



**PRESENT:**

**RUTHANNE MILLER, Chairperson**

**DONALD BROOKS, Member**

**NICK ALBERTI, Member**

**HECTOR RODRIGUEZ, Member**

**MIKE SILVERSTEIN, Member**

**JAMES SHORT, Member**

**HERMAN JONES, Member**

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

2 10:05 a.m.

3 CHAIR MILLER: Okay, the next  
4 case on our calendar -- thank you very much.

5 The next case on our calendar is  
6 a fact finding hearing, with respect to an  
7 application for a manager's license, Mr.  
8 Hilton Rodriguez. Is he here?

9 Okay, thank you. You can come  
10 forward. I am going to ask if those who are  
11 not related to this case, and I think that's  
12 probably all of you, if you might just step  
13 into the hallway while we do this case,  
14 because it involves some personnel records.

15 This is a rare kind of case where  
16 we like to have some confidentiality. Thank  
17 you.

18 Okay, if you would introduce  
19 yourself for the record please.

20 MR. RODRIGUEZ: Yes, my name is  
21 Hilton Rodriguez.

22 MEMBER ALBERTI: You can pull the

1 microphone a little closer to you.

2 MR. RODRIGUEZ: Closer to me,  
3 yes. Yes, my name is Hilton Rodriguez.

4 CHAIR MILLER: Okay, Mr.  
5 Rodriguez, you have applied for a manager's  
6 license.

7 MR. RODRIGUEZ: Yes, I did.

8 CHAIR MILLER: Okay, and the  
9 Board reviewed your application and  
10 sometimes, we ask individuals to actually  
11 come in, because we have questions related  
12 to the application, that just aren't  
13 apparent on the papers themselves, and that  
14 we need to --

15 MR. RODRIGUEZ: Okay.

16 CHAIR MILLER: -- explore a  
17 little bit, and the reason I believe, others  
18 may express other reasons.

19 I believe that one of the  
20 questions we have, with respect to your  
21 application, is that there are charges on it  
22 for reckless driving, driving while

1 intoxicated and driving without a license.

2 But it isn't clear, I don't  
3 think, how the cases were resolved, and if  
4 you want to address the circumstances of  
5 those cases, because they relate to -- it  
6 relates to alcohol and possible criminal  
7 charges.

8 Could you elaborate the -- the  
9 papers aren't clear exactly, as to were you  
10 convicted? What happened with these  
11 charges?

12 MR. RODRIGUEZ: On my DWI's,  
13 everything was resolved about five years  
14 ago, or four years ago.

15 I served five days, with the  
16 condition that I was going to do the ASAP  
17 program, which was done a year -- with a  
18 time period of a year, right after that, and  
19 that was done by the Fairfax County, and  
20 also, I submit myself to a program of  
21 alcohol program, that help you to understand  
22 all the consequences of driving while

1 intoxicated, the consuming of alcohol for  
2 your personal life, and also for your  
3 health.

4 I also want to add that my DWI  
5 was -- I was just unlucky. I was going  
6 through a really, really rough time.

7 MEMBER SILVERSTEIN: Can you  
8 speak a little louder please.

9 MR. RODRIGUEZ: Okay, no problem.  
10 Sorry, I do apologize.

11 This is the microphone that I  
12 need to --

13 MEMBER ALBERTI: Yes, that's it,  
14 yes.

15 MR. RODRIGUEZ: Okay, I was going  
16 through a really rough time during that  
17 period of time that those issues happened.

18 My two little nephews got killed  
19 in a bomb threat in El Salvador, and I just  
20 didn't know how to deal with it, because  
21 since that they were very young, four and  
22 seven years old, and due to that, all this

1 issues that I had with my DWI's and reckless  
2 driving was due to that.

3 But I've been in therapy. I was  
4 in therapy for three years, which I just got  
5 out of last year, and I also took some --  
6 they give me -- I took medicine for two  
7 years, as well.

8 Now, I think I have better  
9 understanding and I'm a stronger person, to  
10 take anything that -- it happened five years  
11 ago. Would that answer your question?

12 CHAIR MILLER: It certainly shed  
13 some light on it, yes. I'm very sorry for  
14 your loss.

15 Are you working now?

16 MR. RODRIGUEZ: I do. I owe a  
17 little business. I do marketing in El  
18 Salvador, but since it's there, the business  
19 doesn't really provide enough income for me  
20 to survive in the United States.

21 So, I do get into there. I work  
22 at the P.F. Chang's restaurant in Virginia.

1 I just got a job, not too long ago, about  
2 three weeks ago.

3 But I have a really -- I believe  
4 that I have a very strong skills on  
5 management and I've done it before, for many  
6 years. It just is ABC license to work in the  
7 D.C. area, it's not -- I can't really get a  
8 really good job.

