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

MEETING

IN THE MATTER OF: : : Cancellation Agenda : Vacated Cease and Desist : Orders Agenda Licensing Agenda : Supplemental Licensing : Agenda : Legal Agenda : Supplemental Legal : Agenda :

> Wednesday March 18, 2020

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 RAFI ALIYA CROCKETT, Member EDWARD GRANDIS, Member* JENI HANSEN, Member JAMES SHORT, JR., Member

ALSO PRESENT:

FRED MOOSALLY, Director

*Present via telephone

1 P-R-O-C-E-E-D-I-N-G-S 2 10:54 a.m. 3 CHAIRPERSON ANDERSON: All right. 4 Good morning, everyone. I'd like to welcome you 5 to the regular scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. 6 7 Today is March 18th, 2020. I would like to introduce members of 8 9 the Board with us today. We have Ms. Jeni Hansen. We have Ms. Rafi Crockett. We have Mr. 10 11 Bobby Cato. We have Mr. Edward Grandis. And we 12 have Mr. James Short. My name is Donovan Anderson and I'm the Chairman of the Board. 13 The Board has six members in attendance for the 14 15 conduct of business and that constitutes a 16 quorum. 17 I would like to mention three things 18 before we get started. First of all, if you have 19 any electronic devices, pagers, cell phones, et 20 cetera, please make certain that they're turned 21 off to avoid any interruption of the proceeding. 22 Secondly, there is a piece of paper at each 23 table. When you come forward as your case is

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This is to ensure the correct spelling of

called, please take a seat at the table and sign

in.

1 your name for the record.

2	Lastly, please note that today's
3	meeting of the Alcoholic Beverage Control Board
4	is governed by the Open Meetings Act. Please
5	address any questions or concerns to the Office
6	of Open Government at opengovoffice@dc.gov. I
7	will note that the approximate time is 10:56 a.m.
8	(Whereupon, the above-entitled matter
9	went off the record at 10:56 a.m. and resumed at
10	11:00 am.)
11	CHAIRPERSON ANDERSON: We will now go
12	to our legal agenda. Give me a minute please.
13	(Whereupon, the above-entitled matter
14	went off the record at 11:00 am and resumed at
15	11:02 a.m.)
16	MEMBER CROCKETT: We're back on the
17	record. The first item on the legal agenda is
18	review of the amendment to the settlement
19	agreement for 713 Partners, LLC, trading as Finn
20	McCool's, License No. 107078. The recommendation
21	is to approve. All those in favor?
22	CHAIRPERSON ANDERSON: No. Ask for a
23	second.
24	MEMBER CROCKETT: Oh, I need a second.
25	MEMBER SHORT: Second.

1 MEMBER HANSEN: Second. This has been 2 MEMBER CROCKETT: 3 seconded by Mr. Short and Ms. Hansen. All those 4 in favor? 5 (chorus of ayes) MEMBER CROCKETT: All opposed? The 6 7 matter passes 6-0-0. The second item is review of Service 8 9 Bar's request to store invoices off site. Service Bar, LLC, License No. 103008. The 10 11 recommendation is to approve. May I have a 12 second? 13 MEMBER CATO: 14 MEMBER CROCKETT: This is seconded by 15 Mr. Cato. All those in favor, say aye. 16 (chorus of ayes) 17 MEMBER CROCKETT: All opposed? The 18 matter passes 6-0-0. 19 The third item is review of the West Dupont Circle Moratorium Zone Notice of Final 20 21 Rulemaking. The recommendation is to approve. 22 Is there a second? 23 MEMBER SHORT: Second. 24 MEMBER HANSEN: Second. 25 MEMBER CROCKETT: The matter has been

seconded by Mr. Short and Ms. Hansen. All those 1 2 in favor say aye. 3 (chorus of ayes) 4 MEMBER CROCKETT: All opposed? 5 MEMBER GRANDIS: I oppose. MEMBER CROCKETT: The matter passes 5-6 7 1 with Mr. Grandis in opposition. 8 I'm now moving to the supplemental 9 legal agenda. First item on the supplemental 10 legal agenda is the review of Bozzuto Group's 11 request for an advisory opinion on whether an 12 off-premise retailer located in a multifamily building can deliver to residents that live in 13 14 the building. The recommendation is to refer to 15 Legal for an opinion. Do I need to vote on that? 16 CHAIRPERSON ANDERSON: Yes, yes. 17 MEMBER CROCKETT: Okay. May I have a second to refer this back to Legal for an 18 19 opinion? 20 MEMBER CATO: Second. 21 MEMBER CROCKETT: The matter is 22 seconded by Mr. Cato. All those in favor? 23 (Chorus of ayes) 24 MEMBER CROCKETT: All opposed? The 25 matter passes 6-0-0.

