

GOVERNMENT OF THE DISTRICT OF COLUMBIA

+ + + + +

ALCOHOLIC BEVERAGE REGULATION

ADMINISTRATION BOARD

+ + + + +

b----->

:

:

IN THE MATTER OF:

:

:

:

A.B.R.A. AGENDA

:

:

:

:

b-----1/4

JUNE 26, 2013

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control

Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Nick Alberti, Acting Chairperson, presiding.

PRESENT

NICK ALBERTI, Chairperson

DONALD BROOKS, Member

HERMAN JONES, Member

MIKE SILVERSTEIN, Member

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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

6:54 p.m.

ACTING CHAIRMAN ALBERTI: The next item we're going to deal with is the Alcoholic Beverage Control Board's agenda for June 26th, 2013.

Item 1 is a request from E. & J. Gallo Winery for approval to provide retailers with products valued at more than \$50 and less than \$500. Approved.

And 2 is a request from Constellation Brands, Incorporated for approval to provide retailers with products valued at more than \$50 and less than \$500. Approved.

We have to vote on every one of these? Okay. We have to vote on each one of these, right?

MEMBER SILVERSTEIN: Correct.

ACTING CHAIRMAN ALBERTI: Okay. I move that we approve items 1 and 2.

MEMBER SILVERSTEIN: Second.

1 ACTING CHAIRMAN ALBERTI: All
2 right. All in favor, say aye?

3 (Chorus of ayes.)

4 ACTING CHAIRMAN ALBERTI: The
5 motion passes 3-0.

6 Item 3 is a request for
7 reconsideration from Virender Manocha
8 regarding Citation No. 7581. This is with
9 regards to S&R Liquors, License No. 60716.

10 I move that we deny the request.

11 MEMBER SILVERSTEIN: Second.

12 ACTING CHAIRMAN ALBERTI: All
13 those in favor, say aye?

14 (Chorus of ayes.)

15 ACTING CHAIRMAN ALBERTI: 3-0.

16 It passes.

17 Item 4, a review from Shaw-Dupont
18 Citizens Alliance for re-placarding of a
19 licensee and reinstatement into a protest.
20 The request is from Thaddeus Curtz and this
21 is in regards to Standard, License No.
22 83769.

1 This item was previously
2 addressed on June 12th, 2013 and at that
3 time we denied the request.

4 Item 5 is a letter from Susie
5 Taylor from the Cleveland Park Citizens
6 Association requesting to protest the
7 Board's approval of an entertainment
8 endorsement for Pulpo, License No. 89639.

9 We will delay that item for two
10 weeks.

11 Item 6 is a letter from William
12 Blakeney requesting that the Board dismiss
13 ANC 5C's protest. This is in regards to The
14 Scene, License No. 78642.

15 A protest by ANC 5C has already
16 been dismissed. That was dismissed on June
17 5th, so this item is moot.

18 Item 7 is a letter from
19 Commissioner Kent Boese of ANC 1A requesting
20 reconsideration for Sweet Mango's
21 application, the dismissal of their
22 application, because they failed to appear

1 at roll call hearing. This is with regards
2 to Sweet Mango Caf,, License No. 72512.

3 That request I move be denied.

4 Second? Do I have a second?

5 MEMBER SILVERSTEIN: Second.

6 ACTING CHAIRMAN ALBERTI: Thank
7 you.

8 MEMBER SILVERSTEIN: They may
9 reapply when they choose.

10 ACTING CHAIRMAN ALBERTI: Yes.

11 All those in favor, say aye?

12 (Chorus of ayes.)

13 ACTING CHAIRMAN ALBERTI: All
14 those opposed?

15 (No audible response.)

16 ACTING CHAIRMAN ALBERTI: That
17 motion passes 3-0.

18 Item 8 is a petition for
19 reconsideration from Sara Green of ANC 4B,
20 the reconsideration of the dismissal of ANC
21 4B in the protest matter regarding Sunshine
22 Bar & Lounge, License No. 85239.

1 I move that we grant the request
2 for reconsideration and reinstate ANC 4B.

3 MEMBER SILVERSTEIN: Second.

4 ACTING CHAIRMAN ALBERTI: All
5 those in favor, say aye?

6 (Chorus of ayes.)

7 ACTING CHAIRMAN ALBERTI: And the
8 motion passes 3-0.

9 Item 9, a review of a request for
10 reconsideration from Jeff Ragonese from
11 Capitol Skyline Hotel for reconsideration
12 for a dismissal of their application because
13 they failed to appear at a roll call
14 hearing. This is in regards to Capitol
15 Skyline Hotel, License No. 75234.

16 I move that we deny this request.

17 MEMBER SILVERSTEIN: I second it,
18 Mr. Chairman. They can always reapply.

19 ACTING CHAIRMAN ALBERTI: Yes.
20 All those in favor, say aye?

21 (Chorus of ayes.)

22 ACTING CHAIRMAN ALBERTI: The

1 motion passes 4-0. Mr. Jones has joined us
2 on the dais.

