

**March 2, 2022
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Daphne Turpin-Forbes, Board Chair
Armando Camacho, Vice Chairman
Tammie Norman, Commissioner
Dennis Smith, Commissioner
Tammy Sparkman, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Johnny Toles, Deputy Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Leonard Vauss, Administrative Assistant
Patricia Bell, Administrative Manager
Katrice James, Administrative Aide
Keyanna Little, Administrative Aide

Start Time: 7:03 p.m.

Commissioner Forbes: This is an open meeting for the Prince George's County Board of License Commissioners. Welcome to our House. To ensure compliance with the law (Maryland Open Meetings Act) and our goal of transparency, to please identify yourself when speaking and speak audibly. As a professional courtesy, when not speaking, please mute your device. If someone from the public that is not providing testimony as a witness today, I will recognize you in the hearing and give you an opportunity for your voice to be heard. Everyone's voice matters at the BOLC. We understand that some of you may be passionate about what you have to say and that passion, in this regard, is permissible. What is not permissible is if truth, facts, and respect are not grounded in your voice. Thank you in advance for being truthful, respectful, and honest during the entire proceeding.

Director Sheppard: During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today's date to add to the official record. I would ask that you email myself or the administrative staff of the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

REGULAR SESSION:

1. t/a Famous Lounge: Request for a Special Entertainment Permit.

Continued from February 2, 2022.

Licensee does not have an attorney, acknowledge her right to an attorney, and agree to move forward without representation.

Ms. Michele Tekam is sworn in.

Corporal Juan Hunt (Prince George's County Police Department) is sworn in.

Ms. Tekam: All the documents that were missing on February 2, 2022, have been provided to Corporal Hunt.

Corporal Hunt: The final documents have been provided. The security plan is adequate. There's one concern we'll be paying attention to going forward, a slight uptick at calls for service at that location. Hopefully, that'll be remedied by the security plan, having a uniformed officer present now during the times if they're granted the Permit.

Commissioner Forbes: What documents do you have? We'd like to confirm the U&O and what it reads.

Corporal Hunt: I received an updated U&O from Inspector Gibson the issuance date is February 28, 2022 and expires on March 28, 2022. It reads for eating and drinking at the establishment with music and patron dancing past 12:00 a.m. excluding adult entertainment.

Officer Hunt was advised to supply the BOLC a copy of the temporary U&O.

Commissioner Forbes: Corporal Hunt you had a concern about the uptick of calls for service, will there be a uniformed officer present working part time, if approved?

Ms. Tekam confirms that's correct.

Commissioner Sparkman: What hours will the uniformed officer be there? Will there be one uniformed officer in the parking lot or inside the establishment?

Corporal Hunt: The security plan calls for the uniformed officer to be stationed outside of the establishment with periodic internal checks. The one officer will be present from 10:00 p.m. to 2:00 a.m. on Sunday through Thursday and 10:00 p.m. to 3:00 a.m. on Friday and Saturday.

Commissioner Norman: Ms. Tekam, have you familiarized yourself with the rules and regulations that'll go along with the Special Entertainment Permit?

Ms. Tekam confirms she's familiarized herself with the rules and regulations.

Commissioner Forbes: If you don't get the permanent U&O that gives you more time there's no Special Entertainment Permit that can happen unless you have a U&O that covers the time period for when you want Special Entertainment.

Commissioner Camacho: Officer Hunt you said you had a concern about an uptick with calls for service for that address. Can you tell us what kind of calls you're getting?

Corporal Hunt: On February 27, 2022, there was an assault combined call in the parking lot of the establishment which ended in an arrest of an assailant there. There was a female victim who was assaulted by a male. We had a noise complaint of music and patrons in the parking lot that same night at 2:47 a.m.

Commissioner Forbes: What steps are you taking to make sure you don't have that gap in service to get your permanent U&O?

Ms. Tekam: We're working with the department to make sure we get approved.

No further questions.

Commissioner Camacho makes a motion to grant the Special Entertainment Permit to Famous Lounge, conditioned upon the receipt of the permanent U&O.

No Second. The motion dies.

Commissioner Smith makes a motion to grant the Special Entertainment Permit to Famous Lounge, with the temporary U&O, seconded by **Commissioner Norman**.

