

PRESENT:

RUTHANNE MILLER, Chairperson

DONALD BROOKS, Member

NICK ALBERTI, Member

HECTOR RODRIGUEZ, Member

MIKE SILVERSTEIN, Member

JAMES SHORT, Member

HERMAN JONES, Member

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

3:25 p.m.

1
2
3 CHAIRPERSON MILLER: So, I think
4 that's it. Let's see. We had a fact finding
5 hearing for Michael Herz, application for a
6 manager's license, but that hearing has been
7 continued to May 20, 2015 at 9:30 a.m.

8 So, I'm just wondering if we should we
9 deal with the Cancellation Agenda and Agenda to
10 Vacate Cease and Desist Orders. Is that all
11 right with everyone, and then we'll pick up the
12 other agendas?

13 MEMBER SILVERSTEIN: Sure, I guess.

14 CHAIRPERSON MILLER: Okay, so, we are
15 voting on -- this is for vacating -- to vacate
16 the following cease and desist orders that were
17 issued on April 22nd, 2015 -- I mean, yes, 2015,
18 and there are one, two, three, four, five. I'll
19 read them and then we can vote for them in bulk.

20 Okay, so, Sur La Place, 5105 MacArthur
21 Boulevard, Northwest, and that will be set forth
22 in Board Order No. 2015-212.

1 Driftwood Kitchen at 400 H Street,
2 Northeast, that is going is going to be set forth
3 in Board Order No. 2015-213.

4 Kitty O'Shea's D.C. at 4624 Wisconsin
5 Avenue, Northwest, that will be set forth in
6 Board Order No. 2015-173.

7 Axum Restaurant located at 1934 9th
8 Street, Northwest, that will be set forth in
9 Board Order No. 2015-211, and Ethiopian
10 Restaurant and Market, and that is at 4630 14th
11 Street, Northwest, as set forth in Board Order
12 No. 2015-299.

13 So, I move that we vacate the cease
14 and desist orders for those establishments.

15 MEMBER SHORT: Second.

16 CHAIRPERSON MILLER: Mr. Short has
17 seconded the motion. All those in favor say aye.

18 (Chorus of ayes)

19 CHAIRPERSON MILLER: All those
20 opposed?

21 (No audible response)

22 CHAIRPERSON MILLER: All those

1 abstaining?

2 (No audible response)

3 CHAIRPERSON MILLER: The motion passes
4 6-0-0. Okay, and then we have a cancellation
5 agenda, which we will be voting to cancel the
6 following licenses for -- for the reasons set
7 forth, and I'm going to go through all of them,
8 and we'll -- we can do one vote.

9 First one is Rice Bar, located at 1020
10 19th Street, Northwest, licensee requested the
11 cancellation, and that will be in Board Order No.
12 2015-214.

13 West End Cinema, located at 2301 M
14 Street, Northwest, licensee didn't make the third
15 year payment, and that will be set forth in Board
16 Order No. 2015-220.

17 Motor Yacht Celebrity (1 of 3) at
18 1300 Maine Avenue, licensee didn't make third
19 year payment. That will be set forth in Board
20 Order No. 2015-221.

21 Vittorio's Pizzeria/Gelato Bar,
22 located at 15 Massachusetts Avenue, Northeast,

1 licensee didn't make third year payment, and that
2 will be set forth in Board Order No. 2015-232.

3 Panas Gourmet Empanadas, located at
4 2029 P Street, Northwest, licensee didn't make
5 second or third year payments. That will be set
6 forth in Board Order No. 2015-237.

7 Casa Oaxaca, located at 2106 18th
8 Street, Northwest, licensee didn't make third
9 year payment, and that will be set forth in Board
10 Order No. 2015-215.

11 So, correction, it's Board Order No.
12 2015-215.

13 Sweet Mango Café, located at 3701 New
14 Hampshire Avenue, Northwest, licensee didn't make
15 third year payment, Board Order No. 2015-222.

16 Okay, the following three didn't make
17 third year payments: Dino, located at 3433
18 Connecticut Avenue, Northwest, set forth in Board
19 Order No. 2015-223, Thai Place, located at 1725
20 Desales Street, Northwest, set forth in Board
21 Order No. 2015-216 and La Villa Restaurant
22 located at 1317 14th Street, Northwest, set forth

1 in Board Order No. 2015-224.

