### DISTRICT OF COLUMBIA

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# ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + + MEETING

IN THE MATTER OF:

:

Cancellation Agenda
Legal Agenda
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

1	P-R-O-C-E-E-D-I-N-G-S
2	10:19 p.m.
3	CHAIRPERSON ANDERSON: I'm going to do
4	the legal agenda.
5	And the first matter on the legal
6	agenda is to review a request to store invoices
7	offsite, the license number 113236. I make a
8	motion that we approve this request. Is there a
9	second?
10	MS. CROCKETT: Second.
11	CHAIRPERSON ANDERSON: Ms. Crockett
12	has seconded the motion. All in favor, say aye.
13	(Chorus of aye.)
14	CHAIRPERSON ANDERSON: The matter
15	passes 5-0-0.
16	The next matter is review of
17	Agency 1B's request for a reinstatement of its
18	protest in Wet Dog LLC, license number 096176. I
19	make a motion that we deny this request. Is
20	there a second?
21	MS. CROCKETT: Second.
22	CHAIRPERSON ANDERSON: Ms. Crockett
23	has seconded the motion. All in favor, say aye.
24	(Chorus of aye.)
25	CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0. 1 The next matter, review of Flavors of 2 3 India/Marshall's Bar, petition to unilaterally 4 amend or terminate settlement agreement. The 5 license number is 091022. I make a motion that we placard this matter. Is there a second? 6 7 MS. CROCKETT: Second. CHAIRPERSON ANDERSON: Ms. Crockett 8 9 has seconded the motion. All those in favor, say 10 aye. 11 (Chorus of aye.) 12 CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. 13 The next matter is review of AMC 14 15 Theatres Mazza Gallerie 7, petition to unilaterally amend or terminate settlement 16 17 agreement, license number 060040. I make a 18 motion to placard this matter. Is there a 19 second? 20 MEMBER SHORT: Second, sir. 21 CHAIRPERSON ANDERSON: Mr. Short has 22 seconded the motion. All those in favor, say 23 aye. 24 (Chorus of aye.) 25 CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0. 1 The next matter is review of Bukom 2 3 Café's petition to unilaterally amend or 4 terminate the settlement agreement, license 5 number 026466. I make a motion to placard this matter. Is there a second? 6 7 MEMBER CATO: Second. 8 CHAIRPERSON ANDERSON: Mr. Cato seconds the motion. All those in favor, say aye. 9 10 (Chorus of aye.) 11 CHAIRPERSON ANDERSON: Those opposed? 12 The matter passes 5-0-0. We now move to our supplemental legal agenda. The first matter of 13 14 supplemental legal agenda is the review of 15 Shepherd Park Citizen's Association Motion to Dismiss Champion Kitchen's license for renewal 16 17 I make a motion to deny this application. 18 request. Is there a second? 19 MS. CROCKETT: Second. 20 CHAIRPERSON ANDERSON: Ms. Crockett 21 has seconded the motion. All those in favor, say 22 aye. 23 (Chorus of aye.) 24 CHAIRPERSON ANDERSON: Those opposed? 25 The matter passes 5-0-0.

The next matter is a review of 1 2 Champion Kitchen's Opposition to Shepherd Parks 3 Association Motion to Dismiss. This is now moot. The next matter is a review of Allen 4 5 Tubis' request for reconsideration of the Board's 6 decision not to issue him any future temporary 7 license in Allen M. Tubis Giant Barbeque Battle, license number 113678. I make a motion that we 8 9 deny this request. Is there a second? 10 MEMBER SHORT: Second. 11 CHAIRPERSON ANDERSON: Mr. Short has 12 seconded the motion. All those in favor, say 13 aye. 14 (Chorus of aye.) 15 CHAIRPERSON ANDERSON: Those opposed? 16 The matter passes 5-0-0. 17 The next matter is review of settlement dated September 25, 2019 between 18 19 Charles E. Smith and AMC 2A, the Charles E. Smith Center, license number 001070. I make a motion 20 21 that we approve this request. Is there a second? 22 MS. CROCKETT: Second. 23 CHAIRPERSON ANDERSON: Ms. Crockett 24 has seconded the motion. All those in favor, say 25

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.