Commissioner Camacho voted against the motion.

After Board vote, the motion carries.

2. **t/a Mad Cow Grill:** Request for a Special Entertainment Permit.

Continued from February 2, 2022.

Robert Kim, Esquire is representing.

Mr. Neville Nugent is sworn in.

Mr. Ed Reynoso is sworn in.

Corporal Juan Hunt (Prince George's County Police Department) is sworn in.

Mr. Kim: There was a U&O issue and an issue with the approval by City Council. On February 14, 2022, I submitted copies of the U&O Permit and related information to the Board. The U&O was issued on February 9, 2022, and on February 15, 2022, I received a copy of an approval letter from Corporal Hunt. The requirements from the February 2, 2022 hearing have been satisfied.

Corporal Hunt: I met with Mr. Reynoso on February 9, 2022, we went over the rules and regulations, the security plan, and there were two adjustments that needed to be made and they were returned to me in a timely manner. He sent me the updated U&O Permit, it's valid. The security plan is adequate.

No questions from Commissioners.

Commissioner Camacho makes a motion to grant the Special Entertainment Permit to Mad Cow Grill, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

3. **t/a The Brass Tap National Harbor:** Request for a Family Entertainment Permit.

Licensee does not have an attorney, acknowledge their right to an attorney, and agree to move forward without representation.

Mr. Mark Ridley is sworn in.

Mrs. Sharon Ridley is sworn in.

Commissioner Forbes: The Special Entertainment Permit requires a specific U&O Permit to provide for Entertainment. The U&O that we have on file only allows for restaurant purposes only.

Mr. Ridley: We had a Special Entertainment Permit from the beginning when we first opened The Brass in 2017. When covid hit we couldn't use the Entertainment Permit. The entertainment we had in the past included karaoke, trivia, and a DJ. Corporal Hunt let us know that we're not operating after midnight so a Family Entertainment Permit would be more applicable.

Commissioner Forbes: Today the U&O is basically the trigger that allows us to issue Special Entertainment Permits in a consistent way. We've instituted a practice since 2019. We have done an audit for our licensees; we're still doing an audit to provide notice to our licensees who don't have the proper U&O that allows for entertainment.

You must work with DPIE to make sure you have that designation before we can issue a Special Entertainment Permit or Family Entertainment Permit. **I'm offering to continue this matter and have you all connected with DPIE to help you get the right designation. We need that U&O to reflect that entertainment is permissible. We'll get you back on the docket as soon as possible once that matter is taken care of.**

4. Jemima Ablorh, Member, Ekpo Perry Umoh, Stockholder, **t/a Aroma Ultra Lounge**, 4000 Town Center Blvd, Bowie, MD 20716, Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about November 12, 2020 a new application for a Class B, Beer, Wine and Liquor was filed, that on or about January 26, 2021 approval by the Board was granted to the issuance of the license; the license has not been placed in use within the required time from the Board's approval on November 10, 2021. **Eddie Pounds, Esquire** is representing.

Mr. Perry Umoh is sworn in.

Mr. Pounds: DPIE has been experiencing unprecedented delays. We're not having issues with our contractor getting the work done, we're having issues getting the U&O. Corrective orders were issued to my client. There are several items that remain incomplete. We respectfully ask for an additional thirty to sixty days to get us even closer to effectuate the license.

Mr. Umoh shares some of the delays he's been experiencing. Some of the vendors fell sick, we had to abandon that project because he eventually passed. We had to put a temporary wall up to separate the project into two phases. We've had two correction orders. We satisfied the first one, when DPIE was scheduled to come yesterday they suggested we call the fire department to do their inspection and issue approval for safety assembly. We're good with that. They went through a list of things to correct including the temporary wall, the sprinkler head as required by the county they need them to check it and reissue a new report.

No questions from Commissioners.

Commissioner Camacho makes a motion to grant an additional 90 days to effectuate the license for Aroma Ultra Lounge, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

5. Sameer Ailawadi, Member, **t/a Wydham College Park/Washington DC Area**, 4095 Powder Mill Road, MD 20705, Class B(BH), Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about May 7, 2020 a transfer application for a Class B(BH), Beer, Wine and Liquor was filed, that on or about July 27, 2021 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following approval being granted.