2 The following two didn't make second
3 and third year payments: Tuscana West, located at
4 1350 I Street, Northwest, set forth in Board
5 Order No. 2015-233 and Black and Orange, located
6 at 1300 Connecticut Avenue, Northwest, see Board
7 Order No. 2015-234.

8 The following two didn't make third
9 year payments: Pho DC, located at 608 8th Street,
10 Northwest, see Board Order No. 2015-225. Mayur
11 Kebab House, located at 1108 K Street, Northwest,
12 see Board Order No. 2015-226.

13 Puro Café, located at 1529 Wisconsin
14 Avenue, Northwest, didn't make second and third
15 year payments, see Board Order No. 2015-235.

16 The following four didn't make their
17 third year payments:

18 Take It Easy located at 1990 M Street,
19 Northwest, see Board Order No. 2015-27, Heritage
20 India/The Zanzibar located at 1901 Pennsylvania
21 Avenue, Northwest, see Board Order No. 2015-227.

22 Heritage India/Café Mirasol, located

1 at 1633 P Street, Northwest, see Board Order No.
2 2015-228.

3 Firelake Grill, located at 4200
4 Wisconsin Avenue, see Board Order No. 2015-218.
5 Lajoya Steakhouse Restaurant, 210 Upsha Street,
6 didn't make second and third year payments, see
7 Board Order No. 2015-236.

8 Then the next two didn't make third
9 year payments, Bergami's located at 2350
10 Washington Place, Northeast, see Board Order No.
11 2015-219 and Odaly's Restaurant, located 1200
12 Kennedy Street, Northwest, see Board Order No.
13 2015-231.

14 So, I move that we approve
15 cancellation --

16 MEMBER BROOKS: Madam Chair?

17 CHAIRPERSON MILLER: -- for those
18 licenses. Let's see, maybe I don't have it on my
19 page. After Odaly's? What's the name of it?
20 Okay, it's not on my list, so let's leave it off
21 for now, and the we're going to come back to the
22 other agendas, if it's -- if it's on somebody

1 else's. I'll check it out after this, but it's
2 not on this one.

3 Okay, maybe it could have been taken
4 off in the meantime, and they could have paid
5 today.

6 Okay, yes. Okay, so, I move that we
7 cancel the licenses that I just read, for the
8 reasons indicated. Do I have a second?

9 MEMBER BROOKS: Second.

10 CHAIRPERSON MILLER: Mr. Brooks
11 seconded the motion. All those in favor say aye.

12 (Chorus of ayes)

13 CHAIRPERSON MILLER: All those
14 opposed?

15 (No audible response)

16 CHAIRPERSON MILLER: All those
17 abstaining?

18 (No audible response)

19 CHAIRPERSON MILLER: The motion passes
20 6-0-0. Okay, all right. So, the Board is now
21 going to recess, and we'll come back to do the
22 remaining agendas in a little bit.

1 (Whereupon, the above-entitled matter
2 went off the record at 3:35 p.m. and resumed at
3 6:45 p.m.)

4 CHAIRPERSON MILLER: Okay, we're back
5 on the record for our agendas for April 29th,
6 2015.

7 First, I need to read a list of cease
8 and desist orders from last week. Apparently,
9 the Board Orders were incorrect. So, I'm just
10 going to read the names of the establishments,
11 with the correct Board Orders.

12 The first one is ABRA License No.
13 010299 River Club. That Board Order is 2015-200.

14 Second, ABRA No. 087813 Pho Bar and
15 Grill. The Board Order No. is 2015-201.

16 ABRA No. 087961 Roadside Café. That
17 Board Order is No. 2015-202.

18 ABRA No. 089019, Merkato Ethiopian
19 Restaurant. That Board Order No. is 2015-203.

20 ABRA No. 090781, Sangria Café. That
21 is Board Order No. 2015-204.

22 ABRA No. 086083 Legends. That Board

1 Order is No. 2015-205.

2 ABRA No. 086659 Al Crostino. That
3 Board Order No. 2015-206.

4 ABRA No. 086499 Frederick P. Winner,
5 wholesaler. That Board Order is 2015-207.

6 ABRA No. 060113 Columbia Wine and
7 Liquors. That Board Order No. is 2015-208, and
8 ABRA No. 024362 Uptown Wine and Spirits. That
9 Board Order No. is 2015-209.

