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

(10:34 a.m.)

CHAIRPERSON MILLER: Okay. I'm going to call the case for Justin's Cafe located at 1025 1st Street, S.E., License No. 83690 in ANC-6D. This is a one day substantial change application for a block party, April 13, 2013.

Would you introduce yourselves for the record?

MR. ROSS: Yes, my name is Justin Ross, owner of Justin's Cafe.

CHAIRPERSON MILLER: Great.

INVESTIGATOR MARTIN: And Felicia Martin, Investigator with ABRA.

CHAIRPERSON MILLER: Okay. Mr. Ross, can you just give a brief overview of what this event will be?

MR. ROSS: Sure.

CHAIRPERSON MILLER: Okay.

MR. ROSS: This is our second block party. We did it around the same time

1 last year. It will be on April 13th, which is  
2 the first Saturday home game. The Braves are  
3 in town for a 1:00 game and we are seeking to  
4 close down 1st Street between L and K, S.E.,  
5 in order to celebrate the day.

6 The event will be from 10:00 to  
7 9:00 p.m. We will have all local beer, no  
8 liquor and wine, just beer. We will have --  
9 last year we had our own food and then one  
10 food truck. This year we are not worrying  
11 about food. We are having five food trucks  
12 that will be coming in.

13 And we will have a band with  
14 music. 106.7 is broadcasting live from the  
15 event, do some pre-game and post-game stuff.  
16 That's pretty much it.

17 CHAIRPERSON MILLER: How many  
18 people did you get last year? Do you know?

19 MR. ROSS: I think we tried to  
20 calculate it. We had about 1,000 people there  
21 maybe right after the game. It was a Capitals  
22 playoff game then, so a lot of people were

1 coming back to -- leaving the game early and  
2 come back and watch, you know, the Caps game.

3 So I assume it will probably be  
4 around the same this year.

5 CHAIRPERSON MILLER: Okay. That's  
6 what you are planning for?

7 MR. ROSS: Yes.

8 CHAIRPERSON MILLER: And how much  
9 security and who is going to be your security?

10 MR. ROSS: We have -- I have the--  
11 here is the reimbursable police detail. Do  
12 you want to see the sheet?

13 CHAIRPERSON MILLER: Did you  
14 submit that with the application or no?

15 MR. ROSS: It's with the  
16 application with DCRA.

17 CHAIRPERSON MILLER: Oh, it's not  
18 with this application?

19 MR. ROSS: I don't believe so.

20 CHAIRPERSON MILLER: Yes, sure, we  
21 would like to see it.

22 MR. ROSS: Great.

1                   CHAIRPERSON MILLER: Our assistant  
2 is going to come get it.

3                   MEMBER ALBERTI: Ms. Walker will  
4 take it from you.

5                   MR. ROSS: So in addition to -- I  
6 worked with Officer Jackie --

7                   CHAIRPERSON MILLER: Yes.

8                   MR. ROSS: -- to coordinate with  
9 the reimbursable police detail. They are  
10 going to have police cars on both ends of the  
11 street and then five police officers  
12 throughout the day. And then we are also  
13 going to have -- we have our own security  
14 staff that we have on game days. So we use  
15 two bouncers/doormen on game days. Then we  
16 are going to have all six of those guys that  
17 we kind of rotate in and out be there  
18 throughout the course of the day.

19                   CHAIRPERSON MILLER: How are you  
20 checking IDs?

21                   MR. ROSS: It's free to enter and  
22 you can be under 21 to enter.

1 CHAIRPERSON MILLER: Yes.

2 MR. ROSS: But we are going to  
3 have two different stations where they ID. My  
4 whole staff is going to be there the whole  
5 day. So all the manager and bartenders will  
6 be checking IDs. We will have wristbands and  
7 people can buy drinks where they can take to  
8 the beer stations.

9 CHAIRPERSON MILLER: So where will  
10 they be checking IDs? How is that going to  
11 happen?

12 MR. ROSS: I can actually give you  
13 guys the site map, too, if you would like.

14 CHAIRPERSON MILLER: Oh, yes.

15 MR. ROSS: Sorry. I'm sorry.

16 CHAIRPERSON MILLER: Okay. Yes,  
17 this is helpful. If you can go through this?

18 MR. ROSS: Yes.

19 CHAIRPERSON MILLER: Yes, okay.

20 MR. ROSS: Okay. So, okay, number  
21 one is the stage, so last year we were just  
22 changing where the stage is going to be. The

1 stage will be -- is No. 1, that structure.