1 The next matter on our agenda is 2 review of concerns that Neighbors Inc. opposition 3 to Quilox's request for reinstatement. This 4 matter is now moot. 5 The next matter, review of Hotel Arboretum's request for reinstatement of its 6 7 license, license number 082836. I make a motion 8 that we approve this request. Is there a second? 9 MEMBER CATO: Second. 10 CHAIRPERSON ANDERSON: Mr. Short, or 11 Mr. Cato, seconded the motion. All those in 12 favor, say aye. 13 (Chorus of aye.) 14 CHAIRPERSON ANDERSON: Those opposed? 15 The matter passes 5-0-0. The next matter is review of the Park 16 17 at 14th petition to unilaterally amend or 18 terminate the settlement agreement. The Park at 19 14th license number is 075548. I make a motion 20 that we placard this matter. Is there a second? 21 MS. CROCKETT: Second. 22 MEMBER CATO: Second. 23 CHAIRPERSON ANDERSON: Mr. Cato and 24 Ms. Crockett have seconded the motion. All those 25 in favor, say aye.

_	(Chorus of aye.)
2	CHAIRPERSON ANDERSON: Those opposed?
3	The matter passes 5-0-0.
4	The next matter, review of Hawthorne's
5	petition to unilaterally amend or terminate the
6	settlement agreement, Hawthorne license
7	number 099603. I make a motion that we placard
8	this matter. Is there a second?
9	MS. CROCKETT: Second.
10	CHAIRPERSON ANDERSON: Ms. Crockett
11	has seconded the motion. All those in favor, say
12	aye.
13	(Chorus of aye.)
14	CHAIRPERSON ANDERSON: Those opposed?
15	The matter passes 5-0-0.
16	The next matter, review of settlement
17	agreement dated September 26, 2019, between
18	ANC 2B and Sorellina, license number 112163. I
19	make a motion that we approve with modifications.
20	Is there a second?
21	MS. CROCKETT: Second.
22	CHAIRPERSON ANDERSON: Ms. Crockett
23	has seconded the motion. All those in favor, say
24	aye.
25	(Chorus of aye.)

1 CHAIRPERSON ANDERSON: Those opposed? 2 The matter passes 5-0-0. 3 The next matter, review of amendment 4 to the 2016 settlement agreement between 5 819 Upshur Street, LLC and Twisted Horn and ANC 4C, the establishment -- although I've known 6 7 it, the establishment otherwise known as Dos 8 Mamis, license number 098175. I make a motion 9 that we approve this request. Is there a second? 10 MEMBER CATO: Second. 11 CHAIRPERSON ANDERSON: Mr. Cato has 12 seconded the motion. All those in favor, say 13 aye. 14 (Chorus of aye.) 15 CHAIRPERSON ANDERSON: Those opposed? 16 The matter passes 5-0-0. 17 (Whereupon the above-entitled matter 18 went off the record at 10:25 p.m., and 19 resumed at 10:49 p.m.) 20 CHAIRPERSON ANDERSON: So, let's do 21 our second supplemental legal agenda. 22 The first matter on our second 23 supplemental legal agenda is the review of the 24 Shepherd Park Citizens Association reply to 25 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,

2	
2	MS. CROCKETT: Second.
5	CHAIRPERSON ANDERSON: Ms. Crockett
4	has seconded the motion. All those in favor, say
5	aye.
6	(Chorus of aye.)
7	CHAIRPERSON ANDERSON: Those opposed?
8	The matter passes 5-0-0.
9	The next matter is the request,
10	request to extend safekeeping of license for Club
11	Rendezvous, formerly, no location, license
12	number 104924. I make a motion that we grant
13	this request through March 31, 2020. Is there a
14	second?
15	MEMBER CATO: Second.
16	MS. CROCKETT: Second.
17	CHAIRPERSON ANDERSON: Mr. Cato and
18	Ms. Crockett have seconded the motion. All those
	in favor, say aye.
19	
19 20	(Chorus of aye.)
	(Chorus of aye.) CHAIRPERSON ANDERSON: Those opposed?
20	
20 21	CHAIRPERSON ANDERSON: Those opposed?
20 21 22	CHAIRPERSON ANDERSON: Those opposed?  The matter passes 5-0-0.