9 I also have -- I have an offer at  
10 the front -- to manage front page. It  
11 believe it's on 18th Street and right on  
12 Dupont Circle, but due to the -- my ABC  
13 license status, I'm not able to have that  
14 job offer, and they are waiting for me, for  
15 any information on my license, and I also  
16 was surprised with this meeting. I was not  
17 expecting this.

18 So, yes, I do apologize for not  
19 being prepared for something like this.

20 CHAIR MILLER: Yes, you wouldn't  
21 know what to prepare for, but you only need  
22 to come here and just be honest and answer

1 our questions, and that's the preparation  
2 enough, really.

3 MR. RODRIGUEZ: Yes, and I also  
4 want to add that I lost my dad this  
5 November, but he was older, older man, and  
6 he died of cancer, but my issues with  
7 drinking to solve this problem, they were  
8 not there, because well, first of all, I  
9 think I had enough education of alcohol  
10 taken and alcohol abuse, and also, it was  
11 different case, as well. It was, you know,  
12 it's in a better place now, you know, died  
13 of cancer, and it's different than two  
14 little kids, someone came and took their  
15 life away.

16 CHAIR MILLER: I'm not sure I  
17 heard everything. Are you drinking at all  
18 these days?

19 MR. RODRIGUEZ: No.

20 CHAIR MILLER: Not at all?

21 MR. RODRIGUEZ: No, that's the  
22 problem, no, I have never been alcohol

1       addicted. It just happened that, that time  
2       was so crucial, and since that, I've never  
3       experienced something like that, and I  
4       working at the bar late hours, and so and  
5       so, and I mean, I went out of hand, I've got  
6       to admit it.

7                 But I did prepare myself after  
8       that, and I think I'm a -- all the classes  
9       that I took and the times that I went, I  
10      don't think that will be a solution for  
11      another case like that, if it ever happen in  
12      my life.

13                CHAIR MILLER: Okay, thank you.  
14      Do other Board Members have questions? Mr.  
15      Alberti?

16                MEMBER ALBERTI: Good morning,  
17      Mr. Rodriguez.

18                MR. RODRIGUEZ: Good morning.

19                MEMBER ALBERTI: You're doing  
20      fine so far.

21                MR. RODRIGUEZ: Thank you.

22                MEMBER ALBERTI: Okay, so, it

1 wasn't clear on where you -- are you  
2 currently employed?

3 MR. RODRIGUEZ: I am, but as a  
4 server. I do the new employee's training.  
5 That's how far I can get.

6 MEMBER ALBERTI: Okay, and where  
7 are you employed?

8 MR. RODRIGUEZ: At the P.F.  
9 Chang's.

10 MEMBER ALBERTI: As a server?

11 MR. RODRIGUEZ: As a server  
12 trainer. I do the trainers for the  
13 employees coming in.

14 MEMBER ALBERTI: You train the  
15 new employees coming in?

16 MR. RODRIGUEZ: Yes, correct.

17 MEMBER ALBERTI: Okay, so, you  
18 said you have lots of experience to bring to  
19 -- is this experience in the food service  
20 industry?

21 MR. RODRIGUEZ: It is food  
22 service and also, alcohol management.

1 MEMBER ALBERTI: Okay, explain to  
2 me what your experience is.

3 MR. RODRIGUEZ: Well, my  
4 experience is on a restaurant level, food  
5 level, it's like my goal number one is  
6 provide --

7 MEMBER ALBERTI: Well, no, I need  
8 to know where you have worked. I mean, what  
9 -- how -- what experience have you had in  
10 the industry?

11 MR. RODRIGUEZ: Okay, I do  
12 apologize for that.

13 MEMBER ALBERTI: That's okay.

14 MR. RODRIGUEZ: Since 2000, my  
15 grandpap used to own a Caribbean Breeze  
16 right at 14th and K, and it was given to me.  
17 I manage that for three years.

18 MEMBER ALBERTI: What was the  
19 name of it?

20 MR. RODRIGUEZ: Caribbean Breeze.  
21 It was a --

22 MEMBER ALBERTI: Okay, yes 14th

1 and K?

2 MR. RODRIGUEZ: Yes, 14th and K,  
3 yes.

4 MEMBER ALBERTI: You managed it?

5 MR. RODRIGUEZ: Yes, I managed  
6 that. I took that restaurant for making very  
7 little money to a very top numbers, that we  
8 were able to sell the lease and we sold it  
9 to Lima, that it was a current Lima, they  
10 just closed not too long ago.

11 Along with that, I was hired to  
12 manage Lima. I managed Lima for the first  
13 three years and we did pretty good, and then  
14 I moved -- managed H2O, a nightclub that it  
15 was -- by the water front.

16 MEMBER ALBERTI: When was that?

17 MR. RODRIGUEZ: That was in 2004.

18 MEMBER ALBERTI: Okay.

19 MR. RODRIGUEZ: Right before they  
20 close, and then I went to work at Ultrabar,  
21 which I was working there until 2009.  
22 That's when the incident happened and I quit

1 the restaurant business and nightclubs.