The second item on the supplemental 1 2 legal agenda is the review of Eye Bar/Garden of Eden's request to withdraw its application for a 3 substantial change, 1716 I, License No. 083133. 4 5 The recommendation is to approve. May I have a 6 second? 7 MEMBER CATO: Second. 8 MEMBER CROCKETT: Mr. Cato seconds. 9 All those in favor? 10 (Chorus of ayes) 11 MEMBER CROCKETT: All opposed? The 12 matter passes 6-0-0. The third matter on the supplemental 13 14 legal agenda is a review of the suspension of on-15 premise alcohol sales and consumption due to 16 public emergency notice of emergency rulemaking. 17 The recommendation is to approve. Is there a 18 second? 19 MEMBER SHORT: Second. 20 MEMBER CROCKETT: Mr. Short seconds. 21 All in favor? 22 (Chorus of ayes) 23 MEMBER CROCKETT: All opposed? The 24 matter passes 6-0-0. 25 I am now moving to the cancellation

The ABC Board will be cancelling the 1 agenda. following licenses for the reasons outlined 2 3 below. Rasoi, License No. 084365. The licensee 4 requested cancellation. Ruth's Chris Steakhouse-5 Retail C, License No. 060469. The licensee 6 requested cancellation. Ruth's Chris Caterer, 7 License No. 091278. The licensee requested 8 cancellation. Wok and Roll Restaurant, License 9 No. 085783. The licensee requested cancellation. 10 Gordon Biersch Brewery Restaurant, License No. 11 090968. The licensee requested cancellation. 12 The recommendation is that we approve 13 all of these cancellations. Is there a second? 14 MEMBER SHORT: Second. 15 All those in favor? MEMBER CROCKETT: 16 (Chorus of ayes) 17 MEMBER CROCKETT: All opposed? The 18 matter passes 6-0-0. 19 I'm now moving to our cease and desist 20 agenda. The ABC Board will be issuing orders to 21 cease and desist to the following licensees for 22 the reasons outlined below. Red Lounge Hookah, 23 License No. 076011. The licensee did not file a 24 second renewal application. The recommendation 25 is to approve. Is there a second?

(202) 234-4433

MEMBER SHORT: 1 Second. 2 MEMBER HANSEN: Second. MEMBER CROCKETT: 3 Mr. Cato and Ms. 4 Hansen have seconded. All in agreement? 5 (Chorus of ayes) MEMBER CROCKETT: All opposed? The 6 7 matter passes 6-0-0. Chuck and Bill Bison Lounge, License 8 9 No. 014759. The licensee did not file a second renewal application. Recommendation is to 10 11 Is there a second? approve. 12 MEMBER SHORT: Second. 13 MEMBER CROCKETT: Seconded by Mr. Short. All in favor? 14 15 (Chorus of ayes) 16 MEMBER CROCKETT: All opposed? The 17 matter passes 6-0-0. I'm now moving to the notice of 18 19 needing vacated cease and desist orders agenda. The ABC Board is vacating the following orders to 20 21 cease and desist previously issued on February 22 26, 2020. MK Lounge & Restaurant, License No. 23 088787. The licensee filed a second renewal 24 application on March 6, 2020. Recommendation is 25 Is there a second? to approve.

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1	MEMBER CATO: Second.
2	MEMBER CROCKETT: Mr. Short seconds.
3	All in favor?
4	MEMBER SHORT: That was Mr. Cato.
5	MEMBER CROCKETT: I'm sorry. Mr. Cato
6	seconded. All in favor?
7	(Chorus of ayes)
8	MEMBER CROCKETT: All opposed? The
9	matter passes 6-0-0. Those are the
10	CHAIRPERSON ANDERSON: Did you do the
11	licensing? Did you do the licensing?
12	MEMBER CROCKETT: Oh my gosh. Where
13	is that? Yes, okay. Here we go. All right, we
14	are moving to the licensing agenda.
15	The first item is a review application
16	for a change of hours for Bub and Pop's, License
17	No. 093492. The recommendation is to approve.
18	Is there a second?
19	MEMBER CATO: Second.
20	MEMBER CROCKETT: Mr. Cato seconds.
21	All in favor?
22	(Chorus of ayes)
23	MEMBER CROCKETT: All opposed? The
24	matter passes 6-0-0.
25	The second item on the licensing