3 Item 10 is a request for
4 reinstatement from Matthew Moore on behalf
5 of Tuscana West. No, this is a letter form
6 Matthew Moore on behalf of 1350 I Street
7 Associates, Limited Partnership. They are
8 requesting reinstatement into a protest
9 matter. They were dismissed at roll call.

10 Mr. Silverstein, would you make
11 the motion on this one?

12 MEMBER SILVERSTEIN: I move that
13 we deny the request.

14 ACTING CHAIRMAN ALBERTI: Is
15 there a second?

16 MEMBER BROOKS: Second.

17 ACTING CHAIRMAN ALBERTI: All
18 right. All those in favor, say aye?

19 MEMBER BROOKS: Aye.

20 MEMBER JONES: Aye.

21 MEMBER SILVERSTEIN: Aye.

22 ACTING CHAIRMAN ALBERTI: All

1 those opposed? Opposed.

2 The motion passes 3-1 with Board
3 Member Alberti dissenting.

4 Item 11 is a review of --

5 MEMBER SILVERSTEIN: of a lease
6 agreement.

7 ACTING CHAIRMAN ALBERTI: Oh,
8 yes, item 11 really is an item that's part
9 of the documents that we got from item 10,
10 so it really is not a separate item and it's
11 really part of the previous item 10. So we
12 will strike that from the agenda.

13 Item 12 is a review of a
14 settlement agreement between Le Chat Noir
15 and ANC 3E. This is License No. 72038.

16 I move that we approve with
17 modifications to item 3. Is there a second?

18 MEMBER SILVERSTEIN: Second.

19 ACTING CHAIRMAN ALBERTI: All
20 those in favor, say aye?

21 (Chorus of ayes.)

22 ACTING CHAIRMAN ALBERTI: All

1 those opposed?

2 (No audible response.)

3 ACTING CHAIRMAN ALBERTI: The
4 motion passes 4-0.

5 Item 13 is a review of a
6 settlement agreement between Cantina Marina
7 an ANC 6D. This is with regards to License
8 No. 60628.

9 I move that we approve with
10 modifications to item 5, deleting the second
11 paragraph of item 5, in addition to other
12 modifications to items 8, 9, 11 and 3. Is
13 there a second?

14 MEMBER BROOKS: Second.

15 ACTING CHAIRMAN ALBERTI: All
16 those in favor, say aye?

17 (Chorus of ayes.)

18 ACTING CHAIRMAN ALBERTI: All
19 those opposed?

20 (No audible response.)

21 ACTING CHAIRMAN ALBERTI: The
22 motion passes 4-0.

1 Item 14 is a review of a
2 settlement agreement between Nando's Peri
3 Peri and ANC 3E. This is with regards to
4 License No. 92041.

5 I move that we approve this with
6 modifications to items 1, 6, 10, 12 and 15.
7 Is there a second?

8 MEMBER BROOKS: Second.

9 ACTING CHAIRMAN ALBERTI: All
10 those in favor, say aye?

11 (Chorus of ayes.)

12 ACTING CHAIRMAN ALBERTI: All
13 those opposed?

14 (No audible response.)

15 ACTING CHAIRMAN ALBERTI: The
16 motion passes 4-0.

17 Item 15 is a review of a
18 settlement agreement Wah Sing Restaurant and
19 ANC 7B. This is with regards to License No.
20 514.

21 This is going to be postponed
22 because we are seeking clarification on an

1 item for this. And when we seek
2 clarification, we're going to also mention
3 that the Board will ask they modify items 4,
4 1 and 5. So we're just postponing this.
5 There's no vote necessary on it.

6 Item 16 is a review of a
7 settlement agreement between The Getaway and
8 ANC !A. This is with regards to License No.
9 86700.

10 I move that we approve with
11 modifications to item 7. Is there a second?

12 MEMBER SILVERSTEIN: Second.

13 ACTING CHAIRMAN ALBERTI: All
14 those in favor, say aye?

15 (Chorus of ayes.)

16 ACTING CHAIRMAN ALBERTI: All
17 those opposed?

18 (No audible response.)

19 ACTING CHAIRMAN ALBERTI: The
20 motion passes 4-0.

21 Item 17 is a review of a
22 settlement agreement between Osteria

1 Morini/Nicoletta and ANC 6D. This is with
2 regards to License No.92083.

3 I move that we approve this
4 settlement agreement. Is there a second?

5 MEMBER SILVERSTEIN: Second.

6 ACTING CHAIRMAN ALBERTI: All
7 those in favor, say aye?

8 (Chorus of ayes.)

9 ACTING CHAIRMAN ALBERTI: All
10 those opposed?

11 (No audible response.)

12 ACTING CHAIRMAN ALBERTI: This
13 motion passes 4-0.

14 Item 18 is a review of a
15 settlement agreement between Alero
16 Restaurant and Lounge and ANC 1B. This is
17 with regards to License No. 71881.

18 I move that we approve this with
19 modifications to the last paragraph dealing
20 with hours and with the third paragraph from
21 the end of the document. Is there a second?

22 MEMBER SILVERSTEIN: Second.

1 ACTING CHAIRMAN ALBERTI: All

2 those in favor, say aye?

