

DISTRICT OF COLUMBIA
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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
6 of Columbia Alcoholic Beverage Control Board.

7 Today is March 18th, 2020.

8 I would like to introduce members of
9 the Board with us today. We have Ms. Jeni
10 Hansen. We have Ms. Rafi Crockett. We have Mr.
11 Bobby Cato. We have Mr. Edward Grandis. And we
12 have Mr. James Short. My name is Donovan
13 Anderson and I'm the Chairman of the Board. The
14 Board has six members in attendance for the
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
24 called, please take a seat at the table and sign
25 in. This is to ensure the correct spelling of

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.

2 MEMBER CROCKETT: This has been
3 seconded by Mr. Short and Ms. Hansen. All those
4 in favor?

5 (chorus of ayes)

6 MEMBER CROCKETT: All opposed? The
7 matter passes 6-0-0.

8 The second item is review of Service
9 Bar's request to store invoices off site.
10 Service Bar, LLC, License No. 103008. The
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
20 Dupont Circle Moratorium Zone Notice of Final
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

1 seconded by Mr. Short and Ms. Hansen. All those
2 in favor say aye.

3 (chorus of ayes)

4 MEMBER CROCKETT: All opposed?

5 MEMBER GRANDIS: I oppose.

6 MEMBER CROCKETT: The matter passes 5-
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
13 building can deliver to residents that live in
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
18 second to refer this back to Legal for an
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.

1 The second item on the supplemental
2 legal agenda is the review of Eye Bar/Garden of
3 Eden's request to withdraw its application for a
4 substantial change, 1716 I, License No. 083133.
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.

13 The third matter on the supplemental
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

1 agenda. The ABC Board will be cancelling the
2 following licenses for the reasons outlined
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 MEMBER CROCKETT: All those in favor?

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?

1 MEMBER SHORT: Second.

2 MEMBER HANSEN: Second.

3 MEMBER CROCKETT: Mr. Cato and Ms.

4 Hansen have seconded. All in agreement?

5 (Chorus of ayes)

6 MEMBER CROCKETT: All opposed? The

7 matter passes 6-0-0.

8 Chuck and Bill Bison Lounge, License

9 No. 014759. The licensee did not file a second

10 renewal application. Recommendation is to

11 approve. Is there a second?

12 MEMBER SHORT: Second.

13 MEMBER CROCKETT: Seconded by Mr.

14 Short. All in favor?

15 (Chorus of ayes)

16 MEMBER CROCKETT: All opposed? The

17 matter passes 6-0-0.

18 I'm now moving to the notice of

19 needing vacated cease and desist orders agenda.

20 The ABC Board is vacating the following orders to

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 to approve. Is there a second?

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.

1 The second item on the supplemental
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
6 recommendation is to approve. Is there a second?

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
16 cancelled due to COVID-19 restrictions, from
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

1 all of the agenda items, Mr. Chairman.

2 CHAIRPERSON ANDERSON: All right.

3 Thank you, Ms. Crockett.

4 MEMBER CROCKETT: You're welcome.

5 CHAIRPERSON ANDERSON: With that said,
6 there is no other business. Is that correct?

7 MR. MOOSALLY: That's correct, Mr.
8 Chairman.

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
16 with DC Section -- DC Official Code Section 2574B
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

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

4 MEMBER CROCKETT: He's on mute.

5 MEMBER GRANDIS: Yes. Yes.

6 CHAIRPERSON ANDERSON: Ms. Crockett?

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
16 has passed, I hereby give notice that the ABC
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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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: DC ABRA

Date: 03-18-20

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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