

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :

:

Cook's Group Inc., :

t/a Tequila & Mezcal :

Restaurant Bar :

3475 14th Street NW, : Protest

Retailer DR - ANC 1A : Hearing (Status)

License No. 112331 :

Case #19-PRO-00054 :

:

(Substantial Change) :

Wednesday
 August 14, 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
 BOBBY CATO, JR., Member
 MIKE SILVERSTEIN, Member
 JAMES SHORT, Member
 REMA WAHABZADAH, Member
 RAFI ALIYA CROCKETT, Member

ALSO PRESENT:

MARINA ALVARADO, APPLICANT
 WILLIAM MARTINEZ, APPLICANT

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

2 10:41 a.m.

3 CHAIRPERSON ANDERSON: All right,
4 the next case is Case No. 19-PRO-00054, Tequila
5 and Mezcal Restaurant Bar, License No. 112331.
6 Will the parties please approach and identify
7 themselves for the record, please?

8 MR. MARTINEZ: Good morning, William
9 Martinez. I'm representing Tequila Mezcal.

10 CHAIRPERSON ANDERSON: I'm sorry;
11 your name is?

12 MR. MARTINEZ: William Martinez.

13 CHAIRPERSON ANDERSON: Who are you,
14 Mr. Martinez?

15 MR. MARTINEZ: General Manager and -
16 - well, son of the owner.

17 CHAIRPERSON ANDERSON: Mr. -- hold
18 on one moment -- so Mr. Mar -- I'm sorry; your
19 last name, again?

20 MR. MARTINEZ: Martinez.

21 CHAIRPERSON ANDERSON: Martinez. So
22 Mr. Martinez, you said you're the General

1 Manager and the son of the owner. Did your
2 father provide you with an authorization to give
3 the board to represent them today -- to
4 represent them today, sir? Is there anything in
5 the record to say who you are and that you are
6 able to represent the agent?

7 MR. MARTINEZ: Just -- no, I guess
8 not.

9 CHAIRPERSON ANDERSON: Who came to
10 the roll call hearing?

11 MR. MARTINEZ: Me and my mom.

12 CHAIRPERSON ANDERSON: You and your
13 mom.

14 MR. MARTINEZ: And our lawyer.

15 CHAIRPERSON ANDERSON: And who?

16 MR. MARTINEZ: And our lawyer.

17 CHAIRPERSON ANDERSON: I'm not being
18 facetious, but anyone can show up today to say
19 this is who I am.

20 MR. MARTINEZ: Gotcha.

21 CHAIRPERSON ANDERSON: Now, are you
22 able to provide the agency with documentation by

1 close of business today from the establishment
2 to say that you are able to be here today to
3 represent the establishment?

4 MR. MARTINEZ: Yes, I am.

5 CHAIRPERSON ANDERSON: So what we're
6 going to do -- what I'm going to do, I'm going
7 to give you our fax number and you need to
8 provide a document under the company's
9 letterhead saying that we're -- one of the
10 licensee's -- so it has to be signed by the
11 person on the license -- and I think that the
12 person on the license is Marianna Alvar -- well,
13 whoever the owner is -- I think it says -- the
14 owner of the establishment, meaning that the
15 person that we recognize as the owner of the
16 establishment that's on the license, need to
17 send us information today saying that you are
18 able to represent the establishment at the ABC
19 board.

20 MR. MARTINEZ: Okay. Does the
21 alcohol manager license count in there?

22 CHAIRPERSON ANDERSON: No, it has to

1 be a document from the person who owns the
2 license saying that you are able to come to this
3 hearing to represent.

4 MR. MARTINEZ: Right.

5 CHAIRPERSON ANDERSON: And any time
6 you come here, as long as you provide the
7 documentation, once it's in our files, then we
8 can recognize you, if the owner does not show
9 up. Now, I do not see Mr. --

10 MR. MARTINEZ: Chad Allen?

11 CHAIRPERSON ANDERSON: Yes, he's not
12 here. And this matter was scheduled for a
13 purpose hearing at 9:30. It is now a quarter to
14 11:00, I have called the case. And the
15 protestant is not here, so I then make a motion
16 that the protestant, Mr. Chad -- I'm sorry, Mr.
17 Chad Allen be dismissed. Is there a second?