3 (Chorus of ayes.)

4 ACTING CHAIRMAN ALBERTI: All

5 those opposed?

6 (No audible response.)

7 ACTING CHAIRMAN ALBERTI: The

8 motion passes 4-0.

9 The next thing on our agenda is
10 the Alcoholic Beverage Control Board's
11 supplemental agenda for June 26th, 2013.

12 Item 1 is a review of a change of
13 hours and operation and sales and service
14 for Asai 54, License No. 92028.

15 I move that we placard this
16 change of hours request and that we grant a
17 stipulated license for this licensee, a
18 stipulated license for the --

19 MEMBER SILVERSTEIN: Application.

20 ACTING CHAIRMAN ALBERTI: --
21 application.

22 MEMBER SILVERSTEIN: Second.

1 ACTING CHAIRMAN ALBERTI: All
2 right. Thank you. All those in favor, say
3 aye?

4 (Chorus of ayes.)

5 ACTING CHAIRMAN ALBERTI: All
6 those opposed?

7 (No audible response.)

8 ACTING CHAIRMAN ALBERTI: The
9 motions passes 4-0.

10 Item 2 is a request to change
11 their address. The request comes from
12 Kapnos, License No. 91148. Pepco has asked
13 them or is requiring them to change their
14 address. So it's not a change of location.
15 It's just a change of the address on the
16 application.

17 So I move that we approve the
18 request to change the street address.

19 MEMBER SILVERSTEIN: Second.

20 ACTING CHAIRMAN ALBERTI: All
21 those in favor, say aye?

22 (Chorus of ayes.)

1 ACTING CHAIRMAN ALBERTI: All
2 those opposed?

3 (No audible response.)

4 ACTING CHAIRMAN ALBERTI: Motion
5 passes 4-0.

6 Item 3 is a request for a
7 stipulated license for a summer garden
8 endorsement of 20 seats for the Hitching
9 Post Restaurant, License No. 90258.

10 I move that we approve this
11 request. Is there a second?

12 MEMBER BROOKS: Second.

13 ACTING CHAIRMAN ALBERTI: All
14 those in favor, say aye?

15 (Chorus of ayes.)

16 ACTING CHAIRMAN ALBERTI: Thank
17 you. The motion passes 4-0.

18 Item 4 is a request for
19 safekeeping for Secret Lounge and
20 Restaurant, License No. 90210.

21 I move that we grant the request
22 to place this license in safekeeping. Is

1 there a second?

2 MEMBER BROOKS: Second.

3 ACTING CHAIRMAN ALBERTI: All
4 those in favor, say aye?

5 (Chorus of ayes.)

6 ACTING CHAIRMAN ALBERTI: All
7 those opposed?

8 (No audible response.)

9 ACTING CHAIRMAN ALBERTI: The
10 motion passes 4-0.

11 Item 5, a request for
12 reinstatement of a canceled license. The
13 request is from Churreria Madrid, License
14 No. 60806.

15 I move that we deny the request
16 for reinstatement because it was not filed
17 in a timely manner. Is there a second?

18 MEMBER SILVERSTEIN: Second.

19 ACTING CHAIRMAN ALBERTI: All
20 those in favor, say aye?

21 (Chorus of ayes.)

22 ACTING CHAIRMAN ALBERTI: All

1 those opposed?

2 (No audible response.)

3 ACTING CHAIRMAN ALBERTI: Motion
4 passes 4-0.

5 Item 6 is a review of a summer
6 garden application for eight seats. The
7 request is from Paragon Thai Restaurant,
8 License No. 91375.

9 I move that we approve the
10 request. Is there a second?

11 MEMBER BROOKS: Second.

12 ACTING CHAIRMAN ALBERTI: All
13 those in favor, say aye?

14 (Chorus of ayes.)

15 ACTING CHAIRMAN ALBERTI: All
16 those opposed?

17 (No audible response.)

18 ACTING CHAIRMAN ALBERTI: The
19 motion passes 4-0.

20 Item 7 is a review of a license
21 change from a Class B to a Class A for
22 Rodman's Discount Drugs, License No. 394.

1 I move that we deny this request
2 because the license sits within 400 feet of
3 a school and the regulations would not allow
4 us to grant a Class A license here.

5 MEMBER SILVERSTEIN: Mr.
6 Chairman, it is within 400 feet I believe of
7 another --

8 MEMBER BROOKS: Liquor store.

9 MEMBER SILVERSTEIN: -- Class A
10 establishment.

11 MEMBER BROOKS: Yes.

12 ACTING CHAIRMAN ALBERTI: Oh, is
13 that what it is?

14 MEMBER BROOKS: That's what it
15 is.

16 ACTING CHAIRMAN ALBERTI: I stand
17 corrected. Thank you, Mr. Silverstein.

18 So do I have a second for the
19 motion to deny?

20 MEMBER BROOKS: Second.

21 ACTING CHAIRMAN ALBERTI: Thank
22 you. All those in favor, say aye?

1 (Chorus of ayes.)

2 ACTING CHAIRMAN ALBERTI: All
3 those opposed?

4 (No audible response.)

