

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 Cancellation Agenda :
 Legal Agenda :
 Licensing Agenda :
 :

Wednesday
 October 9, 2018

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
 JAMES SHORT, Member

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

4:12 p.m.

1
2
3 CHAIRPERSON ANDERSON: All right,
4 let's do the, let's do our legal agenda. The
5 first matter on our legal agenda is the Review of
6 Settlement Agreement dated September 12, 2019
7 between ANC 6A and Montana Liquors, License No.
8 097473. I make a motion that we approve this
9 with modifications. Is there a second?

10 MEMBER CROCKETT: Second.

11 CHAIRPERSON ANDERSON: Ms. Crockett
12 has seconded the motion. All those in favor say
13 aye.

14 (Chorus of ayes.)

15 CHAIRPERSON ANDERSON: All opposed?
16 The matter passed 4-0-0.

17 The next matter is the Review of
18 Settlement Agreement dated September 13, 2019
19 between ANC 6A and the Gold Room Bar Lounge,
20 License No. 114757. I make a motion that we
21 approve this request. Is there a second?

22 MEMBER CATO: Second.

23 CHAIRPERSON ANDERSON: Mr. Cato has
24 seconded the motion. All those in favor say aye.

25 (Chorus of ayes.)_

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passed 4-0-0.

3 We now move to our supplementary legal
4 agenda. The first matter on our supplementary
5 legal agenda is the Review of Settlement
6 Agreement dated September 19, 2019 between ANC 1B
7 and Mama San, License No. 114205. I make a
8 motion that we approve this agreement with
9 modifications. Is there a second?

10 MEMBER CROCKETT: Second.

11 CHAIRPERSON ANDERSON: Ms. Crockett
12 has seconded the motion. All those in favor say
13 aye.

14 (Chorus of ayes.)

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passed 4-0-0.

17 The next matter is the Review of
18 Settlement Agreement dated October 4, 2019
19 between ANC 1B and Lyve at U, License No. 114773.
20 I make a motion that we approve this agreement
21 with modifications. Is there a second?

22 MEMBER CATO: Second.

23 CHAIRPERSON ANDERSON: Mr. Cato has
24 seconded the motion. All those in favor say aye.

25 (Chorus of ayes.)

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passed 4-0-0.

3 The next matter is a Review of ANC
4 4D's opposition to Macombo Lounge motion for a
5 Declaratory Order temporary exempting the license
6 from the license renewal and safekeeping
7 extension request requirements. Or in the
8 alternative, for an order extending the license
9 renewal and extending extension of safekeeping
10 time lines Macombo Lounge License No. 000771.
11 This is an FYI for the Board.

12 The next matter is the Review of the
13 Residents of the 1100 block of Jefferson Street,
14 NW opposition to an extension of Macombo Lounge's
15 License in Safekeeping, Macombo Lounge License
16 No. 000771. This is also an FYI for the Board.

17 We now move to our second supplemental
18 legal agenda. The first matter on our second
19 supplemental legal agenda is a Review of ANC 4A's
20 request that the Board grandfather in their
21 previously submitted protest petition of Deset
22 Ethiopian Restaurant's license renewal
23 application, License No. 098818.

24 I make a motion that we approve this
25 request, is there a second?

1 MEMBER CROCKETT: Second.

2 CHAIRPERSON ANDERSON: Ms. Crockett
3 has seconded the motion, all those in favor say
4 aye.

5 (Chorus of ayes.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passed 4-0-0.

8 We now move to our licensing agenda.
9 The first matter on our licensing agenda is a
10 Review Application for Safekeeping of License for
11 St. Arnold's Muscle Bar, Cleveland Park, License
12 No. 088441. I make a motion that we grant this
13 request through March 31, 2020. Is there a
14 second?

15 MEMBER CATO: Second.

16 CHAIRPERSON ANDERSON: Mr. Cato has
17 seconded the motion. All those in favor say aye.

18 (Chorus of ayes.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passed 4-0-0.

21 The next matter is a Review Request to
22 Extend Safekeeping of License for Skylark Lounge,
23 License No. 090611. I make a motion that we
24 approve this request through March 31, 2020. Is
25 there a second?

1 MEMBER SHORT: Second.

2 CHAIRPERSON ANDERSON: Mr. Short has
3 seconded the motion. All those in favor say aye.

4 (Chorus of ayes.)

5 CHAIRPERSON ANDERSON: Those opposed?
6 The matter passed 4-0-0.

7 The next matter is a Review Request to
8 Extend Safekeeping of License for SLK 6, LLC,
9 License No. 108135. I make a motion that we
10 grant this request through March 31, 2020. Is
11 there a second?