2 MEMBER ALBERTI: Okay.

3 MR. RODRIGUEZ: I quit that and I  
4 went to work at daytime at the Union  
5 Station, the restaurant that it calls  
6 American Grill, which is now closed, due to  
7 the lease.

8 MEMBER ALBERTI: Sure.

9 MR. RODRIGUEZ: Yes, and but I  
10 was just managing the restaurant, not the  
11 bar.

12 MEMBER ALBERTI: Okay.

13 MR. RODRIGUEZ: Because the  
14 incident that I had.

15 MEMBER ALBERTI: Okay.

16 MR. RODRIGUEZ: So, I managed  
17 that for until 2011, and then I went to work  
18 at the Convention Center in 2010, as a  
19 management for the big events that they  
20 have.

21 In 2013, I went to work at  
22 Serendipity and I managed that place, I went

1 until they closed in 2014, due to the --  
2 somebody else came and bought the building  
3 and --

4 MEMBER ALBERTI: We're aware of  
5 that.

6 MR. RODRIGUEZ: Yes, okay. Yes,  
7 that was my last job in D.C., and I think I  
8 do pretty good in that. I mean, I think my  
9 personal skills and my knowledge of food and  
10 beverage, I think they're very strong.

11 MEMBER ALBERTI: Okay, so, you're  
12 not currently employed in --

13 MR. RODRIGUEZ: In my field.  
14 Well --

15 MEMBER ALBERTI: Wait, let me  
16 finish my question, all right? I know.

17 MR. RODRIGUEZ: All right.

18 MEMBER ALBERTI: Be patient. So,  
19 you're not currently employed at a licensed  
20 establishment in the District?

21 MR. RODRIGUEZ: No.

22 MEMBER ALBERTI: Okay, so, you

1 mentioned Front Page. Do you have the  
2 potential to be hired by them?

3 MR. RODRIGUEZ: I've been -- I've  
4 been -- I was called by them and I had three  
5 interviews with them.

6 CHAIR MILLER: Okay.

7 MR. RODRIGUEZ: And they only  
8 reason they're not willing to take their job  
9 is because with the -- without my ABC  
10 license, my pay won't be that high.

11 MEMBER ALBERTI: Okay, so, all  
12 right, so, the reason you want the license  
13 is connected with the potential job at Front  
14 Page?

15 MR. RODRIGUEZ: Correct.

16 MEMBER ALBERTI: Okay, all right.  
17 So, I understand that now.

18 Okay, back in 2011, when you had  
19 your DWI, do you remember how drunk you  
20 were? Do you -- did they do a Breathalyzer  
21 test on you?

22 MR. RODRIGUEZ: They do. It was

1 -- well, the first one was -- it was really  
2 bad, caught by the cops, which is -- it was  
3 .01, but it was 10 --

4 MEMBER ALBERTI: Okay.

5 MR. RODRIGUEZ: -- like two  
6 points up of my --

7 MEMBER ALBERTI: Okay.

8 MR. RODRIGUEZ: -- limit.

9 MEMBER ALBERTI: Okay, so, it was  
10 probably .1.

11 MR. RODRIGUEZ: Yes.

12 MEMBER ALBERTI: I think the  
13 legal limit them was .08.

14 MR. RODRIGUEZ: Yes.

15 MEMBER ALBERTI: Okay, all right.  
16 Okay, so, you went to -- you went through  
17 their program, which was how long? How long  
18 was that program that they -- what was it  
19 called?

20 MR. RODRIGUEZ: The program that  
21 is required, but the Fairfax County, by any  
22 Court that I went -- someone get involved in

1 a DWI, it's called ASAP. It requires 36  
2 classes.

3 MEMBER ALBERTI: Okay, so, 36  
4 classes. Then did you have any counseling  
5 or --

6 MR. RODRIGUEZ: I did.

7 MEMBER ALBERTI: -- or group  
8 therapy after that?

9 MR. RODRIGUEZ: I did.

10 MEMBER ALBERTI: Can you describe  
11 what that was?

12 MR. RODRIGUEZ: The therapy that  
13 I went was -- it was by Fairfax County. I  
14 also want to a private one.

15 MEMBER ALBERTI: Okay, so, the  
16 Fairfax County one is the one I'm more  
17 interested in. I don't want to get into  
18 your private life, the one in Fairfax  
19 County.

20 MR. RODRIGUEZ: Okay, it was more  
21 like -- it shows you what are the cause of  
22 driving under the influence of alcohol.

1       What are -- what alcohol does to -- what are  
2       the different behaviors between a person  
3       that is intoxicating and the other one, that  
4       is not.

5                   MEMBER ALBERTI:   How long was  
6       that program?

7                   MR. RODRIGUEZ:   That was -- we're  
8       talking about the 36 --

9                   MEMBER ALBERTI:   No, the one --  
10      oh, okay, so, that's the one you just  
11      described?