2 It's one of those stages that you put in with  
3 a truck. So it's not nearly as big as it  
4 looks here, but it's a good size stage.

5 And then the ID station will be  
6 No. 9. It's going to be kind of a long table  
7 and we will have, I believe, four people who  
8 will be checking IDs. All the bartenders that  
9 have been trained by TIPS staff or I'll always  
10 have a manager there that is TIPS trained.

11 And then from there they will go  
12 to tickets.

13 CHAIRPERSON MILLER: So they check  
14 IDs there. Do they get a wristband there?  
15 They get a wristband. Okay. What's that  
16 going to look like? Do you know what kind of  
17 wristband?

18 MR. ROSS: I'm sorry?

19 CHAIRPERSON MILLER: What kind of  
20 wristband are they going to get?

21 MR. ROSS: We got Justin's Cafe  
22 wristbands.

1 CHAIRPERSON MILLER: Okay.

2 MR. ROSS: Just because we didn't  
3 want people to --

4 CHAIRPERSON MILLER: Do you have  
5 to cut them off or, you know, how --

6 MR. ROSS: It's the ones that have  
7 like the medical look, you know.

8 CHAIRPERSON MILLER: Oh, okay.

9 MR. ROSS: Yes.

10 CHAIRPERSON MILLER: So they get  
11 their wristbands there and then they go get  
12 drink tickets?

13 MR. ROSS: Yes.

14 CHAIRPERSON MILLER: Okay.

15 MR. ROSS: They get drink tickets.  
16 We are going to have two ticket stations. You  
17 learn a few things as you do it more and more.  
18 So we'll kind of spread out where the ticket  
19 stations will be.

20 CHAIRPERSON MILLER: Okay.

21 MR. ROSS: So we can kind of  
22 spread the flow of traffic. So two ticket

1        stations and then we have a keg truck and they  
2        will be having Port City beer from Alexandria  
3        and DC Brau beer and we will have six jockey  
4        boxes and people will kind of just go in  
5        different lines for whatever kind of beer they  
6        would like.

7                    CHAIRPERSON MILLER: Is there a  
8        limit on the number of beer tickets they can  
9        buy or drink tickets?

10                   MR. ROSS: At one time?

11                   CHAIRPERSON MILLER: At one time.

12                   MR. ROSS: No, but there will be a  
13        limit on the amount of beers they can --

14                   CHAIRPERSON MILLER: Purchase at  
15        one time?

16                   MR. ROSS: -- get at one time.

17        Yes.

18                   CHAIRPERSON MILLER: What's that?

19                   MR. ROSS: Just one, unless they  
20        have somebody with them that has an ID.

21                   CHAIRPERSON MILLER: Okay. Right  
22        with them. Okay. Good. Okay. Do you have

1 a plan if someone gets intoxicated or sick  
2 from drinking?

3 MR. ROSS: I mean the plan to be--  
4 all our staff is going to be working, so the  
5 bartenders will most likely be doing the same  
6 thing as they would if they were bartending.  
7 Just cutting people off, giving them water,  
8 kind of pulling them aside. We're going to  
9 have the restaurant open, so you can kind of  
10 pull them inside and sit them down.

11 One of the nice things about this  
12 area and where the bars -- most people take  
13 the Metro there, because the Metro is within  
14 a block away. So at least not everybody will  
15 -- I think parking is very expensive, so  
16 hopefully everybody will be taking the Metro.  
17 But pretty much the same precautions and we  
18 have just have like random temp staff come in  
19 and work the event, so it will be over-  
20 staffed. So get them all, get them water, get  
21 them food, kind of sit them down.

22 CHAIRPERSON MILLER: Okay. And

1 have you shared your plans with the ANC?