12 MEMBER CROCKETT: Second.

13 CHAIRPERSON ANDERSON: Ms. Crockett
14 has seconded the motion. All those in favor say
15 aye.

16 (Chorus of ayes.)

17 CHAIRPERSON ANDERSON: Those opposed?
18 The matter passed 4-0-0.

19 The next matter is Review Request to
20 Extend Safekeeping of License Rhino Investments
21 LLC, License No. 099467. I make a motion that we
22 have a fact-finding hearing on this matter. Is
23 there a second?

24 MEMBER CROCKETT: Second.

25 CHAIRPERSON ANDERSON: Ms. Crockett

1 has seconded the motion. All those in favor say
2 aye.

3 (Chorus of ayes.)

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

6 The next matter is a Review Request to
7 Extend Safekeeping of License, Rodman's Discount
8 Spirits, License No. 108215. I make a motion
9 that we grant this request through March 31,
10 2020. Is there a second?

11 MEMBER CATO: Second.

12 CHAIRPERSON ANDERSON: Mr. Cato has
13 seconded the motion. All those in favor say aye.

14 (Chorus of ayes.)

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passed 4-0-0.

17 The next matter on our agenda is a
18 Review Request to Extend Safekeeping of License
19 for 525 8th St., LLC, License No. 109404. I make
20 a motion that we grant this request through March
21 31, 2020. Is there a second?

22 MEMBER CATO: Mr. Cato and Ms.
23 Crockett have seconded the motion. All those in
24 favor say aye.

25 (Chorus of ayes.)

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passed 4-0-0.

3 The next matter is a Review Request to
4 Extend Safekeeping of License for Liberte,
5 License No. 109012. I make a motion that we
6 grant this request through March 31, 2020. Is
7 there a second?

8 MEMBER SHORT: Second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion. All those in favor say aye.

11 (Chorus of ayes.)

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passed 4-0-0.

14 The next matter is a Review Request to
15 Extend Safekeeping of License for Super Liquors,
16 License No. 079241. I make a motion that we
17 grant this request through March 31, 2020. Is
18 there a second?

19 MEMBER CROCKETT: Second.

20 CHAIRPERSON ANDERSON: Ms. Crockett
21 has seconded the motion. All those in favor say
22 aye.

23 (Chorus of ayes.)

24 CHAIRPERSON ANDERSON: Those opposed?
25 The matter passed 4-0-0.

1 The next matter is a review request to
2 Extend Safekeeping of License for
3 Sterling/Gunson, LLC, License No. 111806. I make
4 a motion that we grant this request through March
5 31, 2020. Is there a second?

6 MEMBER CROCKETT: Second.

7 CHAIRPERSON ANDERSON: Ms. Crockett
8 has seconded the motion. All those in favor say
9 aye.

10 (Chorus of ayes.)

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passed 4-0-0.

13 The next matter is a Review Request
14 for Change of Hours for Mart Liquors, License No.
15 108836. I make a motion that we approve this
16 request. Is there a second?

17 MEMBER CROCKETT: Second.

18 CHAIRPERSON ANDERSON: Ms. Crockett
19 has seconded the motion. All those in favor say
20 aye.

21 (Chorus of ayes.)

22 CHAIRPERSON ANDERSON: Those opposed?
23 The matter passed 4-0-0.

24 The next matter is a Review Request
25 for approval to provide a gift of Nat Geo Nights

1 tickets that does not exceed 500 in value to
2 licensed DC Retailers from Breakthru Beverage,
3 License No. 060518. I make a motion that we
4 approve this request. Is there a second?

5 MEMBER CATO: Second.

6 CHAIRPERSON ANDERSON: Mr. Cato has
7 seconded the motion. All those in favor say aye.
8 (Chorus of ayes.)

9 CHAIRPERSON ANDERSON: Those opposed?
10 The matter passed 4-0-0.

11 The next matter is a Review Request
12 for approval to provide a gift of Bentzen Ball
13 tickets that doesn't exceed 500 in value to
14 various DC Retailers from Breakthru Beverage,
15 License No. 060518. I make a motion that we
16 approve this request. Is there a second?

17 MEMBER CATO: Second.

18 CHAIRPERSON ANDERSON: Mr. Cato has
19 seconded the motion. All those in favor say aye.
20 (Chorus of ayes.)

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passed 4-0-0.

23 The next matter is a Review Request
24 for approval to provide a gift of National Museum
25 of Women in the Arts tickets that does not exceed

1 \$500 in value to various licensed DC retailers.
2 The request has been made by Breakthru Beverage,
3 License No. 060518. I make a motion that we
4 approve this request. Is there a second?