12                  MR. RODRIGUEZ:   Yes.

13                  MEMBER ALBERTI:   All right.

14                  MR. RODRIGUEZ:   Yes.  Now, the  
15      other one that I enrolled myself voluntary  
16      was how to deal with anger --

17                  MEMBER ALBERTI:   Okay.

18                  MR. RODRIGUEZ:   -- and personal  
19      matters and how to be upset differently, and  
20      how to handle problems in life differently.  
21      It was really good.

22                  MEMBER ALBERTI:   And you did that

1 voluntarily?

2 MR. RODRIGUEZ: Voluntary, yes.

3 MEMBER ALBERTI: For how long?

4 MR. RODRIGUEZ: I did it for  
5 three years.

6 MEMBER ALBERTI: For three years?

7 MR. RODRIGUEZ: Yes.

8 MEMBER ALBERTI: Okay.

9 MR. RODRIGUEZ: Just because my  
10 dad was Military for many years during the  
11 War, and we -- my whole family and I, we  
12 were kidnaped two times by the rebels, and I  
13 think that, I want to say until this day,  
14 affect me much as it did about five or ten  
15 years ago.

16 MEMBER ALBERTI: Okay.

17 MR. RODRIGUEZ: So, that kind of  
18 helped me to resolve some of the issues that  
19 I had with me, with -- yes, I didn't know  
20 that it was a cure for it.

21 MEMBER ALBERTI: So, but you are  
22 no longer under that --

1 MR. RODRIGUEZ: No, no, no.

2 MEMBER ALBERTI: And why did you  
3 quit?

4 MR. RODRIGUEZ: No, they release  
5 me. They thought that I was good enough  
6 just to --

7 MEMBER ALBERTI: Okay, under the  
8 advice of your therapist?

9 MR. RODRIGUEZ: Of my yes,  
10 psychologist -- psychiatrist.

11 MEMBER ALBERTI: Okay, he said --

12 MR. RODRIGUEZ: Yes, but I -- I  
13 told them that I would come and see them  
14 every six months, every year.

15 MEMBER ALBERTI: Okay.

16 MR. RODRIGUEZ: So, to prevent  
17 any, you know, any issues that I might have,  
18 but at this age, I don't know if I will -- I  
19 don't know if I will ever have those  
20 symptoms.

21 MEMBER ALBERTI: So, in the 2012  
22 incident, May of 2012, were you drinking

1 again at that incident -- on that incident?

2 MR. RODRIGUEZ: When?

3 MEMBER ALBERTI: In 2012.

4 MR. RODRIGUEZ: No, no, that was  
5 not --

6 MEMBER ALBERTI: Were you charged  
7 with that? Was there a punishment for the -

8 -

9 MR. RODRIGUEZ: With the one --

10 MEMBER ALBERTI: In May of 2012.

11 MR. RODRIGUEZ: With the reckless  
12 driver?

13 MEMBER ALBERTI: Yes.

14 MR. RODRIGUEZ: Okay, that was --  
15 it was really -- I was driving from work to  
16 my house, and I got pulled over by the  
17 police. They had a -- I had a -- I was  
18 carrying a breath tester in my car, and the  
19 cop came on the circle, check my tags and he  
20 went in a circle and cut me right at my  
21 building, and I was going into my building,  
22 because I had a flight to El Salvador few

1 hours later, because my aunt had just passed  
2 away, which was my dad's sister.

3 MEMBER ALBERTI: Okay.

4 MR. RODRIGUEZ: And so, he  
5 approached me to the door and when we start  
6 talking, he said, "Are you allowed to be  
7 driving at this time," and I said, "Yes."

8 Then he said, "But the road that  
9 you took is not the one that you are suppose  
10 to take," because I made a cut to my house.

11 MEMBER ALBERTI: Okay, so, he had  
12 a -- you made some illegal maneuver -- I  
13 mean, you drove the wrong way, he says?

14 MR. RODRIGUEZ: Yes.

15 MEMBER ALBERTI: All right, so,  
16 he stopped you because of that, right?

17 MR. RODRIGUEZ: Well, literally,  
18 yes, he did but --

19 MEMBER ALBERTI: All right.

20 MR. RODRIGUEZ: -- I was already  
21 parked. Now, so, he was --

22 MEMBER ALBERTI: All right, so,

1 why were you -- sorry, so, why were you  
2 driving without a license?

3 MR. RODRIGUEZ: No, I did have  
4 license, it just -- license was surrendered  
5 by certain roads in certain hours.

6 MEMBER ALBERTI: It was  
7 restricted license?

8 MR. RODRIGUEZ: Restricted  
9 license, yes.

10 MEMBER ALBERTI: Were you  
11 drinking that day?

12 MR. RODRIGUEZ: No.

13 MEMBER ALBERTI: You weren't?

14 MR. RODRIGUEZ: No.

15 MEMBER ALBERTI: Okay, do you  
16 occasionally drink now?

17 MR. RODRIGUEZ: I prefer not to.  
18 I think I -- my life style has changed  
19 completely. I do go to church and I do  
20 respect the fact that my dad passed away,  
21 and I wouldn't disparage him to do something  
22 like this again.