2 MR. ROSS: Yes, they approved us.

3 CHAIRPERSON MILLER: They approved  
4 you? But a resolution?

5 MR. ROSS: Yes.

6 CHAIRPERSON MILLER: Do you have  
7 that?

8 MR. ROSS: That was emailed to you  
9 guys by the ANC, yes.

10 CHAIRPERSON MILLER: Okay. We  
11 will look for that. Okay. Do you know when  
12 that was about?

13 MR. ROSS: About two weeks. I  
14 believe it was emailed to Sarah Fashbaugh.

15 CHAIRPERSON MILLER: Okay. Do you  
16 know about when?

17 MR. ROSS: I can check my phone.  
18 March 21st.

19 CHAIRPERSON MILLER: Okay. Did  
20 you have any problems last year?

21 MR. ROSS: No.

22 CHAIRPERSON MILLER: No, okay.

1 That's great.

2 MR. ROSS: Yes.

3 CHAIRPERSON MILLER: All right.

4 And so you are coordinating with Metropolitan  
5 Police Department?

6 MR. ROSS: Yes.

7 CHAIRPERSON MILLER: Coordinating  
8 with the fire department?

9 MR. ROSS: Yes, in order to get  
10 DCRA approval, you have to coordinate with  
11 pretty much everybody. So the fire marshal,  
12 police department, health and safety plan,  
13 everybody.

14 CHAIRPERSON MILLER: Okay. And  
15 you have done that already?

16 MR. ROSS: Yes.

17 CHAIRPERSON MILLER: Okay.

18 MR. ROSS: Yes, final approval  
19 yesterday.

20 CHAIRPERSON MILLER: Okay. Great.  
21 All right. Other questions? Board Members?  
22 Mr. Silverstein?

1                   MEMBER SILVERSTEIN: I just want  
2                   to make sure, Mr. Ross, because Article 2 here  
3                   or No. 2 in your original voluntary agreement  
4                   says there will be no live music. The ANC's  
5                   resolution has approved this one day  
6                   substantial change and this one day change  
7                   from the voluntary agreement specifically?

8                   MR. ROSS: Yes, sir. They have  
9                   seen everything that you are seeing.

10                  MEMBER SILVERSTEIN: Very well.

11                  CHAIRPERSON MILLER: Others? Mr.  
12                  Alberti?

13                  MEMBER ALBERTI: Hi.

14                  MR. ROSS: Hello.

15                  MEMBER ALBERTI: Thank you for  
16                  coming, Mr. Ross. So is this area fenced in  
17                  any way?

18                  MR. ROSS: No. We are getting --  
19                  so there is a sidewalk. We are getting almost  
20                  like a bike rack fencing throughout the whole  
21                  event.

22                  MEMBER ALBERTI: Okay. So it will

1 be fenced by bike --

2 MR. ROSS: Yes.

3 MEMBER ALBERTI: -- rack fencing?

4 So it will be contained. Okay.

5 MR. ROSS: Yes.

6 MEMBER ALBERTI: So that's where  
7 these dotted lines are on --

8 MR. ROSS: Yes, sir.

9 MEMBER ALBERTI: -- this drawing?

10 MR. ROSS: Yes. Yes.

11 MEMBER ALBERTI: So people coming  
12 to your establishment would have to go to the  
13 entrance of the festival?

14 MR. ROSS: Well, no. They could--  
15 they will come in through the sidewalk. So  
16 one thing that we learned last year is that  
17 people cannot go in and out of the restaurant.  
18 It's separate is what we were told last year.  
19 So if somebody has a beer from outside, they  
20 can't bring it in the restaurant and vice  
21 versa.

22 MEMBER ALBERTI: Okay.

1 MR. ROSS: So if they come in,  
2 they have to come in through the sidewalk.

3 MEMBER ALBERTI: All right. So  
4 they actually have to leave your  
5 establishment, go out to the sidewalk and then  
6 come in through the --

7 MR. ROSS: Yes.

8 MEMBER ALBERTI: -- entrance down  
9 here on --

10 MR. ROSS: Right.

11 MEMBER ALBERTI: -- either K or L  
12 Street?

13 MR. ROSS: Yes.

14 MEMBER ALBERTI: Okay. Very good.  
15 Now, MPD, as I understand it, will not be  
16 within the festival area. Is that correct?  
17 They will not be stationed inside the festival  
18 area. That's usually their policy, I think,  
19 is to be outside. Is that correct?

20 MR. ROSS: Yes, yes. Last year  
21 and then we talked about this year is having  
22 cars on both ends on the L and K Street

1 crosswalk and then you just kind of floated  
2 around a little bit last year.

3 MEMBER ALBERTI: How many security  
4 staff will you have that will be responsible  
5 for monitoring the inside of the festival?