5 MEMBER CROCKETT: Second.

6 CHAIRPERSON ANDERSON: Ms. Crockett
7 and Mr. Cato seconded the motion. All those in
8 favor say aye.

9 (Chorus of ayes.)

10 CHAIRPERSON ANDERSON: Those opposed?
11 The matter passed 4-0-0.

12 The next matter is the Review Request
13 for approval to provide a gift of National
14 Geographic Trivia Night tickets that does not
15 exceed \$500 in value to various licensed DC
16 retailers from Breakthru Beverage, License No.
17 060518. I make a motion that we approve this
18 request. Is there a second?

19 MEMBER CATO: Second.

20 CHAIRPERSON ANDERSON: Mr. Cato has
21 seconded the motion. All those in favor say aye.

22 (Chorus of ayes.)

23 CHAIRPERSON ANDERSON: Those opposed?
24 The matter passed 4-0-0.

25 The next matter is a Review Request

1 for approval to provide a gift of Metro Cooking
2 DC event tickets that does not exceed \$500 in
3 value to various licensed DC retailers. There is
4 a, request has been made by Breakthru Beverage,
5 License No. 060518. I make a motion that we
6 approve this request. Is there a second?

7 MEMBER CROCKETT: Second.

8 CHAIRPERSON ANDERSON: Ms. Crockett
9 has seconded the motion. All those in favor say
10 aye.

11 (Chorus of ayes.)

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passed 4-0-0.

14 The next matter is a review request
15 for approval to provide a gift of National
16 Geographic Trivia Night tickets that does not
17 exceed \$500 in value to various licensed DC
18 retailers, Breakthru Beverage, License No.
19 060518. I make a motion that we approve this
20 request. Is there a second?

21 MEMBER CROCKETT: Second

22 CHAIRPERSON ANDERSON: Ms. Crockett
23 has seconded the motion. All those in favor say
24 aye.

25 (Chorus of ayes.)

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passed 4-0-0.

3 We now move to our supplemental
4 licensing agenda. The first matter on our
5 supplemental license agenda is a Review Request
6 to Remove License from Safekeeping immediately
7 for The Basement, License No. 113535. I make a
8 motion that we approve this request. Is there a
9 second?

10 MEMBER CROCKETT: Second.

11 CHAIRPERSON ANDERSON: Ms. Crockett
12 has seconded the motion. All those in favor say
13 aye.

14 (Chorus of ayes.)

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passed 3-0-0.

17 CHAIRPERSON ANDERSON: The next matter
18 is a Review Request to Remove License from
19 Safekeeping immediately Makan, License No.
20 113518. I make a motion that we approve this
21 request. Is there a second?

22 MEMBER CROCKETT: Second.

23 CHAIRPERSON ANDERSON: Ms. Crockett
24 has seconded the motion. All those in favor say
25 aye.

1 (Chorus of ayes.)

2 CHAIRPERSON ANDERSON: Those opposed?

3 The matter passed 3-0-0.

4 The next matter is a Review
5 Architectural Floor Plan for New Full-Service
6 Grocery Walmart #3035, License No. 109874. I
7 make a motion that we approve and placard this
8 matter. Is there a second?

9 MEMBER CATO: Second.

10 CHAIRPERSON ANDERSON: Mr. Cato has
11 seconded the motion. All those in favor say aye.

12 (Chorus of ayes.)

13 CHAIRPERSON ANDERSON: All those
14 opposed? The matter passed 3-0-0.

15 The next matter is a Review Request to
16 waive late fees for a license renewal, Ocean
17 Lounge, License No. 106194. I make a motion that
18 we deny this request. Is there a second?

19 MEMBER CROCKETT: Second.

20 CHAIRPERSON ANDERSON: Ms. Crockett
21 has seconded the motion. All those in favor say
22 aye.

23 (Chorus of ayes.)

24 CHAIRPERSON ANDERSON: Those opposed?

25 The matter passed 3-0-0.

1 The next matter is the Review Request
2 to withdraw transfer application Barcode, License
3 No. 082039. I make a motion that we approve this
4 request. Is there a second?

5 MR. CATO: Second.

6 CHAIRPERSON ANDERSON: Mr. Cato and
7 Ms. Crockett have seconded the motion. All those
8 in favor say aye.

9 (Chorus of ayes.)

10 CHAIRPERSON ANDERSON: Those opposed?
11 The matter passed 3-0-0.

12 We now move to our cancellation
13 agenda. The ABC Board will be cancelling the
14 following license for the reasons outlined below:
15 Buffalo Billiards, License No. 020480. The
16 licensee requests cancellation.