1	agenda is a review application for a summer
2	garden endorsement with 40 seats for Hotel
3	Palomar/Urbana Restaurant and Wine Bar, License
4	No. 112818. The recommendation is to approve.
5	Is there a second?
6	MEMBER SHORT: Second.
7	MEMBER CROCKETT: Mr. Short seconds.
8	All in favor?
9	(Chorus of ayes)
10	MEMBER CROCKETT: All opposed? The
11	matter passes 6-0-0.
12	The second supplemental licensing
13	agenda. The first item on the second
14	supplemental licensing agenda is a review of
15	application for a stipulated license with letter
16	of ANC support to operate a new ABC establishment
17	for the block. License No. 113549.
18	Recommendation is to approve. Is there a second?
19	MEMBER SHORT: Second.
20	MEMBER CATO: Second.
21	MEMBER CROCKETT: Mr. Short and Mr.
22	Cato second. All in favor?
23	(Chorus of ayes)
24	MEMBER CROCKETT: All opposed? The
25	matter passes 6-0-0.

The second item on the supplemental 1 2 licensing agenda is a review of application for a 3 stipulated license with letter of ANC support to 4 operate an entertainment endorsement. This is for 5 Los Cuates Restaurant, License No. 103576. The recommendation is to approve. Is there a second? 6 7 MEMBER CATO: Second. 8 MEMBER CROCKETT: Mr. Cato seconds. 9 All in favor? 10 (Chorus of ayes) 11 MEMBER CROCKETT: All opposed? The 12 matter passes 6-0-0. 13 The final on the supplemental 14 licensing agenda is the review request for refund 15 of fees paid for temporary license, event cancelled due to COVID-19 restrictions, from 16 17 Osmin Garcia, Temporary License No. 116796. The 18 recommendation is to approve. Is there a second? 19 MEMBER SHORT: Second. 20 MEMBER CROCKETT: Mr. Short seconds. 21 All in favor? 22 (Chorus of ayes) 23 MEMBER CROCKETT: All opposed? The 24 matter passes 6-0-0. 25 MEMBER CROCKETT: I believe that's now

all of the agenda items, Mr. Chairman. 1 2 CHAIRPERSON ANDERSON: All right. 3 Thank you, Ms. Crockett. MEMBER CROCKETT: You're welcome. 4 5 CHAIRPERSON ANDERSON: With that said, there is no other business. Is that correct? 6 7 MR. MOOSALLY: That's correct, Mr. Chairman. 8 9 CHAIRPERSON ANDERSON: Okay. 10 MR. MOOSALLY: The Board's just 11 signing, which we almost got -- they're just 12 signing the permanent dockets. 13 CHAIRPERSON ANDERSON: Okay. Therefore 14 as Chairman of the Alcoholic Beverage Control 15 Board for the District of Columbia, in accordance with DC Section -- DC Official Code Section 2574B 16 17 of the Open Meetings Act, I move that ABC Board 18 hold a closed meeting on March 25th, 2020 for the 19 purpose of seeking legal advice from our counsel 20 on the matters identified on the Board's legal, 21 license, and investigative agenda for March 25th, 22 2020 as published in the DC Register on March 23 20th, 2020. Is there a second? 24 MEMBER SHORT: Second. 25 CHAIRPERSON ANDERSON: Mr. Short has

seconded the motion. I will now take a roll call 1 vote on the motion before us now that has been 2 3 seconded. Mr. Grandis. Mr. Grandis? 4 MEMBER CROCKETT: He's on mute. MEMBER GRANDIS: 5 Yes. Yes. CHAIRPERSON ANDERSON: Ms. Crockett? 6 7 MEMBER CROCKETT: I agree. 8 CHAIRPERSON ANDERSON: Mr. Cato? 9 MEMBER CATO: I agree. 10 CHAIRPERSON ANDERSON: Ms. Hansen? 11 MEMBER HANSEN: I agree. 12 CHAIRPERSON ANDERSON: Mr. Short? 13 MEMBER SHORT: I agree. 14 CHAIRPERSON ANDERSON: And Mr. 15 Anderson, I agree. As it appears that the motion has passed, I hereby give notice that the ABC 16 17 Board will hold this closed meeting. Pursuant to 18 the Open Meetings Act, notice will also be posted 19 on the ABC Board, here on the bulletin board, 20 placed on the electronic calendar on ABRA's 21 website, and published in DC Register in as 22 timely a manner as practical. It is 11:12 and we 23 are adjourned for the day. Thank you. 24 (Whereupon, the above-entitled matter 25 went off the record at 11:12 a.m.)

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In the matter of: Agenda

Before: DC ABRA

Date: 03-18-20

Place: Washington, DC

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