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Mr. Sameer Ailawadi is sworn in.

Mr. Raveen Aurora is sworn in.

Mr. Miguel Gonzalez is sworn in.

Mr. Ailawadi: This license is for our hotel which was the Sheraton College Park and it's now the Wydham College Park. We closed on that hotel transaction in May 2021. Mr. Aurora has been working with the Liquor Board on the transfer of the license, the complete transfer has yet to take place. We were given authority to operate under the owner's license. We were operating the license when we had events such as weddings, banquets, and meetings. After COVID many of our restaurants weren't in operation. We gradually started doing breakfast, our target date to open the restaurants during the evening hours is April 1, 2022. My understanding is the license is in operation, we use the license for events.

Director Sheppard: He's right, he does have permission to operate. However, the new license has not taken care of the requirements in order to effectuate the new license. They need to fulfill the requirements in order to effectuate the new license. The old agreement must end at some point.

Mr. Ailawadi: Mr. Aurora was talking to someone earlier from the Liquor Board. I believe we've almost completed all the requirements. The occupancy Permit was the last item remaining. We expect to get it this week.

Mr. Aurora: We were sent a letter to complete eleven items, and nine of them have been completed. I spoke to Ms. Katrice today and the tenth item is being cleared by tomorrow, and the eleventh item is the U&O. The U&O took some time but we're expecting it to be done by the end of this week.

Commissioner Forbes: We have a transfer that hasn't been completed based on some eligibility issues the licensee is working to overcome. Right now, the licensee is currently operating under the former owner's license. The license is being used, but not effectively transferred until those eleven items are completed.

Director Sheppard states it's still a non-effectuation.

Commissioner Smith: What was the tenth item?

Mr. Aurora: The tenth item was the statement of being the owner. I emailed it to Ms. Katrice earlier.

Ms. Katrice James of the BOLC: I did speak with him earlier today and I advised him that the remaining items I need from him is the U&O, the sales and tax license, and a letter of confirmation stating no inventory is being transferred. Initially a bulk sales Permit was listed on the checklist but because the inventory isn't being transferred over to the new individuals who are planning to take over. He has three items left in order to effectuate.

Mr. Aurora: The letter and tax number can be turned in by tomorrow. The only thing I'm waiting for is the U&O.

Commissioner Forbes: Those items are still outstanding until Ms. James receives them.

Mr. Ailawadi asked the Board for thirty days to effectuate.

Commissioner Norman: In this type of situation, is it just a matter of transferring the name on the U&O or is this going to have to go through a complete inspection process?

Director Sheppard: Since it's a change of ownership a whole complete U&O is required. All the documents for a new license are required because they're a new licensee.

Commissioner Norman: Mr. Aurora, where are you in that process? Have you supplied all your information to DPIE? Are you waiting for them to come out? Have you had the fire inspection?

Mr. Aurora: Yes, ma'am. We've done all the inspections and we've done everything that was required on our part. We're just waiting to hear from them.

Ms. Katrice James of the BOLC: With them being a Class B license right now is the renewal time for Class B's. If they're going to be effectuating soon, the renewal must be completed under the new individuals. If not, it's going to have to be renewed under the Sheraton College Park because the deadline for Class B's is April 1st.

No further questions.

Commissioner Camacho makes a motion to grant an additional 90 days to effectuate the license for Wydham College Park/Washington DC Area, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

6. Angelo Crump, Owner **t/a Half Note by DeCarlo**, 3841 Evergreen Parkway, Bowie, MD 20716, Class B(BLX), Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about May 28, 2020 a transfer application for a Class B(BLX), Beer, Wine and Liquor was filed, that on or about September 9, 2020 approval by the Board was granted to the issuance of the license; the license has not been placed in use within the required time from the Board's approval on November 1, 2021.

Linda Carter, Esquire speaks to the Board.

Ms. Carter: I'm not authorized to speak on behalf of the gentlemen who was my client. I was served on his behalf, I was authorized to accept service prior to a prior filing with the Board. We contacted him by every method we know and received no responses. I don't have the authority to proceed on his behalf.