6 MR. ROSS: Six.

7 MEMBER ALBERTI: Six?

8 MR. ROSS: Yes.

9 MEMBER ALBERTI: Okay. Very good.

10 And they are staff that --

11 MR. ROSS: Yes, they are --

12 MEMBER ALBERTI: -- are employed  
13 and trained by you?

14 MR. ROSS: Yes.

15 MEMBER ALBERTI: Okay. Thank you.

16 I have no further questions.

17 CHAIRPERSON MILLER: Others? I  
18 just want to put on the record that our staff  
19 did locate the letter from ANC-1D and it says  
20 "At its regularly scheduled and properly  
21 noticed meeting on March 11, 2013 with a  
22 quorum present, Advisory Neighborhood

1 Commission ANC-6D voted 6-0 in support of the  
2 above-referenced request. Should you have any  
3 questions, feel free to contact me or Susan,  
4 ANC-6D Executive Director." Signed by Andy  
5 Litsky. And it refers above to this  
6 application.

7 Okay. Fine. Do you have any  
8 questions or comments?

9 INVESTIGATOR MARTIN: Yes. I have  
10 two questions.

11 CHAIRPERSON MILLER: Okay.

12 INVESTIGATOR MARTIN: And then I  
13 would like to make a statement. I just want  
14 to ask Mr. Ross how many restrooms will you  
15 have for the patrons?

16 MR. ROSS: Well, we will have the  
17 restroom to the restaurant, which will, you  
18 know, be separate. Last year we had like 10  
19 porta-potties and it was just a huge waste of  
20 money, because they were hardly used. So we  
21 are going to do four this year.

22 INVESTIGATOR MARTIN: And how many

1 restrooms are inside your establishment?

2 MR. ROSS: One male and one  
3 female.

4 INVESTIGATOR MARTIN: With one  
5 stall each?

6 MR. ROSS: Yes.

7 INVESTIGATOR MARTIN: And then the  
8 porta-potties are four?

9 MR. ROSS: Four.

10 INVESTIGATOR MARTIN: A total of  
11 five restrooms?

12 MR. ROSS: Yes.

13 INVESTIGATOR MARTIN: Okay.

14 MR. ROSS: Well, yes, yes.

15 INVESTIGATOR MARTIN: Okay. What  
16 about you stated to the Board that you  
17 received approval from the ANC.

18 MR. ROSS: Yes.

19 CHAIRPERSON MILLER: Did you seek  
20 any input from the residents of Velocity  
21 Condos, which shares the same building as you?

22 MR. ROSS: Yes. So last year we

1 had the stage facing their building, that was  
2 really the only complaint we heard. So we  
3 have it facing the street, so the sound -- we  
4 completely moving the stage, so it's going  
5 straight down the street as opposed to right  
6 at the building.

7 INVESTIGATOR MARTIN: Okay. Did  
8 you provide the Board or ABRA with a letter  
9 from the residents of Velocity Condominiums  
10 stating that they gave approval?

11 MR. ROSS: No.

12 INVESTIGATOR MARTIN: No. Any  
13 reason why that wasn't done?

14 MR. ROSS: I had to get  
15 signatures. She went and got signatures of  
16 everybody, but I didn't know that I had to  
17 necessarily get a signature approval sheet  
18 from them. One of the guys -- one of the ANC  
19 Board members lives in the building, Ed  
20 Kaminski, and he approved this. I just didn't  
21 know that I needed that.

22 INVESTIGATOR MARTIN: But Kaminski

1 is not the condominium that shares the  
2 building with you, correct?

3 MR. ROSS: No, he lives in the  
4 Velocity Building.

5 INVESTIGATOR MARTIN: He lives in  
6 the Velocity Building?

7 MR. ROSS: Yes.

8 INVESTIGATOR MARTIN: Okay. I  
9 don't have any more questions for Mr. Ross.  
10 But what I would like to do is put on the  
11 record some photographs. If I can ask Ms.  
12 Walker to pass these out? That's for you.

13 MEMBER ALBERTI: Ms. Miller, many  
14 I just make a statement just to clarify the  
15 record for the -- based on the last line of  
16 questions?

17 CHAIRPERSON MILLER: Sure.

18 MEMBER ALBERTI: It's my  
19 understanding that to get approval to close  
20 the street, that DCRA requires signatures from  
21 residents on the affected street. So this  
22 Board -- I as a Board Member am assuming that

1 since DCRA has approved this, that all that is  
2 in place.

3 INVESTIGATOR MARTIN: Okay.

4 MEMBER ALBERTI: And that they  
5 have vetted this application and have made  
6 sure that all of the regulations are met in  
7 terms of the street closings.