5 ACTING CHAIRMAN ALBERTI: The
6 motion passes 4-0.

7 Item 8 is a review of a summer
8 garden application for 24 seats. This
9 request is coming from Climax Restaurant &
10 Hookah Bar, License No. 88290.

11 I move that we placard this
12 application. Is there a second?

13 MEMBER SILVERSTEIN: Second.

14 ACTING CHAIRMAN ALBERTI: All
15 those in favor, say aye?

16 (Chorus of ayes.)

17 ACTING CHAIRMAN ALBERTI: All
18 those opposed?

19 (No audible response.)

20 ACTING CHAIRMAN ALBERTI: The
21 motion passes 4-0.

22 Item 9 is a review of an

1 entertainment endorsement application for
2 Doner Bistro, License No. 89877.

3 I move that we placard this
4 application. Is there a second?

5 MEMBER SILVERSTEIN: Second.

6 ACTING CHAIRMAN ALBERTI: All
7 those in favor, say aye?

8 (Chorus of ayes.)

9 ACTING CHAIRMAN ALBERTI: All
10 those opposed?

11 (No audible response.)

12 ACTING CHAIRMAN ALBERTI: The
13 motion passes 4-0.

14 Item 10 is a review of an
15 entertainment endorsement application from
16 Sala Thai, License No. 83557.

17 I move that we approve this
18 application. Is there a second?

19 MEMBER SILVERSTEIN: Second.

20 ACTING CHAIRMAN ALBERTI: All
21 those in favor, say aye?

22 (Chorus of ayes.)

1 ACTING CHAIRMAN ALBERTI: All
2 those opposed?

3 (No audible response.)

4 ACTING CHAIRMAN ALBERTI: The
5 motion passes 4-0.

6 Item 11 is a review of an
7 application for an change of hours for
8 entertainment. And this comes from Sala
9 Thai on U Street, License No. 71866.

10 I move that we approve this
11 application. Is there a second?

12 MEMBER BROOKS: Second.

13 ACTING CHAIRMAN ALBERTI: All
14 those in favor, say aye?

15 (Chorus of ayes.)

16 ACTING CHAIRMAN ALBERTI: All
17 those opposed?

18 (No audible response.)

19 ACTING CHAIRMAN ALBERTI: The
20 motion passes 4-0.

21 Item 12 is an application for a
22 change of hours of sales and service. This

1 is with respect to Walter Johnson's Liquor
2 Store, License No. 75411.

3 I move that we approve the
4 request. Is there a second?

5 MEMBER SILVERSTEIN: Second.

6 ACTING CHAIRMAN ALBERTI: All
7 those in favor, say aye?

8 (Chorus of ayes.)

9 ACTING CHAIRMAN ALBERTI: All
10 those opposed?

11 (No audible response.)

12 ACTING CHAIRMAN ALBERTI: The
13 motion passes 4-0.

14 Item 13 is a review of a change
15 of hours application for Dixie Liquors,
16 License No. 77295.

17 I move that we approve the
18 application. Is there a second?

19 MEMBER BROOKS: Second.

20 ACTING CHAIRMAN ALBERTI: All
21 those in favor, say aye?

22 (Chorus of ayes.)

1 ACTING CHAIRMAN ALBERTI: All
2 those opposed?

3 (No audible response.)

4 ACTING CHAIRMAN ALBERTI: The
5 motion passes 4-0.

6 Item 14 is a review of a change
7 hours application for a change of hours of
8 operation and sales and service. This is
9 from Rice Restaurant & Bar, License No.
10 60730.

11 I move that we approve the
12 application. Is there a second?

13 MEMBER SILVERSTEIN: Second.

14 ACTING CHAIRMAN ALBERTI: All
15 those in favor, say aye?

16 (Chorus of ayes.)

17 ACTING CHAIRMAN ALBERTI: All
18 those opposed?

19 (No audible response.)

20 ACTING CHAIRMAN ALBERTI: The
21 motion passes 4-0.

22 Item 15 is a review of a change

1 of hours application from MLK Mini Market,
2 License No. 60730.

3 I move that we approve the
4 application. Is there a second?

5 MEMBER BROOKS: Second.

6 ACTING CHAIRMAN ALBERTI: All
7 those in favor, say aye?

8 (Chorus of ayes.)

9 ACTING CHAIRMAN ALBERTI: All
10 those opposed?

11 (No audible response.)

12 ACTING CHAIRMAN ALBERTI: The
13 motion passes 4-0.

14 Item 16 is a request for
15 reinstatement from KW Little Store. This is
16 a reinstatement of the license. This was
17 previously reviewed on the June 12th, 2013
18 agenda.

19 I move that we deny this request
20 for reinstatement. Is there a second?

21 MEMBER SILVERSTEIN: Second.

22 ACTING CHAIRMAN ALBERTI: Okay.

1 All those in favor, say aye?

2 (Chorus of ayes.)

3 ACTING CHAIRMAN ALBERTI: All
4 those opposed?

5 (No audible response.)