Commissioner Forbes: Mr. DeLoach, how do we move forward if the licensee isn't here, and Ms. Carter doesn't have the authority to speak on the licensee's behalf? Is this a continuation?

Mr. DeLoach: That's at the Board's discretion, you can dismiss it and make them start the process over again or you can postpone it. Typically, when you have a scheduled meeting if notice was provided you have the authority to dismiss it.

Director Sheppard: I'm not certain that the licensee was properly served. We believed at this time Linda Carter was representing him, so we served her and didn't send anything to his home.

Mr. DeLoach: Under those circumstances, I would say postpone it.

Commissioner Camacho makes a motion to postpone this matter, seconded by **Commissioner Norman**.
After Board vote, the motion carries.

7. Celbin M. Diaz, Member/Authorized Person, **Coco Night Club**, 2031 A University Blvd, Adelphi, MD 20783, Class B(BLX), Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about September 2, 2020 a transfer application for a Class B(BLX), Beer, Wine and Liquor was filed, that on or about October 27, 2020 approval by the Board was granted to the issuance of the license; the license has not been placed in use within the required time from the Board's approval on November 10, 2021. Licensee **Linda Carter, Esquire** is representing.

Mr. Celbin Diaz is sworn in.

Ms. Carter: CocoCabana operates under a BLX license with a Special Entertainment Permit, to have that Special Entertainment Permit in the zone they're in and to have live music past midnight they're required to have a special exception. Special exception was granted to this property when the former owner operated the business known as CocoCabana. In our efforts to help Mr. Diaz obtain a new U&O Permit we discovered that special exceptions were treated much like non-conforming users under Prince George's County code. If you apply for a U&O Permit and you want to continue the special exception, you must prove that there's been no discontinuance of the special exception for a one-hundred-and-eighty-day period. From the time the original U&O Permit was granted, the special exception was implemented. It was granted in 2002 through the current time, covid period being excepted because they couldn't operate pursuant to the law. Getting proof of continuance operation since this Board approved Mr. Diaz and he began operating the business pursuant to the approved management agreement was easy. Proving continuation of the special exception from 2002 became more difficult.

Ms. Carter asked the Board to grant her client an additional one hundred and twenty days to effectuate the license.

No questions from Commissioners.

Commissioner Camacho makes a motion to grant an additional 180 days to effectuate the license for Coco Night Club, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

8. Baldomero Avalos, Member, **El Charro**, 933 Fairlawn Avenue, Laurel, Maryland 20707. Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about July 20, 2020 a transfer application for a Class B, Beer, Wine and Liquor was filed, that on or about October 27, 2020 approval by the Board was granted to the issuance of the license;

the license has not been placed in use within the required time from the Board's approval on November 10, 2021.

Joseph A. Trevino, Esquire is representing.

Mr. Baldomero Avalos is sworn in.

Mr. Trevino: This case has reached this point in the process due to an extraordinary delay in the comptroller's office in issuing the certificates of receipt for the use and sales taxes which have been filed timely. Mr. Avalos has been working with them and they admit they've received the payments for the outstanding accounts as well. I submitted some documents to the Board, there's an email from the comptroller confirming they've received copies of the sales and use tax returns. Nothing has posted to the bank account after they assured it would be posted. We have the electronic filings of the proofs we submitted timely. We're just waiting for the comptroller to process them and give this business credit for having paid them. We've submitted the electronic copies. The licensee has done everything possible. There's nothing left for him to do but contact the comptroller's office and see if they're ready to acknowledge the receipt.

Commissioner Forbes: You have an email confirmation from the comptroller that basically confirms receipt of all your information. Your electronic filing as well as the check, it just hasn't posted yet. Do we have that email from the comptroller?

Commissioner Camacho confirms we have the email from India Philips, letter dated February 17, 2022. It is in our documents today.

Mr. Trevino asked the Board for a ninety-day extension to effectuate the license.

No questions from Commissioners.

Commissioner Camacho makes a motion to grant an additional 90 days to effectuate the license for El Charro, seconded by **Commissioner Norman**.

After Board vote the motion carries.

Adjourned: 8:19 p.m.

Respectfully Submitted,

Alecia L. Hughes

Administrative Aide BOLC