8 INVESTIGATOR MARTIN: Yes, sir,  
9 okay.

10 MEMBER ALBERTI: Thank you.

11 INVESTIGATOR MARTIN: I wanted to  
12 put on the record with the Board that Justin's  
13 Cafe came into my preview since -- it has been  
14 in my preview since February of 2012 from the  
15 residents who reside at Velocity Condominium.

16 And if you take a look at Exhibit  
17 No. 1, it does -- this is the building of  
18 Velocity Condominiums. The red area depicts  
19 where Justin's Cafe is actually positioned.  
20 The photograph that I took is off of Google,  
21 so it's not up-to-date as far as the --  
22 showing the cafe's name.

1                   But what it does depict, which is  
2                   still accurate, are these folks here who live  
3                   at Velocity Condominiums. Since May of 2012  
4                   until as recent as March 2013, I received  
5                   several complaints from the residents of  
6                   Velocity Condominiums complaining about the  
7                   establishment operating beyond their sidewalk  
8                   cafe.

9                   The Board had ruled on four  
10                  occasions and found Justin's Cafe in violation  
11                  of either their voluntary agreement, either  
12                  their operating without an ABC manager as well  
13                  as increasing the occupancy of their sidewalk  
14                  cafe.

15                  Justin's Cafe has paid fines,  
16                  which we all know is an admission of a  
17                  violation. Justin's Cafe operates beyond  
18                  their scope as far as relates to the sidewalk  
19                  cafe.

20                  I believe that Justin's Cafe has  
21                  the responsibility to ensure that everyone, as  
22                  much as to their control, has a safe and a

1 great time having these functions. But on his  
2 daily operations, this establishment has been  
3 -- has violated their -- the terms of their  
4 license.

5 In addition, in particular, I  
6 received a complaint the summer of June 2012  
7 as it relates to the National baseball game.  
8 How -- I have documented that the  
9 establishment had operated beyond their  
10 capacity.

11 In addition, the National's  
12 baseball team has approximately 80 games, same  
13 for 2012, same for 2013. Mr. Ross wants the  
14 Court to believe that this block party is  
15 probably maybe an annual event, which is the  
16 second one. But what Mr. Ross is not saying  
17 is that the residents of Velocity Condominiums  
18 actually used the term block party that  
19 Justin's Cafe is having their own block party.

20 And on the Nationals' games,  
21 Justin's Cafe is the go-to spot prior to the  
22 games and they have outnumbered their

1 occupancy on this outdoor seating area.

2 I do believe that with the aid of  
3 the reimbursable detail, Exhibit No. 2 shows  
4 you the street as it lays out and the sidewalk  
5 that was closest to you is the K Street side  
6 and the south side is the L Street side.

7 I think with the aid of the  
8 reimbursable detail, that will help. But  
9 outside of that, I find that I don't believe  
10 that it would be prejudicial for the Court to  
11 entertain the admissions of Justin's Cafe for  
12 not being the -- holding out to the community  
13 to be the licensee that the residents of  
14 Velocity Condominium have had expected him to  
15 be. That's the end of my statement.

16 CHAIRPERSON MILLER: Are you  
17 suggesting that the Board deny the application  
18 based on their record dealing with other  
19 events?

20 INVESTIGATOR MARTIN: I am and  
21 particularly for the Nationals' baseball  
22 events. The claim from Justin's, you know,

1 Mr. Ross and his only ABC manager, I don't  
2 know how many more he now has, but I only know  
3 of one ABC manager and Mr. Ross is the owner.

4 The claim of Justin's Cafe is that  
5 they are the only game in town. However, at  
6 the point that -- as they claim they are the  
7 only game in town, since then, since the  
8 summer of last year, there are two other  
9 establishments which have now taken residency  
10 that can take some of the overflow and that's  
11 Biersch.

12 I believe it is Biersch, Gordon &  
13 Biersch at 1st and M. Then we have Kruba Thai  
14 & Sushi at 301 Tingey Street, S.E. However,  
15 there is also, I believe it is, the Marriott  
16 At New Jersey at M, that's a facility that  
17 also has outdoor seating and consumption.