1 MEMBER ALBERTI: And you're  
2 living in Virginia now?

3 MR. RODRIGUEZ: I live in  
4 Virginia.

5 MEMBER ALBERTI: Are you married?

6 MR. RODRIGUEZ: By the State of  
7 Virginia, yes.

8 MEMBER ALBERTI: Are you?

9 MR. RODRIGUEZ: We've been living  
10 together for six years, with my girlfriend.

11 MEMBER ALBERTI: Okay, okay. So  
12 --

13 MR. RODRIGUEZ: Yes.

14 MEMBER ALBERTI: -- you are in a  
15 committed relationship?

16 MR. RODRIGUEZ: Yes.

17 MEMBER ALBERTI: Let's put it  
18 that --

19 MEMBER RODRIGUEZ: That's why we  
20 had the people leave the room, so that we --

21 MR. RODRIGUEZ: Thank you.

22 MEMBER ALBERTI: This is all --

1 MR. RODRIGUEZ: Yes.

2 MEMBER ALBERTI: We have to know

3 --

4 MR. RODRIGUEZ: Yes, I was  
5 married once by the law and --

6 MEMBER ALBERTI: I don't want to  
7 pry too much.

8 MR. RODRIGUEZ: Okay, yes.

9 MEMBER ALBERTI: You know, it's a  
10 serious responsibility when --

11 MR. RODRIGUEZ: Yes.

12 MEMBER ALBERTI: -- being in  
13 charge of the service of alcohol, and so,  
14 when someone who -- I mean, admittedly acted  
15 irresponsibly, we want to know a little bit  
16 about them. So, that's why I'm asking these  
17 very personal questions.

18 MR. RODRIGUEZ: Yes.

19 MEMBER ALBERTI: And I appreciate  
20 your answers.

21 MR. RODRIGUEZ: Yes.

22 MEMBER ALBERTI: What do you

1 think you've learned from all of this?

2 MR. RODRIGUEZ: From all of this?

3 MEMBER ALBERTI: From all of  
4 this, both of these experiences.

5 MR. RODRIGUEZ: Coming from where  
6 I'm coming from, my dad being in the  
7 Military, I think that should have never  
8 happened to me, but I chose that. I wasn't  
9 responsible.

10 But on the other hand, it was  
11 something that was out of my control on that  
12 particular time, and I did learn that --

13 MEMBER ALBERTI: What do you mean  
14 it was out of your control? What do you  
15 mean by that?

16 MR. RODRIGUEZ: It just couldn't  
17 -- I couldn't believe that my two little  
18 nephews being that young, they were killed  
19 by someone.

20 MEMBER ALBERTI: Okay, okay.

21 MR. RODRIGUEZ: Two innocent  
22 persons that had nothing to do --

1                   MEMBER ALBERTI: Okay, I  
2 understand. I understand, all right.

3                   All right, so, you are -- I mean,  
4 you are accepting responsibility for that?

5                   MR. RODRIGUEZ: I'm 100 percent  
6 responsible for it.

7                   MEMBER ALBERTI: Okay.

8                   MR. RODRIGUEZ: I don't think  
9 that we -- we drive our lives to the way we  
10 want to, and sometimes we can't really  
11 control it, and that's where the  
12 consequences come, like this one that I  
13 suffer for five years, let's say.

14                   I did -- I do believe that I --  
15 there is no one responsible but me, for now  
16 having poor decisions in that time, and I  
17 didn't only put my life in risk, I did put  
18 other people's life in risk, as well. I do  
19 understand that very clear, clearly than  
20 before.

21                   I don't think I will ever get  
22 behind the wheel while intoxicated. That

1 was one of the poorest decisions that I make  
2 in life.

3 MEMBER ALBERTI: Thank you.  
4 Thank you for your honesty, Mr. Rodriguez.  
5 Thank you.

6 CHAIR MILLER: Others?

7 MEMBER ALBERTI: I think Mr.  
8 Short.

9 CHAIR MILLER: Yes, Mr. Short.

10 MEMBER SHORT: Good morning, Mr.  
11 Rodriguez.

12 MR. RODRIGUEZ: Good morning.

13 MEMBER SHORT: This is my  
14 personal preference. I believe in  
15 redemption. People getting a second chance  
16 in life.