grant this request through March 31, 2020. 1 2 there a second? 3 MEMBER SHORT: Second. CHAIRPERSON ANDERSON: Mr. Short has 4 5 seconded the motion. All those in favor, say 6 aye. 7 (Chorus of aye.) 8 CHAIRPERSON ANDERSON: Those opposed? 9 The matter passes 5-0-0. The next matter is review request to 10 11 extend safekeeping of license for Capital Fringe, 12 license number 097815. I make a motion that we 13 grant this request through March 31, 2020. 14 there a second? 15 MEMBER CATO: Second. 16 CHAIRPERSON ANDERSON: Mr. Cato has 17 seconded the motion. All those in favor, say 18 aye. 19 (Chorus of aye.) 20 CHAIRPERSON ANDERSON: Those opposed? 21 The matter passes 5-0-0. 22 The next matter is the request to extend safekeeping of license for Meiwah 23 24 Restaurant, license number 071154. I make a 25 motion that we grant this request through

1	March 31, 2020. Is there a second?
2	MS. CROCKETT: Second.
3	CHAIRPERSON ANDERSON: Ms. Crockett
4	has seconded the motion. All those in favor, say
5	aye.
6	(Chorus of aye.)
7	CHAIRPERSON ANDERSON: Those opposed?
8	The matter passes 5-0-0.
9	The next matter is to review
10	application for change of hours for the Avenue,
11	license number 101007. I make a motion that we
12	approve this request. Is there a second?
13	MS. CROCKETT: Second.
14	MEMBER CATO: Second.
15	CHAIRPERSON ANDERSON: Ms. Crockett
16	and Mr. Cato have seconded the motion. All those
17	in favor, say aye.
18	(Chorus of aye.)
19	CHAIRPERSON ANDERSON: Those opposed?
20	MEMBER SHORT: Opposed.
21	CHAIRPERSON ANDERSON: The matter
22	passes 4-1 with Mr. Short in opposition.
23	The next matter on our schedule is the
24	review of request to store alcoholic beverage
25	inventory offsite at 2648 Connecticut Avenue, NW,

basement for sherries, wine and spirits, license 1 I make a motion that we approve 2 number 086022. 3 this request. Is there a second? 4 MS. CROCKETT: Second. CHAIRPERSON ANDERSON: Ms. Crockett 5 has seconded the motion. All those in favor, say 6 7 aye. 8 (Chorus of aye.) 9 CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. 10 11 The next matter is to review a letter 12 from Heidi Arnold of the American Heart 13 Association, requesting a non-profit corporation 14 auction permit to auction off items containing 15 alcoholic beverages, such as wine donations, as a 16 Heart's Delight Foundation, to be held on May 1, 17 2020, from 6:30 to 1:00 a.m. at the Mellon Auditorium, 19-AUCTION-00001. 18 I make a motion 19 that we approve this request. Is there a second? 20 MEMBER SHORT: Second. 21 CHAIRPERSON ANDERSON: Mr. Short has 22 seconded the motion. All those in favor, say 23 aye. 24 (Chorus of aye.) 25 CHAIRPERSON ANDERSON: Those opposed?

The matter passes 5-0-0. 1 2 We now move to our supplemental licensing agenda. 3 4 The first matter on our supplemental 5 licensing agenda is to request for temporary 6 operating retail permit for 24 Hour Night & Day 7 Convenience Store, license number 115171. I make 8 a motion that we approve this request. Is there 9 a second? 10 MEMBER CATO: Second. 11 CHAIRPERSON ANDERSON: Mr. Cato has 12 seconded the motion. All those in favor, say 13 aye. 14 (Chorus of aye.) 15 CHAIRPERSON ANDERSON: Those opposed? 16 The matter passes 5-0-0. 17 The next matter is to review request 18 for temporary operating retail permit for 19 Amsterdam Café Lounge, license number 115293. Ι 20 make a motion that we approve this request. 21 there a second? 22 MS. CROCKETT: Second. 23 CHAIRPERSON ANDERSON: Ms. Crockett 24 has seconded the motion. All those in favor, say 25 aye.