6 ACTING CHAIRMAN ALBERTI: The
7 motion passes 4-0.

8 Item 17 is a review of a petition
9 for reconsideration from Emanuel Mpras with
10 regards to Board Order No. 2013-181. This
11 is with regards to DC Shenanigans, License
12 No. 88119.

13 This was previously reviewed on
14 the June 5th, 2013 supplemental agenda and
15 on the June 19th, 2013 supplemental agenda.

16 We will again postpone this until July
17 10th.

18 Item 18 is the District's
19 response to the previous motion for
20 reconsideration with regards to DC
21 Shenanigans, License No. 88119.

22 The response comes from OAG

1 Attorney Christine Gephardt. We will
2 postpone that matter until July 10th.

3 And the last item is a review of
4 documents submitted for grocery store
5 components. This is a full-service grocery
6 store application. The documents come from
7 Walmart, License No. 92202.

8 That item will be continued.

9 Item 20 is a request a group of
10 five protestants that the Board delay the
11 approval of a settlement agreement between
12 Cantina Marina and ANC 6D. The group of
13 five protestants is not part of that
14 settlement agreement. This is with regards
15 to Cantina Marina, License No. 60628.

16 I move that we deny that request.

17 Is there a second?

18 MEMBER SILVERSTEIN: Second.

19 ACTING CHAIRMAN ALBERTI: All
20 those in favor, say aye?

21 (Chorus of ayes.)

22 ACTING CHAIRMAN ALBERTI: All

1 those opposed?

2 (No audible response.)

3 ACTING CHAIRMAN ALBERTI: The
4 motion passes 4-0.

5 Item 21 is a review of a request
6 for reinstatement from Reginald James of
7 Sweet Mango Caf,. This is a reinstatement
8 of their renewal application. They were
9 dismissed for failure to appear at the roll
10 call. This is regarding Sweet Mango Caf,,
11 License No. 72512.

12 I move that we deny the request.

13 Is there a second?

14 MEMBER SILVERSTEIN: Second.

15 ACTING CHAIRMAN ALBERTI: All
16 those in favor, say aye?

17 (Chorus of ayes.)

18 ACTING CHAIRMAN ALBERTI: All
19 those opposed?

20 (No audible response.)

21 ACTING CHAIRMAN ALBERTI: The
22 motion passes 4-0.

1 Item 22 is really not a separate
2 item. It really is part of item 21. It
3 should not have been listed as a separate
4 item. So I'll strike item 22 as it is
5 combined with item 21.

6 Item 23 is a review of a
7 settlement agreement between ANC 1A and
8 Sweet Mango Caf,. This is License No.
9 72512.

10 I move that we approve with
11 modifications to item 14. Is there a
12 second?

13 MEMBER SILVERSTEIN: Second.

14 ACTING CHAIRMAN ALBERTI: All
15 those in favor, say aye?

16 (Chorus of ayes.)

17 ACTING CHAIRMAN ALBERTI: All
18 those opposed?

19 (No audible response.)

20 ACTING CHAIRMAN ALBERTI: The
21 motion passes 4-0.

22 Item 24 is review of a letter

1 from Erin Martin with Creative Associates at
2 the Flats at Atlas. They're asking if the
3 Board would consider something -- they just
4 describe it as a food crawl, not to be a pub
5 crawl. And the answer is no. The way the
6 described it.

7 So I move that we tell the person
8 who posed the question that the answer is
9 now. Is there a second?

10 MEMBER SILVERSTEIN: I second it,
11 Mr. Chair.

12 ACTING CHAIRMAN ALBERTI: Okay.
13 All those in favor, say aye?

14 (Chorus of ayes.)

15 ACTING CHAIRMAN ALBERTI: All
16 those opposed?

17 (No audible response.)

18 ACTING CHAIRMAN ALBERTI: The
19 motion passes 4-0.

20 Okay. That's the end of our
21 agenda items.

22 And now, as Chairperson of the

1 Alcoholic Beverage Control Board for the
2 District of Columbia and in accordance with
3 Section 405 of the Open Meetings Amendment
4 Act of 2010, I move that the Board hold a
5 closed meeting on July 10th for the purpose
6 of discussing and hearing reports concerning
7 ongoing and planned investigations of
8 alleged criminal or civil misconduct or
9 violations of law or regulations and seeking
10 legal advice from our counsel on the Board's
11 investigative agenda for July 10th, 2013 as
12 published in the D.C. Register on July 5th,
13 2013. Is there a second?

14 MEMBER BROOKS: Second.

15 ACTING CHAIRMAN ALBERTI: All
16 those in favor, say aye?

17 (Chorus of ayes.)

18 ACTING CHAIRMAN ALBERTI: All
19 those opposed?

20 (No audible response.)

21 ACTING CHAIRMAN ALBERTI: The
22 motion passes 4-0.

1 As Chairperson of the Alcoholic
2 Beverage Control Board for the District of
3 Columbia and in accordance with Section 405
4 of the Open Meetings Amendment Act of 2010,
5 I move that the ABC Board hold a closed
6 meeting on July 10th, 2013 for the purposes
7 of seeking legal advice from our counsel in
8 the matters identified in the Board's agenda
9 for July 10th, 2013 as published in the D.C.
10 Register on July 5th, 2013. Is there a
11 second?