17 But I'd like to know, where were  
18 you working in 2012, when you were arrested  
19 for the driving while --

20 MR. RODRIGUEZ: Driving reckless?

21 MEMBER SHORT: Yes.

22 MR. RODRIGUEZ: I was working at

1 this chicken place, right in Columbia Pike.  
2 It was just restaurant, no beverages, and I  
3 was managing that place for a couple of  
4 months, because my restrictions were very  
5 limit. So, I didn't want to go --

6 MEMBER SHORT: So, you had a  
7 permit to drive just to work and back home?

8 MR. RODRIGUEZ: To work, yes.

9 MEMBER SHORT: Home to work, work  
10 to --

11 MR. RODRIGUEZ: Yes, and I was  
12 coming to work. It just the fact that I  
13 took the wrong road to get home faster, and  
14 I was --

15 MEMBER SHORT: So, the officer  
16 asked -- the officer did ask you about that?

17 MR. RODRIGUEZ: Yes.

18 MEMBER SHORT: You weren't able  
19 to satisfy the officer and he arrested you?

20 MR. RODRIGUEZ: No, I didn't get  
21 arrested. He give me Court date.

22 MEMBER SHORT: Gave you a Court

1 date?

2 MR. RODRIGUEZ: Yes.

3 MEMBER SHORT: Okay.

4 MR. RODRIGUEZ: Yes, but I did,  
5 because I had a -- I was -- I had a flight  
6 to El Salvador.

7 MEMBER SHORT: Say it again.

8 MR. RODRIGUEZ: I was flying to  
9 El Salvador, couple hours later after that,  
10 and that's why I was getting home faster.

11 MEMBER SHORT: Okay, let me ask  
12 you this question.

13 Have you ever been convicted of a  
14 crime or have you ever plead guilty to a  
15 crime?

16 MR. RODRIGUEZ: No, no.

17 MEMBER SHORT: Never been  
18 convicted?

19 MR. RODRIGUEZ: No.

20 MEMBER SHORT: Okay.

21 MR. RODRIGUEZ: Now, I'm confused  
22 because my DWI was a crime scene. Now, when

1 you say a crime, it involve -- can you  
2 explain that to me? I'm sorry.

3 MEMBER SHORT: A crime is like  
4 getting arrested for a DWI or driving --  
5 that's a crime.

6 Were you ever convicted of  
7 driving while intoxicated?

8 MR. RODRIGUEZ: Yes, yes, yes, in  
9 that case, yes.

10 MEMBER SHORT: And what was the -  
11 - I mean, and that's when you went into  
12 programs?

13 MR. RODRIGUEZ: Yes, yes.

14 MEMBER SHORT: Did you ever serve  
15 any time?

16 MR. RODRIGUEZ: I served five  
17 days with half served and half -- I can't  
18 remember what it's called, the phrase that  
19 they used, but yes, five days, and they  
20 reduce you because night and day -- two  
21 days, I guess.

22 MEMBER SHORT: Okay, well, again,

1 I just -- you answered the question I wanted  
2 to hear, regarding your arrest, and you did  
3 to -- take full responsibility.

4 MR. RODRIGUEZ: Yes, I did.

5 MEMBER SHORT: You're not going  
6 to do it anymore?

7 MR. RODRIGUEZ: No, no. I think  
8 I had enough, learning from this case.

9 MEMBER SHORT: Okay, your  
10 testimony has been compelling. Thank you  
11 very much for your testimony.

12 MR. RODRIGUEZ: Thank you.

13 MEMBER SILVERSTEIN: I do have a  
14 question, and that is, it says here that you  
15 submitted an unsigned clean-hands  
16 certification, and you were asked whether  
17 you had been convicted of a misdemeanor  
18 during the last five years, you marked 'no'.

19 MR. RODRIGUEZ: Just because the  
20 State of Virginia, it's a state, and the  
21 District of Columbia being a District. I  
22 thought it was not related to my -- to the

1 State of Virginia, which I'm a resident of.

2 That was my confusion there.

3 CHAIR MILLER: Okay, Mr.  
4 Rodriguez?

5 MEMBER RODRIGUEZ: Yes, Mr.  
6 Rodriguez, we're not related, I want  
7 everybody to know that.

8 But the -- you did complete the  
9 alcohol awareness course. I see here, the  
10 certificate, and it says 'successfully  
11 outstanding achievement'. Is that just the  
12 normal -- did you achieve anything there  
13 besides completing the course? Was there  
14 anything additional that you achieved there?

15 MR. RODRIGUEZ: Yes, yes.

16 MEMBER RODRIGUEZ: This says  
17 'outstanding achievement'. Is there  
18 something that you completed there, besides  
19 completing the course? Did you achieve  
20 anything else?

21 MR. RODRIGUEZ: Yes, I did. I  
22 used to do a presentation during the class,

1 during the program, to see -- to the people  
2 coming to class. I would tell them a little  
3 bit about me, and I would tell them how I  
4 would have acted, if I was not on that  
5 influence of the alcohol, for that -- on my  
6 case.

