

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

2 9:02 p.m.

3 CHAIRPERSON ANDERSON: We will now do
4 our legal agenda. The first matter on our legal
5 agenda is a review of the protestant's motion to
6 continue the protest hearing in Po Boy Jim 2,
7 license number 105468. This motion was
8 withdrawn. The case is over. Okay, the motion
9 was withdrawn.

10 We now move to supplemental legal
11 agenda. The first matter on our supplemental
12 legal agenda is a review of licensee's opposition
13 to the motion to continue the protest hearing in
14 the Po Boy Jim 2 matter, license number 105468.
15 This matter is now moot.

16 The next matter on our calendar is a
17 review of the amendment to the settlement
18 agreement dated September 12, 2019, between the
19 ANC 1B and the Brixton, license number 082871. I
20 make a motion that we approve this request. Is
21 there a second?

22 MEMBER SHORT: Second.

1 CHAIRPERSON ANDERSON: Mr. Short has
2 seconded the motion. All those in favor, say,
3 "Aye."

4 (Chorus of aye.)

5 CHAIRPERSON ANDERSON: Those opposed?
6 The matter passes three, zero, zero.

7 The next matter is a review of Il
8 Canale's motion to continue the protest matter.
9 I make a motion that we, excuse me, approve this
10 request. Is there a second?

11 MEMBER CATO: Second.

12 CHAIRPERSON ANDERSON: Mr. Cato has
13 seconded the motion. All those in favor, say,
14 "Aye."

15 (Chorus of aye.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes three, zero, zero.

18 The next matter is a review of Sidamo
19 Coffee and Tea's request for reconsideration of
20 the Board's denial of its reinstatement of its
21 license in the Sidamo Coffee and Tea matter,
22 license number 109491.

1 I make a motion that we approve in
2 part and deny in part. The motion is to approve
3 the reinstatement request, but deny the request
4 to waive the renewal fee, the late renewal fees.
5 Is there a second?

6 MEMBER SHORT: Second.

7 MEMBER CATO: Second.

8 CHAIRPERSON ANDERSON: Mr. Cato and
9 Mr. Short have seconded the motion. All those in
10 favor, say, "Aye."

11 (Chorus of aye.)

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes three, zero, zero.

14 We now move to our second supplemental
15 legal agenda. The first matter on the second
16 supplemental legal agenda is the review of the
17 consent motion to continue Black's Pearl Dive
18 Oyster Palace/Black Jack, license number 085382,
19 the protest hearing.

20 I make a motion that we approve this
21 matter and schedule the protest hearing for
22 November 20 at 4:30 p.m. Is there a second?

1 MEMBER SHORT: Second.

2 CHAIRPERSON ANDERSON: Mr. Short has
3 seconded the motion. All those in favor, say,
4 "Aye."

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes three, zero, zero.

8 The next matter is a review of Macombo
9 Lounge's motion for a declaratory order and
10 affidavit. The Macombo Lounge license number is
11 000771. I make a motion that we set this matter
12 for a fact finding hearing. Is there a second?

13 MEMBER CATO: Second.

14 CHAIRPERSON ANDERSON: Mr. Cato has
15 seconded the motion. All those in favor, say,
16 "Aye."

17 (Chorus of aye.)

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes three, zero, zero.

20 We now move to our third supplemental
21 legal agenda. The first matter on our third
22 supplemental legal agenda is the review of

1 Commissioner Dan Orlansky's Letter of Support of
2 a protest filed by the abutting property owner in
3 the Po Boy Jim 2 matter. This is just an FYI for
4 the board.

5 We now move to our licensing agenda.
6 The first matter on our licensing agenda is a
7 review request to extend safekeeping of license,
8 A-1 Grocery, license number 112305. I make a
9 motion that we grant this request through March
10 31, 2020. Is there a second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON ANDERSON: Mr. Short has
13 seconded the motion. All those in favor, say,
14 "Aye."

15 (Chorus of aye.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes three, zero, zero.

18 The next matter is a review request to
19 extend safekeeping of license, The Roberts Law
20 Group, license number 083728. I make a motion
21 that we grant the request through March 31, 2020.
22 Is there a second?

1 MEMBER CATO: Second.

2 CHAIRPERSON ANDERSON: Mr. Cato has
3 seconded the motion. All those in favor, say,
4 "Aye."

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes three, zero, zero.