10 So, that doesn't require a vote. It's
11 just correction for the record.

12 All right, so, turning to our agenda.
13 We can start with the licensing agenda.

14 The first is application for summer
15 endorsement for the Embassy Row Hotel, located at
16 2015 Massachusetts Avenue, Northwest, License No.
17 093645.

18 I move that we approve this
19 endorsement. Do I have a second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON MILLER: Mr. Silverstein
22 seconded the motion. Any comments?

1 (No audible response)

2 CHAIRPERSON MILLER: All those in
3 favor say aye.

4 (Chorus of ayes)

5 CHAIRPERSON MILLER: All those
6 opposed?

7 (No audible response)

8 CHAIRPERSON MILLER: All those
9 abstaining?

10 (No audible response)

11 CHAIRPERSON MILLER: The motion passes
12 5-0-0.

13 Number two is a letter requesting
14 termination of an entertainment endorsement by
15 Marcel's, located at 2401 Pennsylvania Avenue,
16 Northwest, License No. 060004.

17 I move that we approve this request.
18 Do I have a second?

19 MEMBER BROOKS: Second.

20 CHAIRPERSON MILLER: Mr. Brooks has
21 seconded the motion. All those in favor say aye.

22 (Chorus of ayes)

1 CHAIRPERSON MILLER: All those
2 opposed?

3 (No audible response)

4 CHAIRPERSON MILLER: All those
5 abstaining?

6 (No audible response)

7 CHAIRPERSON MILLER: The motion passes
8 5-0-0. Number three is an application for a
9 manager's license for Suri G Vacusha, and this
10 was approved last week. So, no action is
11 required.

12 Number four is an application for a
13 manager's license for Paul McIntyre, ABRA No.
14 098717.

15 I move that we hold a fact finding
16 hearing. Do I have a second?

17 MEMBER RODRIGUEZ: Second.

18 CHAIRPERSON MILLER: Mr. Rodriguez has
19 seconded the motion. All those in favor say aye.

20 (Chorus of ayes)

21 CHAIRPERSON MILLER: All those
22 opposed?

1 (No audible response)

2 CHAIRPERSON MILLER: All those
3 abstaining?

4 (No audible response)

5 CHAIRPERSON MILLER: The motion passes
6 5-0-0. Number five is an application for a
7 manager's license for Antonio D. Gilkey, ABRA No.
8 098744.

9 I move that we approve this
10 application. Do I have a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Mr. Silverstein
13 seconded the motion. All those in favor say aye.

14 (Chorus of ayes)

15 CHAIRPERSON MILLER: All those
16 opposed?

17 (No audible response)

18 CHAIRPERSON MILLER: All those
19 abstaining?

20 (No audible response)

21 CHAIRPERSON MILLER: The motion passes
22 5-0-0. Okay, that's our licensing agenda. We

1 have a supplemental licensing agenda.

2 First item is a motion to reinstate
3 license in place of safekeeping for Stop & Shop
4 Liquors, located at 3011 Rhode Island Avenue,
5 Northeast. License No. 088222.

6 I move that we approve reinstatement
7 of the license, contingent upon payment of the
8 referral fees and any other outstanding late
9 fees, and we approve placing the license in
10 safekeeping. Do I have a second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON MILLER: Mr. Short has
13 seconded the motion. All those in favor say aye.

14 (Chorus of ayes)

15 CHAIRPERSON MILLER: All those
16 opposed?

17 (No audible response)

18 CHAIRPERSON MILLER: All those
19 abstaining?

20 (No audible response)

21 CHAIRPERSON MILLER: The motion passes
22 5-0-0. Number two is a request to remove --

1 remove license from safekeeping status by
2 California Liquors, located at 2100 18th Street,
3 Northwest, License No. 005018.

4 I move that we approve removal of the
5 licensing from safekeeping and that we placard
6 for removal, yes, placard the application for
7 renewal. Do I have a second?