18 MEMBER SHORT: Second.

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

22 (Chorus of aye.)

1 Those opposed?

2 The matter passes 6-0-0. So
3 therefore the board will issue an order
4 dismissing the protestant. And he has ten days
5 to provide the board -- once we have issued this
6 order he has ten days to provide the board with
7 reasonable notice why he was not here today.
8 Unless he has done that, the board will grant
9 the request from your establishment to change
10 the class from DR to a CR. However, if you do
11 not provide that information by close of
12 business today, the board will also dismiss your
13 application because you were not here.

14 MR. MARTINEZ: Gotcha.

15 CHAIRPERSON ANDERSON: Is it clear?

16 MR. MARTINEZ: Understood.

17 CHAIRPERSON ANDERSON: All right,
18 hold on one moment, please. I'll make sure --
19 you can step back. Before you leave I will make
20 sure that we give you the information, how you
21 need to transmit some information to the board
22 before close of business today, okay?

1 MR. MARTINEZ: I appreciate that.

2 CHAIRPERSON ANDERSON: You can step
3 back.

4 MR. MARTINEZ: Thank you very much.

5 CHAIRPERSON ANDERSON: All right.

6 (Whereupon, the above-entitled
7 matter went off the record at 10:46 a.m. and
8 resumed at 11:45 a.m.)

9 CHAIRPERSON ANDERSON: I was told --
10 I'm going to recall Case No. -- which one is
11 this -- Case No. 19-PRO-00054, Tequila and
12 Mezcal Restaurant and Bar, License No. 112331.
13 Would the parties please approach and identify
14 themselves for the record?

15 MS. ALVARADO: Marina Alvarado.

16 CHAIRPERSON ANDERSON: I'm sorry,
17 ma'am?

18 MS. ALVARADO: Marina Alvarado.

19 CHAIRPERSON ANDERSON: Can you
20 please sign on the record, too?

21 MR. MARTINEZ: Yes, William
22 Martinez.

1 CHAIRPERSON ANDERSON: Yes, and who
2 are you, ma'am?

3 MR. MARTINEZ: The owner of the
4 license.

5 CHAIRPERSON ANDERSON: Okay. And --
6 well we had a protest hearing this morning.
7 This gentleman showed up to say that he was the
8 son of the owner and he was the general manager.
9 And I've asked him to provide authorization by
10 close of business today, that he was authorized
11 to represent the establishment. So there was no
12 need for him to come back, but he's here, so
13 maybe you can tell me why you're here..

14 MR. MARTINEZ: She decided to come
15 at the end of the day. She wanted to make sure
16 that everything is up to par, basically, and
17 that she's okay --

18 MEMBER SILVERSTEIN: Can you speak
19 up louder?

20 MR. MARTINEZ: She wanted to make
21 sure that everything's up to par and that she
22 shows up. She originally thought that I can

1 come in because one of my sister's is having a
2 baby, so she was at the hospital, so she wasn't
3 able to come in.

4 CHAIRPERSON ANDERSON: Well, I thank
5 you for -- and congratulations -- and thank you
6 for taking the time and effort to come back.
7 You didn't have to come back. You showed more
8 respect for this board than the previous hearing
9 that we just had. And I'm serious, is that you
10 sent your son, so you can say that you were
11 represented here this morning. And we just had
12 another establishment and they did not show up.
13 So I want to thank you for showing this board
14 that you do appreciate the work that we do.

15 MR. MARTINEZ: She says thank you
16 very much.

17 CHAIRPERSON ANDERSON: And that you
18 left the hospital with your grandchild to be
19 here today.

20 MS. ALVARADO: Thank you.

21 CHAIRPERSON ANDERSON: So thank you
22 very much. And there's also some good news

1 today because you had a protestant who didn't
2 show up and in ten days if they don't respond,
3 the change that you've asked for your license,
4 you'll get it.

5 MS. ALVARADO: Thank you.

6 CHAIRPERSON ANDERSON: So that's
7 even better news today, all right?

8 MS. ALVARADO: Okay.

9 MR. MARTINEZ: Thank you.

10 CHAIRPERSON ANDERSON: Have a great
11 day.

12 (Whereupon, the above-entitled
13 matter went off the record at 11:49 a.m.)

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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: Tequila & Mezcal

Before: DCABRA

Date: 08-14-19

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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