8 The next matter is a review request to
9 extend safekeeping of license for To Be
10 Determined, formerly 456, LLC, license number
11 098732. I make a motion that we grant this
12 request through March 31, 2020. Is there a
13 second?

14 MEMBER CATO: Second.

15 CHAIRPERSON ANDERSON: Mr. Cato has
16 seconded the motion. All those in favor, say,
17 "Aye."

18 (Chorus of aye.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes three, zero, zero.

21 The next matter is a review of an
22 application for a sidewalk café with seating for

1 12 patrons for Le Pain Quotidien, license number
2 088176. I make a motion that we placard this
3 matter. Is there a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON ANDERSON: Mr. Short has
6 seconded the motion. All those in favor, say,
7 "Aye."

8 (Chorus of aye.)

9 CHAIRPERSON ANDERSON: Those opposed?
10 The matter passes three, zero, zero.

11 The next matter is the review request
12 to extend operations in the second floor of the
13 adjacent premises for Prestige Beverage, license
14 number 092845. I make a motion that we approve
15 this request. Is there a second?

16 MEMBER CATO: Second.

17 CHAIRPERSON ANDERSON: Mr. Cato has
18 seconded the motion. All those in favor, say,
19 "Aye."

20 (Chorus of aye.)

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes three, zero, zero.

1 The next matter is a review request to
2 install Dragon Ascent electronic game at premises
3 for Penn Social. The license number is 086808.
4 I make a motion that we have a fact-finding
5 hearing. Is there a second?

6 MEMBER CATO: Second.

7 CHAIRPERSON ANDERSON: Mr. Cato has
8 seconded the motion. All those in favor, say,
9 "Aye."

10 (Chorus of aye.)

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passes three, zero, zero.

13 We now move to our supplemental
14 licensing agenda. The first matter on our
15 supplemental licensing agenda is to review a
16 request to remove license from safekeeping to
17 reopen this week for L'Annexe, license number
18 109013. I make a motion that we approve this
19 request. Is there a second?

20 MEMBER CATO: Second.

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

1 "Aye."

2 (Chorus of aye.)

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes three, zero, zero.

5 The next matter is a review of
6 application for a display license for transfer to
7 a new location with a letter of anti-support,
8 Montana Liquors, license number 097473. I make a
9 motion that we approve this request. Is there a
10 second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON ANDERSON: Mr. Short has
13 seconded the motion. All those in favor, say,
14 "Aye."

15 (Chorus of aye.)

16 CHAIRPERSON ANDERSON: Those opposed?

17 The matter passes three, zero, zero.

18 The next matter is a review of a
19 transfer application for Rewind, license number
20 107182. I make a motion that we have a fact-
21 finding hearing. Is there a second?

22 MEMBER CATO: Second.

1 CHAIRPERSON ANDERSON: Mr. Cato has
2 seconded the motion. All those in favor, say,
3 "Aye."

4 (Chorus of aye.)

5 CHAIRPERSON ANDERSON: Those opposed?
6 The matter passes three, zero, zero.

7 The next matter is a review of a
8 transfer application for L8. The license number
9 is 099695. I make a motion that we have a fact-
10 finding hearing. Is there a second?

11 MEMBER CATO: Second.

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short and
14 Mr. Cato have seconded the motion. All those in
15 favor, say, "Aye."

16 (Chorus of aye.)

17 CHAIRPERSON ANDERSON: Those opposed?
18 The matter passes three, zero, zero.

19 The next matter is a review of a
20 transfer application for Decades, license number
21 103505. I make a motion that we have a fact-
22 finding hearing. Is there a second?

1 MEMBER CATO: Second.

2 CHAIRPERSON ANDERSON: Mr. Cato has
3 seconded the motion. All those in favor, say,
4 "Aye."

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes three, zero, zero.

8 The next matter is a review of police
9 history of an applicant for a new Class C license
10 for Mayahuel Cocina Mexicana, license number
11 115103. I make a motion that we approve this
12 request. Is there a second?

13 MEMBER CATO: Second.

14 CHAIRPERSON ANDERSON: Mr. Cato has
15 seconded the motion. All those in favor, say,
16 "Aye."

17 (Chorus of aye.)

