## DISTRICT OF COLUMBIA <br> + + + + + <br> ALCOHOLIC BEVERAGE CONTROL BOARD <br> + + + + + <br> MEETING

| IN THE MATTER OF: | $\vdots$ |
| :--- | :--- |
| Cancellation Agenda | $\vdots$ |
| Legal Agenda | $\vdots$ |
| Licensing Agenda | $:$ |

Wednesday
October 2, 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 RAFI ALIYA CROCKETT, Member BOBBY CATO, JR., Member DONALD ISAAC, SR., Member JAMES SHORT, Member REMA WAHABZADAH, Member
P-R-O-C-E-E-D-I-N-G-S

10:19 p.m.
CHAIRPERSON ANDERSON: I'm going to do the legal agenda.

And the first matter on the legal agenda is to review a request to store invoices offsite, the license number 113236. I make a motion that we approve this request. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: The matter passes 5-0-0.

The next matter is review of Agency 1B's request for a reinstatement of its protest in Wet Dog LLC, license number 096176. I make a motion that we deny this request. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All in favor, say aye. (Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0.
The next matter, review of Flavors of India/Marshall's Bar, petition to unilaterally amend or terminate settlement agreement. The license number is 091022. I make a motion that we placard this matter. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is review of AMC Theatres Mazza Gallerie 7, petition to unilaterally amend or terminate settlement agreement, license number 060040. I make a motion to placard this matter. Is there a second?

MEMBER SHORT: Second, sir.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0.
The next matter is review of Bukom Café's petition to unilaterally amend or terminate the settlement agreement, license number 026466. I make a motion to placard this matter. Is there a second?

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Cato seconds the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. We now move to our supplemental legal agenda. The first matter of supplemental legal agenda is the review of Shepherd Park Citizen's Association Motion to Dismiss Champion Kitchen's license for renewal application. I make a motion to deny this request. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is a review of Champion Kitchen's Opposition to Shepherd Parks Association Motion to Dismiss. This is now moot. The next matter is a review of Allen Tubis' request for reconsideration of the Board's decision not to issue him any future temporary license in Allen M. Tubis Giant Barbeque Battle, license number 113678. I make a motion that we deny this request. Is there a second?

MEMBER SHORT: Second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is review of settlement dated September 25, 2019 between Charles E. Smith and AMC 2A, the Charles E. Smith Center, license number 001070. I make a motion that we approve this request. Is there a second? MS. CROCKETT: Second.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is a review of Quilox's request for reinstatement of this new license application dated September 24, 2019, Quilox restaurant and Lounge, license number 114288. I make a motion that we approve this request. Is there a second?

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? Those opposed? The matter passes 4-1 with Ms. Crockett in opposition.

The next matter is review of Shepherd Park's Shepherd Parks Association opposition to Quilox's request for reinstatement, dated September 24, 2019. This matter is now moot.

The next matter is review of Group of Five or More's Motion, Opposition to Quilox's request for reinstatement, dated September 24, 2019. This matter is now moot.

The next matter on our agenda is review of concerns that Neighbors Inc. opposition to Quilox's request for reinstatement. This matter is now moot.

The next matter, review of Hotel Arboretum's request for reinstatement of its license, license number 082836. I make a motion that we approve this request. Is there a second?

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Short, or Mr. Cato, seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is review of the Park at 14th petition to unilaterally amend or terminate the settlement agreement. The Park at 14th license number is 075548. I make a motion that we placard this matter. Is there a second?

MS. CROCKETT: Second.
MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Cato and Ms. Crockett have seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter, review of Hawthorne's petition to unilaterally amend or terminate the settlement agreement, Hawthorne license number 099603. I make a motion that we placard this matter. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter, review of settlement agreement dated September 26, 2019, between ANC 2B and Sorellina, license number 112163. I make a motion that we approve with modifications. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter, review of amendment to the 2016 settlement agreement between 819 Upshur Street, LLC and Twisted Horn and ANC 4C, the establishment -- although I've known it, the establishment otherwise known as Dos Mamis, license number 098175. I make a motion that we approve this request. Is there a second?

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.
(Whereupon the above-entitled matter went off the record at 10:25 p.m., and resumed at 10:49 p.m.)

CHAIRPERSON ANDERSON: So, let's do our second supplemental legal agenda.

The first matter on our second supplemental legal agenda is the review of the Shepherd Park Citizens Association reply to Champion Kitchen's opposition to its Motion to

Dismiss in the Champion Kitchen renewal application. This matter is now moot.

The next matter is the review of Shepherd Park Citizens Association Motion to Strike or, in the alternative, Motion to Exclude Testimony and Evidence. The Board had -- I make a motion that we deny this request. Is there a second?

MEMBER SHORT: Second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is review of Quilox Restaurant and Lounge's response to the Protestant's opposition to its request for reinstatement, Quilox Restaurant and Lounge license number 114288. This matter is now moot. We now move to our licensing agenda. The first matter on our licensing agenda is to review application for safekeeping of license for Orchid, license number 107079. I make a motion that we grant this request through March 31,
2020. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is the request, request to extend safekeeping of license for Club Rendezvous, formerly, no location, license number 104924. I make a motion that we grant this request through March 31, 2020. Is there a second?

MEMBER CATO: Second.
MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Mr. Cato and Ms. Crockett have seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is review request to extend safekeeping of license for 1720 Club, license number 015251. I make a motion that we
grant this request through March 31, 2020. Is there a second?

MEMBER SHORT: Second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is review request to extend safekeeping of license for Capital Fringe, license number 097815. I make a motion that we grant this request through March 31, 2020. Is there a second?