8 MEMBER BROOKS: Second.

9 CHAIRPERSON MILLER: Mr. Brooks has
10 seconded the motion. All those in favor say aye.

11 (Chorus of ayes)

12 CHAIRPERSON MILLER: All those
13 opposed?

14 (No audible response)

15 CHAIRPERSON MILLER: All those
16 abstaining?

17 (No audible response)

18 CHAIRPERSON MILLER: The motion passes
19 5-0-0. Number three is an application for new
20 retailer B Grocery Store, with accompanying C
21 Restaurant. This is Centrolina, located at 974
22 Palmer Alley, Northwest, License No.

1 098356/098364.

2 We are also dealing with Centrolina in
3 the following number.

4 I move that we refer to licensing,
5 with respect to -- I think licensing still needs
6 to look at the plans in this case.

7 So, for the grocery store, do I have
8 a second?

9 MEMBER RODRIGUEZ: Second.

10 CHAIRPERSON MILLER: Mr. Rodriguez has
11 seconded the motion. All those in favor say aye.

12 (Chorus of ayes)

13 CHAIRPERSON MILLER: All those
14 opposed?

15 (No audible response)

16 CHAIRPERSON MILLER: All those
17 abstaining?

18 (No audible response)

19 CHAIRPERSON MILLER: The motion passes
20 6-0-0. Number four is a request for a stipulated
21 license for Centrolina, located at 974 Palmer
22 Alley, Northwest, the same Centrolina that we

1 were talking about in number three, except this
2 is for the CR part.

3 So, I move that we approve stipulated
4 license for the CR. Do I have a second?

5 MEMBER BROOKS: Second.

6 CHAIRPERSON MILLER: Mr. Brooks has
7 seconded the motion. Any comments?

8 (No audible response)

9 CHAIRPERSON MILLER: All those in
10 favor say aye.

11 (Chorus of ayes)

12 CHAIRPERSON MILLER: All those
13 opposed?

14 (No audible response)

15 CHAIRPERSON MILLER: All those
16 abstaining?

17 (No audible response)

18 CHAIRPERSON MILLER: The motion passes
19 6-0-0. Number five is a request for a stipulated
20 license for Wunder Garden, located at 150 M
21 Street, Northeast, License No. 098173.

22 I move that we approve. Do I have a

1 second?

2 MEMBER BROOKS: Second.

3 01; Mr. Brooks has seconded the
4 motion. All those in favor say aye.

5 (Chorus of ayes)

6 CHAIRPERSON MILLER: All those
7 opposed?

8 (No audible response)

9 CHAIRPERSON MILLER: All those
10 abstaining?

11 (No audible response)

12 CHAIRPERSON MILLER: The motion passes
13 5-0-0. Number six is a request for a change of
14 hours for Trader Joe's, No. 653, located at 2425
15 L Street, Northwest, License No. 071278.

16 I move that we approve. Do I have a
17 second?

18 MEMBER SILVERSTEIN: Second.

19 CHAIRPERSON MILLER: Mr. Silverstein
20 seconded the motion. All those in favor say aye.

21 (Chorus of ayes)

22 CHAIRPERSON MILLER: All those

1 opposed?

2 (No audible response)

3 CHAIRPERSON MILLER: All those

4 abstaining?

5 (No audible response)

6 CHAIRPERSON MILLER: The motion passes

7 5-0-0. Number seven, application for summer

8 garden endorsement for Belga Café, located at 514

9 8th Street, Southeast, License No. 060779.

10 I move that we placard this

11 application. Do I have a second?

12 MEMBER SILVERSTEIN: Second.

13 CHAIRPERSON MILLER: Mr. Silverstein

14 seconded the motion. All those in favor say aye.

15 (Chorus of ayes)

16 CHAIRPERSON MILLER: All those

17 opposed?

18 (No audible response)

19 CHAIRPERSON MILLER: All those

20 abstaining?

21 (No audible response)

22 CHAIRPERSON MILLER: The motion passes

1 5-0-0. Number eight is a review for a request of
2 -- for refund of \$675 for new DR license
3 application, which was denied by the Board.
4 That's for Matzuy Billiards, located at 1722
5 Columbia Road, License No. 096299.