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes three, zero, zero.

20 The next matter is the review request
21 for Attorney Ely Hurwitz to allow the licensee to
22 renew the license without a Clean Hands

1 Certificate based on provisions of D.C. Code
2 Section 472862 for Ukmaya, license number 094099.
3 I make a motion that we have a fact-finding
4 hearing. Is there a second?

5 MEMBER SHORT: Second.

6 CHAIRPERSON ANDERSON: Mr. Short has
7 seconded the motion. All those in favor, say,
8 "Aye."

9 (Chorus of aye.)

10 CHAIRPERSON ANDERSON: Those opposed?
11 The matter passes three, zero, zero.

12 The next matter is a review request
13 for approval to provide a gift of Unite the
14 District tickets that do not exceed \$500 in value
15 to various licensed D.C. retailers from Breakthru
16 Beverage, license number 060518. I make a motion
17 that we approve this request. Is there a second?

18 MEMBER CATO: Second.

19 CHAIRPERSON ANDERSON: Mr. Cato has
20 seconded the motion. All those in favor, say,
21 "Aye."

22 (Chorus of aye.)

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes three, zero, zero.

3 We now move to our second supplemental
4 licensing agenda. The first matter on our second
5 supplemental licensing agenda is to review a
6 request to extend safekeeping of license for
7 Macombo Lounge, license number 000771. I make a
8 motion that we have a fact-finding hearing. Is
9 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 three, zero, zero.

17 The next matter is a review of an
18 application for a third summer garden on the
19 ground floor with seating for 10 patrons for
20 Potomac Distillery Company, license number
21 106554. I make a motion that we approve this
22 request. Is there a second?

1 MEMBER CATO: Second.

2 CHAIRPERSON ANDERSON: Mr. Cato has
3 seconded the motion. All those in favor, say,
4 "Aye."

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes three, zero, zero.

8 We now move to the cancellation
9 agenda. The ABC Board will be cancelling the
10 following licenses on the September 25 agenda for
11 the following reasons, La Loma, license number
12 026051, the licensee did not pay safekeeping fees
13 within 30 days; Seoul Spice, license number
14 109844, the licensee requested cancellation;
15 Chinatown Coffee Company, license number 083981,
16 the licensee requested cancellation; To Be
17 Determined for 3000 M. Street, LLC, license
18 number 102572, the licensee requested
19 cancellation.

20 I make a motion that ABC cancel the
21 licenses as listed on the cancellation agenda for
22 September 25, 2019. Is there a second?

1 MEMBER CATO: Second.

2 CHAIRPERSON ANDERSON: Mr. Cato has
3 seconded the motion. All those in favor, say,
4 "Aye."

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes three, zero, zero.

8 As Chairperson of the Alcoholic
9 Beverage Control Board for the District of
10 Columbia, in accordance with D.C. Official Code
11 Section 2574(b) of the Open Meetings Act, I move
12 that the ABC Board hold a closed meeting on
13 October 2, 2019 for the purpose of seeking legal
14 advice from our counsel on the matters identified
15 on the Board's legal licensing and investigative
16 agenda for October 2, 2019, as published in the
17 DC Register on September 27, 2019. Is there a
18 second?

19 MEMBER CATO: Second.

20 CHAIRPERSON ANDERSON: Mr. Cato has
21 seconded the motion. I will now take a roll call
22 vote on the motion before us now that it's been

1 seconded. Mr. Cato?

2 MEMBER CATO: I agree.

3 CHAIRPERSON ANDERSON: Mr. Short?

4 MEMBER SHORT: I agree.

5 CHAIRPERSON ANDERSON: Mr. Anderson,
6 I agree. As it appears that the motion has
7 passed, I hereby give notice that the ABC Board
8 will hold this closed meeting pursuant to the
9 Open Meetings Act.

10 Notice will also be posted on the ABC
11 Board hearing room bulletin board, placed on the
12 electronic calendar on ABRA's website, and
13 published in the DC Register in as timely a
14 manner as practical.

15 It is 9:14 p.m. and we are adjourned
16 for the day. Thank you.

17 (Whereupon, the above-entitled matter
18 went off the record at 9:13 p.m.)

19

20

21

22

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In the matter of: Agenda

Before: DCABRA

Date: 09-25-19

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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