7 MEMBER RODRIGUEZ: Okay.

8 MR. RODRIGUEZ: And my tutor, my  
9 teacher did like that.

10 MEMBER RODRIGUEZ: Okay.

11 MR. RODRIGUEZ: I was really  
12 trying to make see different in their way.

13 MEMBER RODRIGUEZ: Okay.

14 MR. RODRIGUEZ: Yes.

15 MEMBER RODRIGUEZ: So, obviously,  
16 you know that we take alcohol management  
17 very seriously, and you are experienced in  
18 the area, and our concern is that, you know,  
19 you take into account how serious this is,  
20 and so, I just wanted to be sure that this  
21 does not happen again --

22 MR. RODRIGUEZ: It won't happen.

1                   MEMBER RODRIGUEZ:  -- and you  
2                   know, you can sit up straight and be proud  
3                   that you can do a good job on this, because  
4                   we're very, very concerned about, you know,  
5                   the situation out there, where people are  
6                   driving recklessly.

7                   So, I appreciate your coming in,  
8                   and I wish you good luck.

9                   MR. RODRIGUEZ:  Thank you.

10                  MEMBER ALBERTI:  Donald hasn't  
11                  voted yet.  Donald and I will vote.  I'll  
12                  vote.

13                  CHAIR MILLER:  Okay, I think at  
14                  this juncture, we can either vote on the  
15                  application or take it under advisement, and  
16                  then you know, just give a little thought  
17                  to, you know, what you've said.

18                  Well, I'm asking if the Board  
19                  wants to take it under advisement and --

20                  MEMBER ALBERTI:  My preference is  
21                  to make a decision now.

22                  CHAIR MILLER:  Your preference is

1 to make a decision?

2 MEMBER ALBERTI: Yes.

3 CHAIR MILLER: That's what my  
4 question is.

5 MEMBER ALBERTI: I didn't know  
6 you were asking the Board. I thought you  
7 were -- I didn't know we were going to --

8 CHAIR MILLER: No, I was saying  
9 we have the choice.

10 MEMBER RODRIGUEZ: Madam Chair,  
11 in light of your question, I recommend that  
12 we take a vote now.

13 CHAIR MILLER: All right, okay.

14 MEMBER SHORT: I'm not ready to  
15 vote right now. I don't feel comfortable  
16 voting right now.

17 CHAIR MILLER: Okay, so, there's  
18 --

19 MEMBER ALBERTI: Well, then in --  
20 then we should take this under advisement.  
21 If there is one Board Member who is  
22 uncomfortable, I believe we should take it

1 under advisement.

2 CHAIR MILLER: Okay.

3 MEMBER ALBERTI: I think that  
4 that's only the best course and the most  
5 respectful of everyone on this Board.

6 CHAIR MILLER: Okay, so, then is  
7 it the consensus of the Board, that we will  
8 take this under advisement and we -- okay,  
9 then I gather that's what the consensus is.

10 So, what that means is --

11 MEMBER ALBERTI: Do we want to do  
12 this now and go back and talk and come out  
13 with it?

14 Mr. Short, do you think you can  
15 make a decision quickly?

16 MEMBER SHORT: I think we need to  
17 talk about -- I would not feel comfortable  
18 talking in front of the --

19 MEMBER ALBERTI: No, I  
20 understand, but can you -- if we were to  
21 recess, do you think we could --

22 MEMBER SHORT: I think we could -

1 -

2 MEMBER ALBERTI: -- resolve this  
3 very quickly?

4 CHAIR MILLER: All right, then  
5 maybe that's the best --

6 MEMBER ALBERTI: I think that's  
7 the best. I think we should recess, go  
8 back, and come back out. I think that's  
9 fair to everybody.

10 CHAIR MILLER: Then we can have  
11 an answer sooner, okay.

12 Okay, so I've got to do my  
13 instructions. I've got -- we have to take a  
14 roll call vote, in order to discuss in  
15 closed session.

16 So, as Chairperson of the  
17 Alcoholic Beverage Control Board for the  
18 District of Columbia, in accordance with  
19 Section 405 of the Open Meetings Amendment  
20 Act of 2010, I move that the ABC Board hold  
21 a closed meeting for the purpose of seeking  
22 legal advice from our Counsel on the case of

1 Hilton Rodriguez, Applicant for a manager's  
2 license, per Section 405(b) of the Open  
3 Meetings Amendment Act of 2010, and  
4 deliberating upon this case for the reasons  
5 cited in Section 405(b)(13) of the Open  
6 Meetings Amendment Act of 2010. Do I have a  
7 second?

8 MEMBER BROOKS: Second.

9 CHAIR MILLER: Mr. Brooks  
10 seconded the motion.

11 MEMBER ALBERTI: I agree.

12 CHAIR MILLER: Okay, Mr. Alberti  
13 agrees. Does Mr. Brooks agree? Brooks,  
14 agree?

15 MEMBER BROOKS: I agree.

16 CHAIR MILLER: Mr. Rodriguez  
17 agrees. Ms. Miller agrees. Mr.  
18 Silverstein.

19 MEMBER SILVERSTEIN: I agree.

20 CHAIR MILLER: Mr. Short.

21 MEMBER SHORT: I agree.

22 CHAIR MILLER: So, the vote is 6-

1 0-0. We will recess very briefly to -- in  
2 that a couple of members wanted us to do so,  
3 and we will return very shortly.