12 MEMBER BROOKS: Second.

13 ACTING CHAIRMAN ALBERTI: All
14 right. All those in favor, say aye?

15 (Chorus of ayes.)

16 ACTING CHAIRMAN ALBERTI: All
17 those opposed?

18 (No audible response.)

19 ACTING CHAIRMAN ALBERTI: The
20 motion passes 4-0.

21 As it appears that the previous
22 two motions have passed, I hereby give

1 notice that the ABC Board will hold the
2 aforementioned closed meetings pursuant to
3 the Open Meetings Amendment Act of 2010.
4 Notice will be posted on the ABC Board
5 hearing room bulletin board, placed on the
6 electronic calendar on ABRA's Web site and
7 published in the D.C. Register in as timely
8 a manner as practicable for both of those
9 hearings.

10 And we are off the record and
11 we're done.

12 (Whereupon, the hearing was
13 concluded at 7:19 p.m.)

14
15
16
17
18
19
20
21
22

A	5:6,10,13,16 6:4,7 6:19,22 7:14,17 7:22 8:3,7,19,22 9:3,15,18,21 10:9 10:12,15 11:13,16 11:19 12:6,9,12 13:1,4,7,20 14:1,5 14:8,20 15:1,4,13 15:16 16:3,6,9,19 16:22 17:3,12,15 17:18 18:12,16,21 19:2,5,14,17,20 20:6,9,12,20 21:1 21:4,13,16,19 22:6,9,12,20 23:1 23:4,14,17,20 24:6,9,12,22 25:3 25:6 26:19,22 27:3,15,18,21 28:14,17,20 29:12 29:15,18 30:15,18 30:21 31:13,16,19	approval 2:8,13 4:7 26:11 approve 2:21 8:16 9:9 10:5 11:10 12:3,18 14:17 15:10 17:9 20:17 21:10 22:3,17 23:11 24:3 28:10 Approved 2:10,15 Asai 13:14 asked 14:12 asking 29:2 Associates 7:7 29:1 Association 4:6 Atlas 29:2 Attorney 26:1 audible 5:15 9:2,20 10:14 11:18 12:11 13:6 14:7 15:3 16:8 17:2,17 19:4 19:19 20:11 21:3 21:18 22:11 23:3 23:19 24:11 25:5 27:2,20 28:19 29:17 30:20 31:18	30:17 31:15 A.B.R.A 1:10	B	10:12,15 11:13,16 11:19 12:6,9,12 13:1,4,7,20 14:1,5 14:8,20 15:1,4,13 15:16 16:3,6,9,19 16:22 17:3,12,15 17:18 18:6,12,16 18:21 19:2,5,14 19:17,20 20:6,9 20:12,20 21:1,4 21:13,16,19 22:6 22:9,12,20 23:1,4 23:14,17,20 24:6 24:9,12,22 25:3,6 26:19,22 27:3,15 27:18,21 28:14,17 28:20 29:12,15,18 30:15,18,21 31:13 31:16,19	Board's 2:5 4:7 13:10 30:10 31:8 Boese 4:19 Brands 2:12 BROOKS 1:19 7:16,19 9:14 10:8 15:12 16:2 17:11 18:8,11,14,20 21:12 22:19 24:5 30:14 31:12 Building 1:16 bulletin 32:5	Chairperson 1:17 1:19 29:22 31:1 change 13:12,16 14:10,13,14,15,18 17:21 21:7,22 22:14 23:6,7,22 Chat 8:14 choose 5:9 Chorus 3:3,14 5:12 6:6,21 8:21 9:17 10:11 11:15 12:8 13:3 14:4,22 15:15 16:5,21 17:14 19:1,16 20:8,22 21:15 22:8,22 23:16 24:8 25:2 26:21 27:17 28:16 29:14 30:17 31:15
ABC 31:5 32:1,4 ABRA's 32:6 Act 30:4 31:4 32:3 Acting 1:17 2:3,20 3:1,4,12,15 5:6,10 5:13,16 6:4,7,19 6:22 7:14,17,22 8:7,19,22 9:3,15 9:18,21 10:9,12 10:15 11:13,16,19 12:6,9,12 13:1,4,7 13:20 14:1,5,8,20 15:1,4,13,16 16:3 16:6,9,19,22 17:3 17:12,15,18 18:12 18:16,21 19:2,5 19:14,17,20 20:6 20:9,12,20 21:1,4 21:13,16,19 22:6 22:9,12,20 23:1,4 23:14,17,20 24:6 24:9,12,22 25:3,6 26:19,22 27:3,15 27:18,21 28:14,17 28:20 29:12,15,18 30:15,18,21 31:13 31:16,19 addition 9:11 address 14:11,14 14:15,18 addressed 4:2 ADMINISTRAT... 1:4 advice 30:10 31:7 aforementioned 32:2 agenda 1:10 2:5 8:12 13:9,11 24:18 25:14,15 29:21 30:11 31:8 agreement 8:6,14 9:6 10:2,18 11:7 11:22 12:4,15 26:11,14 28:7 Alberti 1:17,19 2:3 2:20 3:1,4,12,15	Alcoholic 1:3,15,15 2:5 13:10 30:1 31:1 Alero 12:15 alleged 30:8 Alliance 3:18 allow 18:3 Amendment 30:3 31:4 32:3 ANC 4:13,15,19 5:19,20 6:2 8:15 9:7 10:3,19 11:8 12:1,16 26:12 28:7 answer 29:5,8 appear 4:22 6:13 27:9 appears 31:21 application 4:21,22 6:12 13:19,21 14:16 17:6 19:8 19:12 20:1,4,15 20:18 21:7,11,21 22:15,18 23:7,12 24:1,4 26:6 27:8	aye 3:2,13 5:11 6:5 6:20 7:18,19,20 7:21 8:20 9:16 10:10 11:14 12:7 13:2 14:3,21 15:14 16:4,20 17:13 18:22 19:15 20:7,21 21:14 22:7,21 23:15 24:7 25:1 26:20 27:16 28:15 29:13 30:16 31:14 eyes 3:3,14 5:12 6:6,21 8:21 9:17 10:11 11:15 12:8 13:3 14:4,22 15:15 16:5,21 17:14 19:1,16 20:8,22 21:15 22:8,22 23:16 24:8 25:2 26:21 27:17 28:16 29:14	C	Caf 5:2 27:7,10 28:8 calendar 32:6 call 5:1 6:13 7:9 27:10 canceled 16:12 Cantina 9:6 26:12 26:15 Capitol 6:11,14 Chair 29:11 Chairman 2:3,20 3:1,4,12,15 5:6,10 5:13,16 6:4,7,18 6:19,22 7:14,17 7:22 8:7,19,22 9:3 9:15,18,21 10:9	Christine 26:1 Churreria 16:13 Citation 3:8 Citizens 3:18 4:5 civil 30:8 clarification 10:22 11:2 Class 17:21,21 18:4 18:9		