1	(Chorus of aye.)
2	CHAIRPERSON ANDERSON: Those opposed?
3	The matter passes 5-0-0.
4	The next matter is to review request
5	to remove license from Safekeeping, to reopen
6	under new ownership for S&S Liquors, license
7	number 072300/114978. I make a motion that we
8	approve this request. Is there a second?
9	MEMBER SHORT: Second.
10	CHAIRPERSON ANDERSON: Mr. Short has
11	seconded the motion. All those in favor, say
12	aye.
13	(Chorus of aye.)
14	CHAIRPERSON ANDERSON: Those opposed?
15	The matter passes 5-0-0.
16	The next matter is to review request
17	for transfer of license, Part Barcode license
18	number 082039. I make a motion that we have a
19	fact-finding hearing. Is there a second?
20	MS. CROCKETT: Second.
21	CHAIRPERSON ANDERSON: Ms. Crockett
22	has seconded the motion. All those in favor, say
23	aye.
24	(Chorus of aye.)
25	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 1 2 seconded the motion. All those in favor, say 3 aye. 4 (Chorus of aye.) 5 CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. 6 7 The next matter on our agenda is to review request to remove tasting endorsement from 8 9 license for Grocery Cash & Carry, license number 100199. I make a motion that we approve 10 11 this request. Is there a second? 12 MS. CROCKETT: Second. 13 MEMBER CATO: Second. 14 CHAIRPERSON ANDERSON: Ms. Crockett 15 and Mr. Cato have seconded the motion. All those 16 in favor, say aye. 17 (Chorus of aye.) 18 CHAIRPERSON ANDERSON: Those opposed? 19 The matter passes 5-0-0. 20 The next matter is to review request 21 to withdraw application for class change to full-22 service grocery store for wineandbutter, license 23 number 112835. I make a motion that we approve 24 this request to withdraw. Is there a second? 25 MS. CROCKETT: Second.

CHAIRPERSON ANDERSON: Ms. Crockett 1 has seconded the motion. All those in favor, say 2 3 aye. 4 (Chorus of aye.) 5 CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. 6 7 We now move to our second supplemental licensing agenda. The first matter on this 8 9 agenda is to review request for temporary operating retail permit for Vitis Fine Wine & 10 11 Spirits, license number 115327. I make a motion 12 that we approve this request. Is there a second? 13 MS. CROCKETT: Second. 14 CHAIRPERSON ANDERSON: Ms. Crockett 15 has seconded the motion. All those in favor, say 16 aye. 17 (Chorus of aye.) 18 CHAIRPERSON ANDERSON: Those opposed? 19 The matter passes 5-0-0. The next matter is to review 20 21 architectural floor plan for new full-service 22 grocery store for Grand Cata at La Cosecha, 23 license number 113353. I make a motion that we 24 placard this matter. Is there a second? 25 MEMBER CATO: Second.

CHAIRPERSON ANDERSON: Mr. Cato has 1 2 seconded the motion. All those in favor, say 3 aye. 4 (Chorus of aye.) 5 CHAIRPERSON ANDERSON: Those opposed? The matter passes 5-0-0. 6 7 We now move to our third supplemental licensing agenda. 8 9 The first matter on our third 10 supplemental licensing agenda is to review 11 request to remove license from Safekeeping for 12 immediate reopening Hotel Arboretum, license 13 number 082836. I make a motion that we approve 14 this request. Is there a second? 15 MS. CROCKETT: Second. CHAIRPERSON ANDERSON: Ms. Crockett 16 17 has seconded the motion. All those in favor, say 18 aye. 19 (Chorus of aye.) 20 CHAIRPERSON ANDERSON: Those opposed? 21 The matter passes 5-0-0. 22 The next matter is to review 23 application for a stipulated licensee letter, ANC 24 support to operate a new tavern, the Gold Room 25 Bar/Lounge, license number 114757. I make a

1	motion to approve this request. Is there a
2	second?
3	MEMBER CATO: Second.
4	CHAIRPERSON ANDERSON: Mr. Cato has
5	seconded the motion. All those in favor, say
6	aye.
7	(Chorus of aye.)
8	CHAIRPERSON ANDERSON: Those opposed?
9	The matter passes 5-0-0.
10	We now move to our cancellation
11	agenda. The ABC Board will be canceling the
12	following licenses for the reasons outlined
13	below.
14	Masa 14, license number 081469. The
15	licensee requests cancellation.
16	Rainbow Market, license number 090283.
17	The licensee requests cancellation.
18	District Distilling Company, license
19	number 098271. The license was in safekeeping.
20	The licensee requests cancellation.
21	I make a motion that ABC Board cancels
22	the license for the establishments that are
23	listed on the cancellation agenda for October 2,
24	2019. Is there a second?

