13 19:3,7,19 16:15 17:6,7 19:18,19 **District** 1:1 3:7 20:4 **Hyatt** 17:15 20:1,19 21:3,5,7,9,9 **Donovan** 1:13,16 21:7.8 appears 21:11 cause 4:2 **Dupont** 3:4 8:9 applicant's 4:12 **Cedar** 4:22 Inn-15:20 **application** 4:20 11:20 Ε Chairperson 1:13,16 interior 10:17 13:13 14:3 16:10 2:3,14,18 4:5,9 5:6,10 **Eagle** 6:5 investigations 20:11 17:14 18:4 5:19 6:1,10,14 7:8,12 Eagle's 6:4 Investigative 1:6 20:14 **approve** 5:16 6:7 7:5,17 7:20 8:2,14,18 9:5,9 electronic 21:16 **issues** 11:13 8:11 9:2,15 13:3 9:19 10:1,10,14 11:1 **Elwyn** 3:12 16:12 17:4,16 18:6 J 11:5 12:4,8,16,20 Emergency 7:15 approved 11:10 13:6,10,18,22 14:8,12 endorsement 15:19 **JAMES** 1:17 April 7:2 14:21 15:3,12,16 16:3 **ensure** 11:13 **JR** 1:16 Argonaut 19:13 16:7,15,19 17:7,11,19 entertainment 15:19,20 June 1:10 9:12 20:9,15 **Asefu's** 3:20 4:13 18:1,9,13 19:3,7,19 establishment 11:9,11 20:16 **Association** 3:4,5,6,7 expand 14:15 15:6 20:1,3,19 21:3,5,7,9 change 10:5 12:11 13:1 Association's 4:18 17:Ž knows 11:14 Astoria 8:9 changes 11:11 **Fancy** 17:3 attending 4:2 Circle 8:9 favor 2:16 4:7 5:8.21 aye 2:16,17 4:7,8 5:8,9 **Citizens** 3:4,5,6 8:9 6:12 7:10.22 8:16 9:7 law 20:12 5:21,22 6:12,13 7:10 **Civic** 4:18 9:21 10:12 11:3 12:6 legal 1:6 2:4,6,7 8:4,7 7:11,22 8:1,16,17 9:7

20:13.14 **Letter** 3:7,12 4:17 6:17 license 2:10 3:20 4:19 4:20 5:2,15 6:6,21 7:3 8:10 9:1,13 10:6,18 11:22 12:12 13:1,14 14:4,16 15:7 16:11 17:3,15 18:4,5,20 19:12,13,17 licensee 11:16 19:14 **Licensing** 1:7 10:3,4 16:22 17:2 18:16,18 20:15 liquor 6:18 **Liquors** 6:18,21 live 15:19 load 10:17 loans 5:13 6:4

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**making** 11:11 manager's 18:4 **manner** 21:18 **Manor** 14:4 manufacturers 5:14 6:5 Market 2:9,21 3:15 matter 1:5 2:7,19,20 3:2 3:3,11,17 4:10,11,15 4:22 5:11,12 6:2,3,15 6:16 7:1.13.14 8:3.6 8:19,20 9:10,11 10:2 10:4,8,15,16,21 11:6 11:19 12:1,9,10,13,21 12:22 13:11,12,15 14:1,2,5,13,14,19 15:4,5,9,13,17,18 16:1,8,9,20 17:1,12 17:13 18:2,3,14,17 19:1,8 20:2 McDuffie's 4:17 meeting 1:3 20:9 21:13 meetings 20:6,7,7 21:14 **Member** 1:16,17,17,18 2:13 4:4 5:5,18 6:9 7:7,19 8:13 9:4,17,18 10:9,22 12:3,15 13:5 13:17 14:7,20 15:10 15:11 16:2,14 17:6,18