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is the request to extend safekeeping of license for Meiwah Restaurant, license number 071154. I make a motion that we grant this request through

March 31, 2020. Is there a second?
MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review application for change of hours for the Avenue, license number 101007. I make a motion that we approve this request. Is there a second?

MS. CROCKETT: Second.
MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Ms. Crockett and Mr. Cato have seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed?
MEMBER SHORT: Opposed.
CHAIRPERSON ANDERSON: The matter passes 4-1 with Mr. Short in opposition.

The next matter on our schedule is the review of request to store alcoholic beverage inventory offsite at 2648 Connecticut Avenue, NW,
basement for sherries, wine and spirits, license number 086022. I make a motion that we approve this request. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review a letter from Heidi Arnold of the American Heart Association, requesting a non-profit corporation auction permit to auction off items containing alcoholic beverages, such as wine donations, as a Heart's Delight Foundation, to be held on May 1, 2020, from 6:30 to 1:00 a.m. at the Mellon Auditorium, 19-AUCTION-00001. I make a motion that we approve this request. Is there a second? MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0.
We now move to our supplemental licensing agenda.

The first matter on our supplemental licensing agenda is to request for temporary operating retail permit for 24 Hour Night \& Day Convenience Store, license number 115171. I make a motion that we approve this request. Is there a second?

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review request for temporary operating retail permit for Amsterdam Café Lounge, license number 115293. I make a motion that we approve this request. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review request to remove license from Safekeeping, to reopen under new ownership for S\&S Liquors, license number 072300/114978. I make a motion that we approve this request. Is there a second?

MEMBER SHORT: Second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review request for transfer of license, Part Barcode license number 082039. I make a motion that we have a fact-finding hearing. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0.
The next matter is to review
application for transfer of license for Ultrabar/Chroma, license number 074767. This matter is now moot because the ABC Board had a fact-finding hearing on this matter earlier this afternoon.

The next matter on our calendar, to review application for transfer of license for Cloakroom, license number 087875. I make a motion that we have a fact-finding hearing. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review request to extend rooftop summer garden seating from 25 to 75 for Ivy City Tavern, license number 093795. I make a motion that we approve this request. Is there a second?

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter on our agenda is to review request to remove tasting endorsement from license for Grocery Cash \& Carry, license number 100199. I make a motion that we approve this request. Is there a second?

MS. CROCKETT: Second.
MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Ms. Crockett and Mr. Cato have seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review request to withdraw application for class change to fullservice grocery store for wineandbutter, license number 112835. I make a motion that we approve this request to withdraw. Is there a second?

MS. CROCKETT: Second.

CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

We now move to our second supplemental licensing agenda. The first matter on this agenda is to review request for temporary operating retail permit for Vitis Fine Wine \& Spirits, license number 115327. I make a motion that we approve this request. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review architectural floor plan for new full-service grocery store for Grand Cata at La Cosecha, license number 113353. I make a motion that we placard this matter. Is there a second?

MEMBER CATO: Second.

CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

We now move to our third supplemental licensing agenda.

The first matter on our third supplemental licensing agenda is to review request to remove license from Safekeeping for immediate reopening Hotel Arboretum, license number 082836. I make a motion that we approve this request. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

The next matter is to review application for a stipulated licensee letter, ANC support to operate a new tavern, the Gold Room Bar/Lounge, license number 114757. I make a
motion to approve this request. Is there a second?

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

We now move to our cancellation agenda. The ABC Board will be canceling the following licenses for the reasons outlined below.

Masa 14, license number 081469. The licensee requests cancellation.

Rainbow Market, license number 090283. The licensee requests cancellation.

District Distilling Company, license number 098271. The license was in safekeeping. The licensee requests cancellation.

I make a motion that ABC Board cancels the license for the establishments that are listed on the cancellation agenda for October 2, 2019. Is there a second?

MS. CROCKETT: Second.

MEMBER CATO: Second.
CHAIRPERSON ANDERSON: Ms. Crockett and Mr. Cato have seconded the motion. All those in favor, say aye.
(Chorus of aye.)
CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0.

As Chairperson of the Alcoholic Beverage and Control Board for the District of Columbia, in accordance with DC Official Code Section 2574(b) of the Open Meetings Act, I move that the ABC Board hold a closed meeting on October 9, 2019 for the purpose of seeking legal advice from our counsel on the matters identified, on the Board's legal licensing and investigative agenda for October 9, 2019, as published in the DC Register on October 4, 2019. Is there a second?

MS. CROCKETT: Second.
CHAIRPERSON ANDERSON: Ms. Crockett has seconded the motion. I will now take a roll call motion before us now that it has been seconded. Ms. Crockett?

MS. CROCKETT: Agreed.
CHAIRPERSON ANDERSON: Mr. Cato?

MEMBER CATO: I agree.
CHAIRPERSON ANDERSON: Mr. Short?
MEMBER SHORT: I agree.
CHAIRPERSON ANDERSON: Ms. Wahabzadah? MEMBER WAHABZADAH: I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. As it appears that the motion has passed. I hereby give notice that the ABC Board will hold this closed meeting. Pursuant to the Open Meetings Act, notice will also be posted on the ABC Board hearing room bulletin board, placed on the electronic calendar on ABRA's website, and published in the DC Register, in as timely a manner as practical.

It is 11:02 p.m. and we are adjourned for the day. Thank you very much.
(Whereupon the above-entitled matter went off the record at 11:01 p.m.)

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Neal R. Gross and Co., Inc. Washington DC

This is to certify that the foregoing transcript

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Before: DCABRA

Date: 10-02-19

Place: Washington, DC
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