

IN THE MATTER OF: :

:

Cancellation Agenda :

Legal Agenda :

Supplemental Legal Agenda: :

Licensing Agenda :

Supplemental Licensing :

Agenda :

:

Wednesday,
March 6, 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
NICK ALBERTI, Member
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member

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

4:41 p.m.

CHAIRPERSON ANDERSON: All right. We are back on the record. Let's do the Legal Agenda.

The first matter on the Legal Agenda is the review of 13th Street's request for more time to pay a fine. 13th Street Market, License No. 078242.

I make a motion that we approve this request and grant them through April 12, 2019 to make the payment.

Is there a second?

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON ANDERSON: Those opposed? The matter passes 4-0-0.

The next matter is the review of ANC-1B's resolution supporting the termination of a

1 settlement agreement between Mount Pleasant
2 Neighborhood Alliance and Purple Patch, License
3 No. 090866.

4 This is an FYI for the Board.

5 The next matter is the review of ANC-
6 1D's letter of support of Brown Street Market's
7 off-premises Retailer Class B License. Brown
8 Street Market, License No. 110967.

9 This is also an FYI for the Board.

10 We now move to the Supplemental Legal
11 Agenda.

12 The first matter on the Supplemental
13 Legal Agenda is the review of Dirty Martini's
14 Motion to Stay the Cease and Desist, License No.
15 083919.

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 4-0-0.

3 The next matter is the review of
4 Langston Loft Condominiums' request for
5 reinstatement of protest in To be Determined,
6 License No. ABRA-112258.

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

9 MEMBER CATO: Second.

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

12 All 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 the review of the
17 second amendment settlement agreement between the
18 Bates Area Civic Association, ANC-5E and Sunset
19 Wine & Spirit, License No. 095926.

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 4-0-0.

7 The next matter is the review of ANC-
8 3F's request for an extension of their protest
9 petition deadline for Lot 33 Wine Company,
10 License No. 112434.

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 4-0-0.

20 The next matter is the review of
21 District Anchor's request to participate in the
22 Saint Patrick's Bar Crawl for District Anchor,

1 License No. 100517.

2 I make a motion that we deny 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 4-0-0.

11 We now move to our Licensing Agenda.

12 The first matter on our Licensing
13 Agenda is to review request to extend safekeeping
14 of license for TBD, License No. 102572.

15 I make a motion that we grant the
16 request through September 30, 2019.

17 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 4-0-0.

3 The next matter is to review request
4 for approval to provide gifts of tickets to
5 Broccoli city Festival that do not exceed \$500 in
6 value to various licensed DC Retailers, Breakthru
7 Beverage, License No. 060518.

8 I make a motion that we approve this
9 request. 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 4-0-0.

17 We now move to our Supplemental
18 Licensing Agenda.

19 The first matter on our Supplemental
20 Licensing Agenda is to review request for a
21 Temporary Operating Retail Permit for Crisp
22 Kitchen, License No. 112965.

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

3 MEMBER CATO: Second.

4 MEMBER SILVERSTEIN: 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 4-0-0.

11 The next matter is to remove request
12 to remove license from safekeeping, National
13 Mall, License No. 093846.

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 4-0-0.

1 The next matter is to review letter
2 from Michael D. Fonseca requesting to increase
3 guest room count by including 6 leased townhouses
4 for Rosewood Washington DC Hotel, License No.
5 102245.

6 I make a motion that we placard this
7 matter. Is there a second?

8 MEMBER SILVERSTEIN: Second.

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

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes 4-0-0.

15 The next matter is an administrative
16 request to reinstate canceled license for Toscana
17 Cafe, License No. 097558.

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

20 MEMBER SILVERSTEIN: Second.

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

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 4-0-0.

5 The next matter is to review
6 application for manager's license for Jonathon
7 Nguyen, License No. 112986.

8 I make a motion that we approve this
9 request. 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 4-0-0.

17 We now move to our Cancellation
18 Agenda. The first matter on our -- the Board
19 will be canceling the following licenses for the
20 reasons outlined below:

21 Laos in Town, License No. 110740. The
22 license is out of business and did not place the

1 license in safekeeping.

2 Uni Bistro, License No. 101295. The
3 license is out of business and did not place the
4 license in safekeeping.

5 And Lindy's Bon Appetit, License No.
6 023533. The license is out of business and did
7 not place the license in safekeeping.

8 I then make a motion that we cancel
9 the licenses on the Cancellation Agenda for -- as
10 previously identified on the Cancellation Agenda
11 for Wednesday, March 6, 2019.

12 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 4-0-0.

20 As Chairperson of the Alcoholic
21 Beverage Control Board for the District of
22 Columbia and in accordance with DC Official Code

1 Section 2-574(b) of the Open Meetings Act, I move
2 that the ABC Board hold a closed meeting on March
3 13, 2019 for the purpose of seeking legal advice
4 from our counsel on the matters identified on the
5 Board's Investigative, Legal and Licensing Agenda
6 for March 13, 2019 as published in the DC
7 Register on March 8, 2019.