Cleveland 4:5	dismissed 4:16,16 7:9 27:9	form 7:5	22:14 23:6,22	Limited 7:7
Climax 19:9	dissenting 8:3	full-service 26:5	24:14 25:8,18	Liquor 18:8 22:1
closed 30:5 31:5 32:2	District 1:1 30:2 31:2	<hr/> G <hr/>	26:3,8,9 27:5 28:1	Liquors 3:9 22:15
Columbia 1:1 30:2 31:3	District's 25:18	Gallo 2:8	28:2,2,4,4,5,6,11	listed 28:3
combined 28:5	Dixie 22:15	garden 15:7 17:6 19:8	28:22	Little 24:15
come 26:6	document 12:21	Gephardt 26:1	items 2:21 9:12 10:6 11:3 29:21	location 14:14
comes 14:11 21:8 25:22	documents 8:9 26:4,6	Getaway 11:7	<hr/> J <hr/>	Lounge 5:22 12:16 15:19
coming 19:9	DONALD 1:19	give 31:22	J 2:7	<hr/> M <hr/>
Commissioner 4:19	Doner 20:2	going 2:4 10:21 11:2	James 27:6	Madrid 16:13
components 26:5	Drugs 17:22	GOVERNMENT 1:1	Jeff 6:10	Mango 5:2 27:7,10 28:8
concerning 30:6	D.C 1:17 30:12 31:9 32:7	grant 6:1 13:16 15:21 18:4	Johnson's 22:1	Mango's 4:20
concluded 32:13	<hr/> E <hr/>	Green 5:19	joined 7:1	manner 16:17 32:8
consider 29:3	E 2:7	grocery 26:4,5	Jones 1:21 7:1,20	Manocha 3:7
Constellation 2:12	eight 17:6	group 26:9,12	July 25:16 26:2 30:5,11,12 31:6,9 31:10	Marina 9:6 26:12 26:15
continued 26:8	electronic 32:6	<hr/> H <hr/>	June 1:14 2:6 4:2 4:16 13:11 24:17 25:14,15	Market 24:1
Control 1:15,15 2:5 13:10 30:1 31:2	Emanuel 25:9	hearing 1:16 5:1 6:14 30:6 32:5,12	<hr/> K <hr/>	Martin 29:1
Correct 2:19	endorsement 4:8 15:8 20:1,15	hearings 32:9	Kapnos 14:12	matter 1:8 5:21 7:9 26:2
corrected 18:17	entertainment 4:7 20:1,15 21:8	HERMAN 1:21	Kent 4:19	matters 31:8
counsel 30:10 31:7	Erin 29:1	Hitching 15:8	KW 24:15	Matthew 7:4,6
crawl 29:4,5	establishment 18:10	hold 30:4 31:5 32:1	<hr/> L <hr/>	meeting 30:5 31:6
Creative 29:1	<hr/> F <hr/>	Hookah 19:10	law 30:9	meetings 30:3 31:4 32:2,3
criminal 30:8	failed 4:22 6:13	Hotel 6:11,15	Le 8:14	Member 1:19,21 1:22 2:19,22 3:11 5:5,8 6:3,17 7:12 7:16,19,20,21 8:3 8:5,18 9:14 10:8 11:12 12:5,22 13:19,22 14:19 15:12 16:2,18 17:11 18:5,8,9,11 18:14,20 19:13 20:5,19 21:12 22:5,19 23:13 24:5,21 26:18 27:14 28:13 29:10 30:14 31:12
Curtz 3:20	failure 27:9	hours 12:20 13:13 13:16 21:7,22 22:15 23:7,7 24:1	lease 8:5	mention 11:2
<hr/> D <hr/>	favor 3:2,13 5:11 6:5,20 7:18 8:20 9:16 10:10 11:14 12:7 13:2 14:2,21 15:14 16:4,20 17:13 18:22 19:15 20:7,21 21:14 22:7,21 23:15 24:7 25:1 26:20 27:16 28:15 29:13 30:16 31:14	<hr/> I <hr/>	legal 30:10 31:7	met 1:15
dais 7:2	feet 18:2,6	identified 31:8	letter 4:4,11,18 7:5 28:22	MIKE 1:22
DC 25:11,20	filed 16:16	Incorporated 2:12	license 3:9,21 4:8 4:14 5:2,22 6:15 8:15 9:7 10:4,19 11:8 12:2,17 13:14,17,18 14:12 15:7,9,20,22 16:12,13 17:8,20 17:22 18:2,4 19:10 20:2,16 21:9 22:2,16 23:9 24:2,16 25:11,21 26:7,15 27:11 28:8	Mini 24:1
deal 2:4	five 26:10,13	investigations 30:7	licensee 3:19 13:17	misconduct 30:8
dealing 12:19	Flats 29:2	investigative 30:11		
delay 4:9 26:10	food 29:4	item 2:4,7 3:6,17 4:1,4,9,11,17,18 5:18 6:9 7:3 8:4,8 8:8,9,10,11,13,17 9:5,10,11 10:1,17 11:1,6,11,21 12:14 13:12 14:10 15:6,18 16:11 17:5,20 19:7,22 20:14 21:6,21		
deleting 9:10				
denied 4:3 5:3				
deny 3:10 6:16 7:13 16:15 18:1,19 24:19 26:16 27:12				
describe 29:4				
described 29:6				
Discount 17:22				
discussing 30:6				
dismiss 4:12				
dismissal 4:21 5:20 6:12				