18 CHAIRPERSON MILLER: Okay.

19 INVESTIGATOR MARTIN: Now, the  
20 hotel was also in --

21 CHAIRPERSON MILLER: I don't want  
22 to get too far off topic.

1 INVESTIGATOR MARTIN: Okay.

2 CHAIRPERSON MILLER: So I just  
3 wanted to clarify that, because we have  
4 another hearing at 11:00 coming.

5 Mr. Ross, do you want to address  
6 that?

7 MR. ROSS: Yes. Since we have  
8 been -- Ms. Martin came last year, we have  
9 tried to make every change. I have noted for  
10 you guys and have told you every change that  
11 we made, stanchions, we have a second security  
12 guy. There is 95 percent of the building --  
13 well, just there is a couple that lives  
14 upstairs. They bought a place on top of a bar  
15 next to a baseball stadium and they complain  
16 about noise. I'm not really sure.

17 You know, I know exactly who they  
18 are, but the majority -- they could have come  
19 to an ANC meeting just like anybody else and  
20 complained, but they didn't. That's public,  
21 you know, record. We do have another approved  
22 ABC manager. We have three now.

1 I don't quite know what these  
2 pictures show, except the restaurant and the  
3 building, but, I mean, I know exactly the  
4 couple. I have tried to make every change.  
5 I don't want to get fined. I don't want to be  
6 here paying fines. I have tried to make every  
7 change that we can.

8 I never really claimed we are the  
9 only game in town. We just -- that was the  
10 business idea, we just open up and be busy.  
11 So, you know, we opened up last year, we  
12 didn't have one problem. And I don't think we  
13 will this year.

14 CHAIRPERSON MILLER: Okay. Thank  
15 you. Board questions? Mr. Silverstein?

16 MEMBER SILVERSTEIN: Mr. Ross, are  
17 you going to ask for any more of these during  
18 the regular season?

19 MR. ROSS: Well, I'm doing this  
20 event and 106.7 is kind of cosponsoring it and  
21 advertising. They want us to do more. They  
22 want us to do like four throughout the season.

1 I just haven't really decided if I want --

2 MEMBER SILVERSTEIN: I'm sorry,  
3 they want you to do?

4 MR. ROSS: Four throughout the  
5 season. It's a really just tricky process and  
6 difficult process and it's an expensive  
7 process. And so I haven't decided if I'm  
8 going to try and apply to do more. So the  
9 answer is I'm not quite sure yet. If they do  
10 make the playoffs again, I think it would be  
11 fun to do something for the playoffs, but  
12 that's difficult to plan, because the schedule  
13 you don't know.

14 MEMBER SILVERSTEIN: Well, I asked  
15 about the regular season, because that was  
16 specifically why I said regular season.

17 MR. ROSS: Right. The answer is  
18 I'm not quite sure yet.

19 MEMBER SILVERSTEIN: We are all  
20 hoping that there are playoffs so that we can  
21 cross that bridge when we come to it. With  
22 your record I know that it is -- you know,

1       there are problems breaking in when you were  
2       the only game in town. I hope that you take  
3       Investigator Martin's comments to heart and we  
4       are concerned with that, but we also give the  
5       ANC great weight as we are to do.

6               This is in a lot of ways a test  
7       for you, sir. We expect it to be run well and  
8       that whatever resources you need to purchase  
9       in terms of people, manpower to make sure it  
10      is run well, that you do that. It is an  
11      investment not only in this, but in the  
12      possibility of you having future events.  
13      Thank you, sir.

14              CHAIRPERSON MILLER: Others?

15      Okay. Not hearing from anyone else, Mr. Ross,  
16      is there anything else you want to say? No?  
17      Okay. Thank you. There has been a lot said.

18              So I would move that we approve  
19      this application. I think it meets our  
20      requirements and with the success last year  
21      and as far as I can tell, Mr. Ross has paid  
22      for all the -- any of the other violations

1 that he may have had and I don't think he  
2 should be punished for not being granted this  
3 application.

4 MEMBER SILVERSTEIN: Second.

5 CHAIRPERSON MILLER: Okay. Any  
6 other comments? All right. There is a motion  
7 that has been seconded to approve.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON MILLER: All those  
11 opposed? All those abstaining? Then the  
12 motion passes. This application is approved.  
13 Okay. We just have to sign-off, which we are  
14 doing. Okay. Thank you.

15 INVESTIGATOR MARTIN: Thank you.

16 CHAIRPERSON MILLER: Okay.

17 (Whereupon, the Fact-Finding  
18 Hearing in the above-entitled matter was  
19 concluded at 11:00 a.m.)  
20  
21  
22

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