8 Is there a second?

9 MEMBER SILVERSTEIN: Second.

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

12 I will now take a roll call vote on
13 the motion before us now that it has been
14 seconded.

15 Mr. Silverstein?

16 MEMBER SILVERSTEIN: I agree.

17 CHAIRPERSON ANDERSON: Mr. Alberti?

18 MEMBER ALBERTI: I agree.

19 CHAIRPERSON ANDERSON: Mr. Cato?

20 MEMBER CATO: I agree.

21 CHAIRPERSON ANDERSON: Mr. Anderson?

22 I agree.

1 As it appears that the motion has
2 passed, I hereby give notice that the ABC Board
3 will hold this closed meeting pursuant to the
4 Open Meetings Act. Notice will also be posted on
5 the ABC Board hearing room bulletin board, placed
6 on the electronic calendar on ABRA's website and
7 published in the DC Register in as timely a
8 manner as practicable.

9 It is 4:51 p.m. and we are adjourned
10 for the day. Thank you.

11 (Whereupon, the Legal, Licensing and
12 Cancellation Agenda Hearings were concluded at
13 4:51 p.m.)
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<p>A</p> <p>ABC 12:2 13:2,5 ABRA's 13:6 ABRA-112258 4:6 Act 12:1 13:4 adjourned 13:9 administrative 9:15 advice 12:3 Agenda 1:6,6,7,7,8 2:5 2:6 3:11,13 6:11,13 7:18,20 10:18 11:9,10 12:5 13:12 agree 12:16,18,20,22 agreement 3:1 4:17 Alberti 1:18 12:17,18 Alcoholic 1:2,13,13 11:20 Alliance 3:2 amendment 4:17 ANC- 2:21 3:5 5:7 ANC-5E 4:18 Anchor 5:22 Anchor's 5:21 Anderson 1:15,17 2:3 2:15,19 3:19 4:1,10 4:14 5:1,5,14,18 6:5,9 6:19 7:1,11,15 8:5,9 8:17,21 9:9,13,21 10:3,11,15 11:14,18 12:10,17,19,21,21 appears 13:1 Appetit 11:5 application 10:6 approval 7:4 approve 2:10 3:16 4:20 5:11 7:8 8:1,14 9:18 10:8 April 2:11 Area 4:18 Association 4:18 aye 2:17,18 3:21,22 4:12,13 5:3,4,16,17 6:7,8,21,22 7:13,14 8:7,8,19,20 9:11,12 10:1,2,13,14 11:16,17</p>	<p>BOBBY 1:18 Bon 11:5 Breakthru 7:6 Broccoli 7:5 Brown 3:6,7 Building 1:14 bulletin 13:5 business 10:22 11:3,6</p> <p>C</p> <p>Cafe 9:17 calendar 13:6 call 12:12 cancel 11:8 canceled 9:16 canceling 10:19 Cancellation 1:6 10:17 11:9,10 13:12 Cato 1:18 4:9,10 8:3,5 12:19,20 Cease 3:14 Chairperson 1:14,17 2:3,15,19 3:19 4:1,10 4:14 5:1,5,14,18 6:5,9 6:19 7:1,11,15 8:5,9 8:17,21 9:9,13,21 10:3,11,15 11:14,18 11:20 12:10,17,19,21 city 7:5 Civic 4:18 Class 3:7 closed 12:2 13:3 Code 11:22 Columbia 1:1 11:22 Company 5:9 concluded 13:12 Condominiums' 4:4 Control 1:2,13,13 11:21 counsel 12:4 count 9:3 Crawl 5:22 Crisp 7:21</p>	<p>E</p> <p>electronic 13:6 exceed 7:5 extend 6:13 extension 5:8</p> <p>F</p> <p>favor 2:17 3:21 4:12 5:3 5:16 6:7,21 7:13 8:7 8:19 9:11 10:1,13 11:16 Festival 7:5 fine 2:8 first 2:6 3:12 6:12 7:19 10:18 following 10:19 Fonseca 9:2 FYI 3:4,9</p> <p>G</p> <p>gifts 7:4 give 13:2 grant 2:11 6:15 guest 9:3</p> <p>H</p> <p>hearing 1:13 13:5 Hearings 13:12 hold 12:2 13:3 Hotel 9:4</p> <p>I</p> <p>identified 11:10 12:4 including 9:3 increase 9:2 Investigative 12:5</p>	<p>licensed 7:6 licenses 10:19 11:9 Licensing 1:7,8 6:11,12 7:18,20 12:5 13:11 Lindy's 11:5 Loft 4:4 Lot 5:9</p> <p>M</p> <p>Mall 8:13 manager's 10:6 manner 13:8 March 1:11 11:11 12:2 12:6,7 Market 2:8 3:8 Market's 3:6 Martini's 3:13 matter 1:5 2:6,20,21 3:5 3:12 4:2,3,15,16 5:6,7 5:19,20 6:10,12 7:2,3 7:16,19 8:10,11,22 9:1,7,14,15 10:4,5,16 10:18 11:19 matters 12:4 meeting 1:3 12:2 13:3 Meetings 12:1 13:4 Member 1:18,18,19 2:14 3:18 4:9,22 5:13 6:4,18 7:10 8:3,4,16 9:8,20 10:10 11:13 12:9,16,18,20 met 1:13 Michael 9:2 MIKE 1:19 motion 2:10,16 3:14,16 3:20 4:7,11,20 5:2,11 5:15 6:2,6,15,20 7:8 7:12 8:1,6,14,18 9:6 9:10,18,22 10:8,12 11:8,15 12:11,13 13:1 Mount 3:1 move 3:10 6:11 7:17 10:17 12:1</p>
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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: 03-06-19

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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