18:8 19:2,18 20:18

21:2,4,6,8

Michigan 4:18

Ministry 9:13

misconduct 20:12

modification 7:6 8:12

Meridian 3:4

met 1:12

**MIKE** 1:17

modifications 9:3.16 **moot** 3:2 4:15 **More's** 3:13 motion 2:8,11,15,22 3:9 3:14,19,22 4:6,13 5:1 5:3,7,16,20 6:7,11 7:5 7:9,17,21 8:11,15 9:2 9:6,15,20 10:7,11,20 11:2 12:1,5,13,17 13:3,7,15,19 14:5,9 14:18,22 15:8,22 16:4 16:12,16 17:4,8,16,20 18:6,10,22 19:4,16,20 20:20,21 21:11 move 8:4 10:3 16:21 18:15 19:9 20:8

# Museum 10:6,18 11:21 N

**MPD's** 7:14

N.W 1:12 Neighborhood 3:5,18 4:12 6:17 8:22 normally 11:10 North 4:18 notice 7:15 20:7 21:12 21:14

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occupancy 10:17 occurring 11:14 Official 20:5 ongoing 20:10 Open 20:7 21:14 operation 11:12 12:11 opposed 2:18 4:9 5:10 6:1,14 7:12 8:2,18 9:9 10:1,14 11:5 12:8,20 13:10,22 14:12 15:3 15:16 16:7,19 17:11 18:1,13 19:7 20:1 opposition 2:21 4:12 order 3:19

### Ρ

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

2:1
p.m 2:2 21:19,22
Palace 3:20 4:14
Park 4:18 17:15
passed 21:12
passes 2:19 4:10 5:11
6:2,15 7:13 8:3,19
9:10 10:2,15 11:6
12:9,21 13:11 14:1,13
15:4,17 16:8,20 17:12
18:2,14 19:8 20:2
patrons 11:21 13:14

14:4 17:15 18:20 **pay** 19:14 **Permit** 16:10 petition 6:19 Phillips 7:3 placard 10:7,20 14:18 15:8,22 18:22 placarded 11:18 12:2 12:14 13:16 14:6 placarding 11:8,13 **placed** 21:16 planned 20:11 position 11:16 **posted** 21:15 practicable 21:18 **PRESENT** 1:15 presiding 1:13 proceedings 21:21 Program 7:15 property 14:16 Proposed 7:16 protest 3:20 4:2,18 protestant 2:8,22 3:13 4:1 **Protestants** 3:8 **provide** 4:1 15:19

#### Q

R

published 20:15 21:17

purpose 20:9

Radish 17:3

**RDO** 7:15

pursuant 21:14

reason 4:2 11:8 19:12 **Reconsideration** 2:9 3:1,9,14,19 5:2 record 2:5 11:7 reduce 10:17 11:9 reducing 11:16 Reeves 1:12 reflect 11:7 **Register** 20:16 21:18 regulations 20:13 **Reid** 18:5 **REMA** 1:18 **renew** 4:19 reports 20:10 request 2:12 4:1 5:3,17 6:8 7:18 8:12 9:3,16 10:5,16 12:10,22 13:4 14:14 15:5,18 16:13 17:2,5,17 18:7,19 resident 3:12 review 2:7.21 3:3.11.18

4:11,16,22 5:12 6:3

6:16 7:1,14 8:7,20

9:12 10:5,16 11:20 12:10,22 13:12 14:2 14:14 15:5,18 16:9 17:2,13 18:3,18 roll 20:20 rooftop 14:15 room 1:12 21:15 Rulemaking 7:16

#### S

safekeeping 19:14 Saint 12:11 sake 11:12 Seafood 7:3 Seasons 4:19 seating 11:21 13:13 14:3 15:6 17:14 18:19 second 2:12,13 4:3,4 5:4,5,17,18 6:8,9 7:6 7:7,18,19 8:12,13 9:3 9:4,16,17,18 10:8,9 10:21.22 12:2.3.14.15 13:4,5,16,17 14:6,7 14:19,20 15:9,10,11 16:1,2,13,14 17:5,6 17:17,18 18:7,8,15,17 19:1,2,17,18 20:17,18 seconded 2:15 4:6 5:7 5:20 6:11 7:9.21 8:15 9:6.20 10:11 11:2 12:5,17 13:7,19 14:9 14:22 15:13 16:4,16 17:8,20 18:10 19:4,20 20:20,22 **Section** 20:6.6 seeking 20:13 settlement 6:20 7:2 8:7 8:21 9:12 **Shaw** 3:3 **Short** 1:17 2:13,14 4:4 4:5 6:9,10 8:13,14 10:9,10 21:5,6 sidewalk 13:13 **Silverstein** 1:17 5:5.6 9:17 10:22 11:1 12:3 12:4 13:17,18 14:7,8 15:10 16:2,3 17:18,19 18:8,9 19:2,3 20:18 20:19 21:3,4 **space** 14:15 **Sportsman** 6:18,20 **Status** 4:3 Steaks 7:3 **Store** 16:11 **Store's** 4:19 **Street** 1:12 Subsidy 7:15