17 Seoul Spice, License No. 101493. The
18 licensee requests cancellation.

19 NDC Emery Park JV, LLC, License No.
20 109938. The licensee requests cancellation.

21 I therefore make a motion that the ABC
22 Board cancel the license of the establishments
23 that are listed on the October 9, 2019
24 cancellation agenda. Is there a second?

25 MEMBER CROCKETT: Second.

1 CHAIRPERSON ANDERSON: Ms. Crockett
2 has seconded the motion. All those in favor say
3 aye.

4 (Chorus of ayes.)

5 CHAIRPERSON ANDERSON: Those opposed?
6 The matter passed 4-0-0.

7 As Chairperson of the Alcoholic
8 Beverage Control Board for the District of
9 Columbia and in accordance with DC Official Code
10 Section 2574(b) of the Open Meetings Act, I move
11 that ABC Board hold a closed meeting on October
12 23, 2019 for the purpose of seeking legal advice
13 from our counsel on the matters identified on the
14 Board's legal licensing and investigative agenda
15 for October 23, 2019, as published in the DC
16 Register on October 11, 2019. Is there a second?

17 MEMBER CROCKETT: Second.

18 CHAIRPERSON ANDERSON: Ms. Crockett
19 has seconded the motion. I will now take a roll
20 call vote on the motion that is before us now
21 that is has been seconded. Ms. Crockett?

22 MEMBER CROCKETT: Agreed.

23 CHAIRPERSON ANDERSON: Mr. Cato?

24 MEMBER CATO: I agree.

25 CHAIRPERSON ANDERSON: Mr. Short?

1 MEMBER SHORT: I agree.

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

11 It is 4:27 p.m., and we're adjourned
12 for the day. Thank you.

13 (Whereupon, the above-entitled matter
14 went off the record at 4:26 p.m.)