4 MR. RODRIGUEZ: Okay.

5 CHAIR MILLER: Within five or 10  
6 minutes. So, don't go too far.

7 MR. RODRIGUEZ: Okay, should I  
8 remain here?

9 CHAIR MILLER: You probably  
10 should, because I think that we're only --

11 MR. RODRIGUEZ: Okay.

12 CHAIR MILLER: We plan to do this  
13 very quickly.

14 MR. RODRIGUEZ: Thank you.

15 CHAIR MILLER: Okay, we don't  
16 want the others to come in yet.

17 (Whereupon, the above-entitled  
18 matter went off the record at 10:37 a.m. and  
19 resumed at 10:42 a.m.)

20 CHAIR MILLER: Okay, we're back  
21 on the record. The Board has had a chance  
22 to discuss a little bit, any concerns that -

1 - questions.

2 So, at this point, everyone is  
3 ready to vote.

4 MR. RODRIGUEZ: Okay.

5 CHAIR MILLER: So, I'm going to  
6 move approval of your application. Well,  
7 I'm going to move approval of your  
8 application, based on, you know, the  
9 representations that you made today,  
10 clarifying what happened and the courses  
11 you've taken and your attitude at this point  
12 and a sense of responsibility that I hear,  
13 and understand that you'll carry forward.

14 So, that's my vote. That's my  
15 motion.

16 MR. RODRIGUEZ: Thank you.

17 MEMBER SHORT: Before we vote,  
18 Madam Chair, I'd just like to make a  
19 statement please.

20 CHAIR MILLER: Yes, can I get a  
21 second on the motion? Then anybody can  
22 speak to it.

1                   MEMBER ALBERTI:   Second.  I'll  
2   second the motion.

3                   CHAIR MILLER:   Thank you.  Mr.  
4   Alberti seconded the motion.  Mr. Short?

5                   MEMBER SHORT:   Thank you.  Mr.  
6   Rodriguez?

7                   MR. RODRIGUEZ:   Yes.

8                   MEMBER SHORT:   We've heard your  
9   compelling testimony today and I think it's  
10  the general consensus that everybody in the  
11  world deserves a second chance.

12                   This is a very serious matter  
13  we're taking up, and it's a very serious  
14  career you're about to take on.  Please do  
15  not disappoint us.

16                   MR. RODRIGUEZ:   Yes.

17                   MEMBER SHORT:   If the vote goes  
18  your way.

19                   MR. RODRIGUEZ:   Thank you.  I  
20  won't.

21                   MEMBER SHORT:   Thank you, Madam  
22  Chair.  That's all I have.

1 MR. RODRIGUEZ: Thank you.

2 MEMBER ALBERTI: Thank you, Mr.  
3 Short.

4 CHAIR MILLER: Does anyone else  
5 want to speak to the motion?

6 Okay, not hearing anyone then,  
7 all those in favor say aye.

8 (Chorus of ayes)

9 CHAIR MILLER: All those opposed?

10 MEMBER SHORT: Is there a time  
11 period on that?

12 CHAIR MILLER: All those  
13 abstaining? I think there's a time period  
14 on every --

15 MEMBER ALBERTI: Those licenses  
16 are yearly licenses. They have to be  
17 renewed every year.

18 CHAIR MILLER: Two years.

19 MEMBER SHORT: Every two years.

20 MEMBER ALBERTI: Two years, okay.

21 CHAIR MILLER: Yes.

22 MEMBER ALBERTI: There is no -- I

1 don't think --

2 MEMBER SHORT: Chapter 25, two  
3 years.

4 MEMBER ALBERTI: Okay.

5 CHAIR MILLER: There was a vote,  
6 I believe, 6-0-0, unless there is another  
7 motion. That's the decision.

8 Okay, so, we're just going to  
9 find your original application and sign it.

10 MR. RODRIGUEZ: Thank you.

11 MEMBER ALBERTI: I wish you the  
12 best, but remember, it's on you.

13 MR. RODRIGUEZ: Thank you. I do  
14 understand that. Thank you.

15 MEMBER ALBERTI: Okay, actually,  
16 Mr. Rodriguez, can I excuse Mr. Rodriguez?  
17 He can go and wait in the -- if you want to  
18 get your license today, you can wait in the  
19 lobby.

20 MR. RODRIGUEZ: In the lobby?

21 MEMBER ALBERTI: And the paper  
22 will -- we'll send the paperwork over there.

1 MR. RODRIGUEZ: Okay.

2 MEMBER ALBERTI: Yes, all right.

3 Thank you.

4 CHAIR MILLER: We're signing off.

5 Someone will bring it to you.

6 MR. RODRIGUEZ: Thank you.

7 MEMBER ALBERTI: You can wait at  
8 the front desk.

9 CHAIR MILLER: Thank you very  
10 much.

11 (Whereupon, the above-entitled  
12 matter went off the record at 10:45 a.m.)

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