6 Does somebody want to make a motion on
7 this one?

8 MEMBER SILVERSTEIN: Which one is this
9 now?

10 CHAIRPERSON MILLER: This is number
11 eight, dealing with the refund request, otherwise
12 I'll make a motion for it.

13 MEMBER SILVERSTEIN: For?

14 CHAIRPERSON MILLER: For Matzuy
15 Billiards, No. 8 on the --

16 MEMBER ALBERTI: I move that we deny
17 the request for the refund.

18 CHAIRPERSON MILLER: Okay, is there a
19 second?

20 MEMBER BROOKS: Second.

21 CHAIRPERSON MILLER: Any comments?

22 (No audible response)

1 CHAIRPERSON MILLER: Okay, anyway, all
2 right. All those in favor say aye.

3 (Chorus of ayes)

4 CHAIRPERSON MILLER: All those
5 opposed? All those abstaining? The motion
6 passes 3-1-0, and Miller opposes.

7 Okay, we have a second supplemental
8 licensing agenda.

9 First item on the second supplemental
10 licensing agenda is a request to operate a summer
11 garden. Okay, this is by the Gryphon, located at
12 1337 Connecticut Avenue, Northwest, License No.
13 090830.

14 I move that we refer this to
15 licensing. Do I have a second?

16 MEMBER RODRIGUEZ: Second.

17 CHAIRPERSON MILLER: Mr. Rodriguez
18 seconded the motion. All those in favor say aye.

19 (Chorus of ayes)

20 CHAIRPERSON MILLER: All those
21 opposed?

22 (No audible response)

1 CHAIRPERSON MILLER: All those
2 abstaining?

3 (No audible response)

4 CHAIRPERSON MILLER: The motion passes
5 5-0-0. Number two is a correction to a name of a
6 licensee's limited liability company, and motion
7 to correct, I guess the relevant records and
8 reissue the license with the corrections.

9 This was for Embassy Suites, 900 10th
10 Street, Northwest, License No. 074001. I move
11 that we approve this request. Do I have a
12 second?

13 MEMBER SHORT: Second.

14 CHAIRPERSON MILLER: Mr. Short
15 seconded the motion. All those in favor say aye.

16 (Chorus of ayes)

17 CHAIRPERSON MILLER: All those
18 opposed?

19 (No audible response)

20 CHAIRPERSON MILLER: All those
21 abstaining?

22 (No audible response)

1 CHAIRPERSON MILLER: The motion passes
2 5-0-0. Okay, I think that completes the
3 licensing agendas, and we have some legal
4 agendas.

5 The legal agenda is number one, review
6 of a settlement agreement between ANC 6D and
7 Patriot II, dated March 9th, 2015. Patriot II is
8 located at 1300 Maine Avenue, Southwest, Retailer
9 CX License No. 098137.

10 I move that we approve with
11 modifications, as follows: paragraph number 12,
12 there is language in this paragraph dealing with
13 seeking a Show Cause Order, and that should be
14 amended and our General Counsel will give them,
15 the parties standard language that the Board has
16 been recommending for settlement agreements.

17 Also, paragraph two, the last line
18 should be deleted, patrons are prohibited from
19 any close-cruise activity on the docks and
20 parking area.

21 Paragraph eight, rats and vermin
22 control to substitute the language that says that

1 the contract about the rat and vermin control
2 will be made available upon request of the
3 protestant, to change that to upon the request of
4 the Board.

5 So, those are the modifications.

6 Anything else?

7 (No audible response)

8 CHAIRPERSON MILLER: All right, all
9 those in favor say aye.

10 (Chorus of ayes)

11 CHAIRPERSON MILLER: All those
12 opposed?

13 (No audible response)

14 CHAIRPERSON MILLER: All those
15 abstaining?

16 (No audible response)

17 CHAIRPERSON MILLER: The motion passes
18 5-0-0. We have a supplemental legal agenda.

19 First three items are related to Item
20 No. 1, it's a motion for reconsideration of the
21 Order on Withdrawal, submitted by Andrew Kline on
22 behalf of The Alibi Restaurant and Lounge, dated

1 March 30, 2015.

2 Alibi Restaurant and Lounge is located
3 at 237 2nd Street, Northwest, Retailer CR License
4 No. 93491.

5 Number two is basically in opposition
6 to that, and number three is a reply brief by
7 Andrew Kline, in response to the opposition.

8 I move that we postpone consideration
9 of these pleadings for one week. Do I have a
10 second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON MILLER: Mr. Short
13 seconded the motion. All those in favor say aye.