**Suite** 1:13

II		
summer 11:20 14:3,15	1	7
17:14 18:19		
Supplemental 8:4,6	1 9:12	7 4:16
16:21 17:1 18:15,18	<b>1:04</b> 21:19,22	<b>75</b> 14:3
<b>Support</b> 3:8,12 4:17	<b>10</b> 13:14	
6:18	<b>100673</b> 10:6,19 11:22	8
0.10	<b>101299</b> 14:17	<b>8</b> 20:16
т т	<b>105977</b> 3:21	
	<b>107118</b> 17:3	
take 20:20	<b>107308</b> 2:10	
Target 16:10	<b>107488</b> 13:14	
Tasting 16:10	<b>108087</b> 9:14	
terminate 6:19	<b>108756</b> 7:4	
Thank 21:20	<b>109333</b> 8:10	
timely 21:18	<b>109434</b> 4:20	
total 10:17	<b>110123</b> 18:5	
l	<b>12:50</b> 2:2	
U	<b>13</b> 20:9,15	
unilaterally 6:19	<b>132</b> 15:6	
untimely 5:4	<b>14</b> 8:21	
	14th 1:12	
V	<b>150</b> 10:18	
violations 20:12	<b>1B's</b> 3:18 4:13	
vote 20:21	<b>1D's</b> 6:17	
	1230.17	
W	2	
<b>W</b> 1:13,16	<b>2-</b> 20:6	
Wahabzadah 1:18 21:1	<b>2-574(b)</b> 20:6	
21:2	<b>20</b> 18:19	
want 11:7	<b>2000</b> 1:12	
Washington 1:13	<b>2000</b> 1:12 <b>20009</b> 1:13	
website 21:17	<b>2018</b> 1:10 7:2 8:8,21	
Wednesday 1:9	9:12 20:9,15,16	
<b>West</b> 3:5	9.12 20.9, 13, 10	
wholesalers 5:14 6:4	3	
wine 2:9,21 3:14 6:18	<b>30</b> 19:15	
6:20	<b>31</b> 8:8	
Wunder 9:1		
11411451 311	<b>32</b> 15:6	
x	<b>350</b> 10:17 11:21	
	4	
Y	<b>4</b> 4:19 7:2	
Yves 12:11	<b>400S</b> 1:13	
	7000 1.10	
<b>Z</b>	5	
	<b>5</b> 2:8,22 3:8,13	
0	<b>5-0-0</b> 2:19 4:10 5:11 6:2	
<b>026023</b> 6:6	6:15 7:13 8:3,19 9:10	
<b>060518</b> 5:15	10:2,15 11:6 12:9,21	
<b>070310</b> 6:21	13:11 14:1,13 15:4,17	
<b>072672</b> 19:13	16:8,20 17:12 18:2,14	
<b>078895</b> 16:11	19:8 20:2	
<b>085710</b> 13:2		
<b>087422</b> 15:7 18:21	<b>56</b> 17:15	
<b>091887</b> 5:2	<b>574</b> 20:7	
<b>096399</b> 17:15	6	
<b>098173</b> 9:1		
<b>099536</b> 14:4	6 1:10	
<b>099876</b> 12:12	<b>6C</b> 8:22	
099010 12.12		
II	'	

## <u>C E R T I F I C A T E</u>

This is to certify that the foregoing transcript

In the matter of: Agendas

Before: Alcoholic Beverage Control Board

Date: 06-06-18

Place: Washington, D.C.

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Court Reporter

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