MEMBER CATO: 1 Second. 2 CHAIRPERSON ANDERSON: Ms. Crockett 3 and Mr. Cato have seconded the motion. All those 4 in favor, say aye. 5 (Chorus of aye.) CHAIRPERSON ANDERSON: Those opposed? 6 7 The matter passes 5-0-0. As Chairperson of the Alcoholic 8 9 Beverage and Control Board for the District of Columbia, in accordance with DC Official Code 10 11 Section 2574(b) of the Open Meetings Act, I move 12 that the ABC Board hold a closed meeting on October 9, 2019 for the purpose of seeking legal 13 14 advice from our counsel on the matters 15 identified, on the Board's legal licensing and 16 investigative agenda for October 9, 2019, as 17 published in the DC Register on October 4, 2019. Is there a second? 18 19 MS. CROCKETT: Second. 20 CHAIRPERSON ANDERSON: Ms. Crockett 21 has seconded the motion. I will now take a roll 22 call motion before us now that it has been 23 seconded. Ms. Crockett? 24 MS. CROCKETT: Agreed. 25 CHAIRPERSON ANDERSON: Mr. Cato?

1 MEMBER CATO: I agree. 2 CHAIRPERSON ANDERSON: Mr. Short? 3 MEMBER SHORT: I agree. 4 CHAIRPERSON ANDERSON: Ms. Wahabzadah? 5 MEMBER WAHABZADAH: I agree. CHAIRPERSON ANDERSON: Mr. Anderson, 6 7 As it appears that the motion has I hereby give notice that the ABC Board 8 passed. 9 will hold this closed meeting. Pursuant to the 10 Open Meetings Act, notice will also be posted on 11 the ABC Board hearing room bulletin board, placed 12 on the electronic calendar on ABRA's website, and 13 published in the DC Register, in as timely a 14 manner as practical. 15 It is 11:02 p.m. and we are adjourned 16 for the day. Thank you very much. 17 (Whereupon the above-entitled matter 18 went off the record at 11:01 p.m.) 19 20 21 22 23 24 25

# Α a.m 14:17 **ABC** 17:5 21:11,21 22:12 23:8.11 above-entitled 9:17 23:17 **ABRA's** 23:12 Act 22:11 23:10 adjourned 23:15 advice 22:14 afternoon 17:7 Agency 2:17 agenda 1:6,6,7 2:4,6 4:13,14 7:1 9:21,23 10:21,22 15:3,5 18:7 19:8.9 20:8.10 21:11 21:23 22:16 agree 23:1,3,5,7 Agreed 22:24 agreement 3:4,17 4:4 7:18 8:6,17 9:4 alcoholic 1:2,11,11 13:24 14:15 22:8 **ALIYA** 1:16 **Allen** 5:4,7 alternative 10:5 **AMC** 3:14 5:19 amend 3:4,16 4:3 7:17 8:5 amendment 9:3 American 14:12 Amsterdam 15:19 **ANC** 8:18 9:6 20:23 **Anderson** 1:13,15 2:3 2:11,14,22,25 3:8,12 3:21,25 4:8,11,20,24 5:11,15,23 6:2,11,15 7:10,14,23 8:2,10,14 8:22 9:1,11,15,20 10:10,14 11:3,7,17,21 12:4,8,16,20 13:3,7 13:15,19,21 14:5,9,21 14:25 15:11,15,23 16:2,10,14,21,25 17:14,18 18:1,5,14,18 19:1,5,14,18 20:1,5 20:16,20 21:4,8 22:2 22:6,20,25 23:2,4,6,6 appears 23:7 application 4:17 6:6 10:2,23 13:10 17:3,9 18:21 20:23 approve 2:8 5:21 6:8 7:8 8:19 9:9 13:12 14:2,19 15:8,20 16:8 17:23 18:10,23 19:12 20:13 21:1

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# <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: Agenda

Before: DCABRA

Date: 10-02-19

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

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