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A	B	C	D
<p>ABC 15:13,21 16:11 17:4,7 above-entitled 17:13 ABRA's 17:8 Act 16:10 17:6 adjourned 17:11 advice 16:12 agenda 1:6,6,7 2:4,5 3:4,5 4:18,19 5:8,9 7:17 13:4,5 15:13,24 16:14 agree 16:24 17:1,3 Agreed 16:22 agreement 2:6,18 3:6,8 3:18,20 Alcoholic 1:2,11,11 16:7 ALIYA 1:16 alternative 4:8 ANC 2:7,19 3:6,19 4:3 4:19</p>	<p>Ball 10:12 Bar 2:19 5:11 Barcode 15:2 Basement 13:7 Bentzen 10:12 Beverage 1:2,11,11 10:2,14 11:2,16 12:4 12:18 16:8 Billiards 15:15 block 4:13 board 1:2,11 4:11,16,20 15:13,22 16:8,11 17:4 17:7,7 Board's 16:14 BOBBY 1:16 Breakthru 10:2,14 11:2 11:16 12:4,18 Buffalo 15:15 Building 1:12 bulletin 17:7</p>	<p>Cooking 12:1 counsel 16:13 Crockett 1:16 2:10,11 3:10,11 5:1,2 6:12,13 6:24,25 7:23 8:19,20 9:6,7,17,18 11:5,6 12:7,8,21,22 13:10,11 13:22,23 14:19,20 15:7,25 16:1,17,18,21 16:22</p>	<p>gift 9:25 10:12,24 11:13 12:1,15 give 17:4 Gold 2:19 grandfather 4:20 grant 5:12 6:10 7:9,20 8:6,17 9:4 Grocery 14:6</p>
<p>Anderson 1:13,15 2:3 2:11,15,23 3:1,11,15 3:23 4:1 5:2,6,16,19 6:2,5,13,17,25 7:4,12 7:15 8:1,9,12,20,24 9:7,11,18,22 10:6,9 10:18,21 11:6,10,20 11:23 12:8,12,22 13:1 13:11,15,17,23 14:2 14:10,13,20,24 15:6 15:10 16:1,5,18,23,25 17:2,2 appears 17:3 application 4:23 5:10 15:2 approval 9:25 10:12,24 11:13 12:1,15 approve 2:8,21 3:8,20 4:24 5:24 9:15 10:4 10:16 11:4,17 12:6,19 13:8,20 14:7 15:3 Architectoral 14:5 Arnold's 5:11 Arts 10:25 aye 2:13,24 3:13,24 5:4 5:17 6:3,15 7:2,13,24 8:10,22 9:9,20 10:7 10:19 11:8,21 12:10 12:24 13:13,25 14:11 14:22 15:8 16:3 eyes 2:14,25 3:14,25 5:5,18 6:4,16 7:3,14 7:25 8:11,23 9:10,21 10:8,20 11:9,22 12:11 12:25 13:14 14:1,12 14:23 15:9 16:4</p>	<p>calendar 17:8 call 16:20 cancel 15:22 cancellation 1:6 15:12 15:16,18,20,24 cancelling 15:13 Cato 1:16 2:22,23 3:22 3:23 5:15,16 7:11,12 7:22,22 10:5,6,17,18 11:7,19,20 14:9,10 15:5,6 16:23,24 Chairperson 1:12,15 2:3,11,15,23 3:1,11 3:15,23 4:1 5:2,6,16 5:19 6:2,5,13,17,25 7:4,12,15 8:1,9,12,20 8:24 9:7,11,18,22 10:6,9,18,21 11:6,10 11:20,23 12:8,12,22 13:1,11,15,17,23 14:2 14:10,13,20,24 15:6 15:10 16:1,5,7,18,23 16:25 17:2 Change 9:14 Chorus 2:14,25 3:14,25 5:5,18 6:4,16 7:3,14 7:25 8:11,23 9:10,21 10:8,20 11:9,22 12:11 12:25 13:14 14:1,12 14:23 15:9 16:4 Cleveland 5:11 closed 16:11 17:5 Code 16:9 Columbia 1:1 16:9 Control 1:2,11,11 16:8</p>	<p>D.C 1:12 dated 2:6,18 3:6,18 day 17:12 DC 10:2,14 11:1,15 12:2 12:3,17 16:9,15 17:9 Declaratory 4:5 deny 14:18 Deset 4:21 Discount 7:7 District 1:1 16:8 Donovan 1:13,15</p>	<p>hearing 1:11 6:22 17:7 hold 16:11 17:5 Hours 9:14</p>
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<p>appears 17:3 application 4:23 5:10 15:2 approval 9:25 10:12,24 11:13 12:1,15 approve 2:8,21 3:8,20 4:24 5:24 9:15 10:4 10:16 11:4,17 12:6,19 13:8,20 14:7 15:3 Architectoral 14:5 Arnold's 5:11 Arts 10:25 aye 2:13,24 3:13,24 5:4 5:17 6:3,15 7:2,13,24 8:10,22 9:9,20 10:7 10:19 11:8,21 12:10 12:24 13:13,25 14:11 14:22 15:8 16:3 eyes 2:14,25 3:14,25 5:5,18 6:4,16 7:3,14 7:25 8:11,23 9:10,21 10:8,20 11:9,22 12:11 12:25 13:14 14:1,12 14:23 15:9 16:4</p>	<p>calendar 17:8 call 16:20 cancel 15:22 cancellation 1:6 15:12 15:16,18,20,24 cancelling 15:13 Cato 1:16 2:22,23 3:22 3:23 5:15,16 7:11,12 7:22,22 10:5,6,17,18 11:7,19,20 14:9,10 15:5,6 16:23,24 Chairperson 1:12,15 2:3,11,15,23 3:1,11 3:15,23 4:1 5:2,6,16 5:19 6:2,5,13,17,25 7:4,12,15 8:1,9,12,20 8:24 9:7,11,18,22 10:6,9,18,21 11:6,10 11:20,23 12:8,12,22 13:1,11,15,17,23 14:2 14:10,13,20,24 15:6 15:10 16:1,5,7,18,23 16:25 17:2 Change 9:14 Chorus 2:14,25 3:14,25 5:5,18 6:4,16 7:3,14 7:25 8:11,23 9:10,21 10:8,20 11:9,22 12:11 12:25 13:14 14:1,12 14:23 15:9 16:4 Cleveland 5:11 closed 16:11 17:5 Code 16:9 Columbia 1:1 16:9 Control 1:2,11,11 16:8</p>	<p>District 1:1 16:8 Donovan 1:13,15</p>	<p>JAMES 1:17 Jefferson 4:13 JR 1:16 JV 15:19</p>

M	Night 11:14 12:16	request 2:21 4:7,20,25 5:13,21,24 6:7,10,19 7:6,9,18,20 8:3,6,14 8:17 9:1,4,13,16,24 10:4,11,16,23 11:2,4 11:12,18,25 12:4,6,14 12:20 13:5,8,18,21 14:15,18 15:1,4	Spirits 7:8 St 5:11 7:19 Sterling/Gunson 9:3 Street 1:12 4:13 submitted 4:21 Suite 1:12 Super 8:15 supplemental 4:17,19 13:3,5 supplementary 3:3,4
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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: DCABRA

Date: 10-09-19

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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