14 (Chorus of ayes)

15 CHAIRPERSON MILLER: All those
16 opposed?

17 (No audible response)

18 CHAIRPERSON MILLER: All those
19 abstaining?

20 (No audible response)

21 CHAIRPERSON MILLER: The motion passes
22 5-0-0. Number four is a settlement agreement

1 among ANC 1C and Kalorama Citizens Association
2 and Two Tails, LLC, dated April 1, 2015. Two
3 Tails, LLC is located at 1827 Adams Mill Road,
4 Northwest, Retail CR License No. 098033.

5 I move that we approve the settlement
6 agreement with a modification.

7 Okay, to paragraph 11 on page four,
8 and this deals with modification of the agreement
9 and the -- does not seem to cover unilateral
10 modification and our General Counsel will work
11 with the parties on drafting acceptable language.

12 So, the motion is to approve with
13 modifications --

14 MEMBER RODRIGUEZ: Second.

15 CHAIRPERSON MILLER: -- to paragraph
16 11, and Mr. Rodriguez has seconded the motion.
17 All those in favor say aye.

18 (Chorus of ayes)

19 CHAIRPERSON MILLER: All those
20 opposed?

21 (No audible response)

22 CHAIRPERSON MILLER: All those

1 abstaining?

2 (No audible response)

3 CHAIRPERSON MILLER: The motion passes
4 5-0-0. Number five is a settlement agreement
5 between ANC4C and Twisted Horn, dated March 11,
6 2015. Twisted Horn is located at 819 Upshur
7 Street, Northwest, License No. 09875.

8 I move that we approve this settlement
9 agreement. Do I have a second?

10 MEMBER BROOKS: Second.

11 CHAIRPERSON MILLER: Mr. Brooks has
12 seconded the motion. All those in favor say aye.

13 (Chorus of ayes)

14 CHAIRPERSON MILLER: All those
15 opposed?

16 (No audible response)

17 CHAIRPERSON MILLER: All those
18 abstaining?

19 (No audible response)

20 CHAIRPERSON MILLER: The motion passes
21 5-0-0. Number six is a request for continuance,
22 submitted by Candace Fitch, Esquire, on behalf of

1 H2, LLC, dated April 27, 2015.

2 It's related to the Satellite Room,
3 located at 2047 9th Street, License No. 087296.

4 I move that we deny this request. Do
5 I have a second? Well, I'll say I move that we
6 deny this request.

7 MEMBER RODRIGUEZ: Second.

8 CHAIRPERSON MILLER: All right, Mr.
9 Rodriguez seconded the motion, and I would
10 comment that I'm moving that we deny this request
11 and actually, maybe you could second this too,
12 cancel the protest hearing, and the reason is,
13 this never should have been scheduled for a
14 protest hearing, because of -- it's not on --
15 it's contrary to the existing settlement
16 agreement, and I would be suggesting that the
17 parties continue to negotiate for voluntary or
18 whatever, modification to the settlement
19 agreement.

20 So, I'm not sure if Mr. Rodriguez is
21 seconding that with the cancellation --

22 MEMBER RODRIGUEZ: I did second that.

1 CHAIRPERSON MILLER: With the
2 cancelling the hearing, as well?

3 MEMBER RODRIGUEZ: Yes.

4 CHAIRPERSON MILLER: Okay, any other
5 comments?

6 MEMBER ALBERTI: Which case is this?
7 I'm sorry.

8 CHAIRPERSON MILLER: This is Satellite
9 Room.

10 MEMBER ALBERTI: Okay, so, we're
11 cancelling the hearing?

12 CHAIRPERSON MILLER: Yes.

13 MEMBER ALBERTI: So, your motion is to
14 cancel the hearing?

15 CHAIRPERSON MILLER: It's to deny the
16 request for the continuance to cancel the
17 hearing.

18 MEMBER ALBERTI: Yes.

19 CHAIRPERSON MILLER: Okay, any other
20 comments? All right, then all those in favor say
21 aye.

22 (Chorus of ayes)

1 CHAIRPERSON MILLER: All those
2 opposed?

3 (No audible response)

4 CHAIRPERSON MILLER: All those
5 abstaining?

6 (No audible response)

7 CHAIRPERSON MILLER: The motion passes
8 5-0-0. Number seven is review of the Primary
9 American Source of Supply amendment proposal
10 dated February 26, 2015, submitted by Paul
11 Pascal, Esquire on behalf of the District of
12 Columbia Association of Beverage Alcohol
13 Wholesales.

14 I move that we postpone consideration
15 of this request for one week. Do I have a
16 second?

17 MEMBER SHORT: Second.

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

21 (Chorus of ayes)

22 CHAIRPERSON MILLER: All those

1 opposed? All those abstaining?

2 (No audible response)

3 CHAIRPERSON MILLER: The motion passes
4 5-0-0. Okay, I think that completes all of our
5 agendas.

6 So, what's left then is to vote on the
7 closed meetings for next week.

8 As Chairperson of the Alcoholic
9 Beverage Control Board for the District of
10 Columbia, and in accordance with Section 405 of
11 the Open Meetings Amendment Act of 2010, I move
12 that the ABC Board hold a closed meeting on May
13 6, 2015 for the purpose of seeking legal advice
14 from our Counsel on the matters identified on the
15 Board's agenda for May 6th, 2015, as published in
16 the D.C. Register on May 1st, 2015. Is there a
17 second?

18 MEMBER ALBERTI: Second.

19 CHAIRPERSON MILLER: Mr. Alberti
20 seconded the motion. I will now take a roll call
21 vote of the motion before us, now that it's been
22 seconded. Mr. Brooks?

1 MEMBER BROOKS: I agree.

2 CHAIRPERSON MILLER: Mr. Alberti?

3 MEMBER ALBERTI: I agree.

4 CHAIRPERSON MILLER: Mr. Rodriguez?

5 MEMBER RODRIGUEZ: I agree.

6 CHAIRPERSON MILLER: Ms. Miller

7 agrees. Mr. Short?

8 MEMBER SHORT: I agree.

9 CHAIRPERSON MILLER: It appears that
10 the motion has passed by a 5-0-0 vote, and I
11 hereby give notice that the ABC Board will hold
12 this aforementioned closed meeting, pursuant to
13 the Opens Meetings Amendment Act of 2010.

14 Notice will also be posted on the ABC
15 Board hearing room bulletin board, placed on the
16 electronic calendar, on ABRA's website and posted
17 in the D.C. Register in as timely a manner as
18 practical.

19 As Chairperson of the Alcoholic
20 Beverage Control Board for the District of
21 Columbia, in accordance with Section 405 of the
22 Opens Meetings Amendment Act of 2010, I move that

1 the ABC Board hold a closed meeting on May 6th,
2 2015, for the purpose of discussing and hearing
3 reports concerning ongoing or planned
4 investigations of alleged criminal or civil
5 misconduct and violations of law or regulation,
6 and seeking legal advice from our Counsel on the
7 Board's investigative agenda for May 6th, 2015,
8 as published in the D.C. Register on May 1st,
9 2015. Is there a second?

10 MEMBER BROOKS: Second.

11 CHAIRPERSON MILLER: Mr. Brooks has
12 seconded the motion. I will not take a roll call
13 vote on the motion before us, now that it has
14 been seconded. Mr. Brooks?

15 MEMBER BROOKS: I agree.

16 CHAIRPERSON MILLER: Mr. Alberti?

17 MEMBER ALBERTI: I agree.

18 CHAIRPERSON MILLER: Mr. Rodriguez?

19 MEMBER RODRIGUEZ: I agree.

20 CHAIRPERSON MILLER: Ms. Miller
21 agrees. Mr. Short?

22 MEMBER SHORT: I agree.

1 CHAIRPERSON MILLER: It appears that
2 the motion has passed by a 5-0-0 vote.

3 I hereby give notice that the ABC
4 Board will hold this aforementioned closed
5 meeting pursuant to the Open Meetings Amendment
6 Act of 2010. Notice will also be posted on the
7 ABC Board hearing room bulletin board, placed on
8 the electronic calendar and ABRA's website and
9 published in the D.C. Register in as timely a
10 manner as possible, and that completes then, our
11 business for April 29, 2015, and we are
12 adjourned.

13 (Whereupon, the above-entitled matter
14 went off the record at 7:06 p.m.)

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