MLK 24:1	ongoing 30:7	posed 29:8	10:19 11:8 12:2	13:12 17:5,20
modifications 8:17	Open 30:3 31:4	Post 15:9	12:17 25:10,11,20	19:7,22 20:14
9:10,12 10:6	32:3	posted 32:4	26:14	21:6 22:14 23:6
11:11 12:19 28:11	operation 13:13	postpone 25:16	Reginald 27:6	23:22 25:8 26:3
modify 11:3	23:8	26:2	Register 30:12	27:5 28:6,22
Moore 7:4,6	opposed 5:14 8:1,1	postponed 10:21	31:10 32:7	reviewed 24:17
moot 4:17	9:1,19 10:13	postponing 11:4	REGULATION	25:13
Morini/Nicoletta	11:17 12:10 13:5	practicable 32:8	1:3	re-placarding 3:18
12:1	14:6 15:2 16:7	PRESENT 1:18	regulations 18:3	Rice 23:9
motion 3:5 5:17 6:8	17:1,16 19:3,18	presiding 1:17	30:9	right 2:18 3:2 7:18
7:1,11 8:2 9:4,22	20:10 21:2,17	previous 8:11	reinstate 6:2	14:2 31:14
10:16 11:20 12:13	22:10 23:2,18	25:19 31:21	reinstatement 3:19	Rodman's 17:22
13:8 15:4,17	24:10 25:4 27:1	previously 4:1	7:4,8 16:12,16	roll 5:1 6:13 7:9
16:10 17:3,19	27:19 28:18 29:16	24:17 25:13	24:15,16,20 27:6	27:9
18:19 19:6,21	30:19 31:17	products 2:9,13	27:7	room 1:16 32:5
20:13 21:5,20	Order 25:10	protest 3:19 4:6,13	renewal 27:8	
22:13 23:5,21	Osteria 11:22	4:15 5:21 7:8	reports 30:6	S
24:13 25:7,19		protestants 26:10	request 2:7,11 3:6	safekeeping 15:19
27:4,22 28:21	P	26:13	3:10,20 4:3 5:3	15:22
29:19 30:22 31:20	Paragon 17:7	provide 2:8,13	6:1,9,16 7:3,13	Sala 20:16 21:8
motions 14:9 31:22	paragraph 9:11	pub 29:4	13:16 14:10,11,18	sales 13:13 21:22
move 2:21 3:10 5:3	12:19,20	published 30:12	15:6,11,18,21	23:8
6:1,16 7:12 8:16	Park 4:5	31:9 32:7	16:11,13,15 17:7	Sara 5:19
9:9 10:5 11:10	part 8:8,11 26:13	Pulpo 4:8	17:10 18:1 19:9	Scene 4:14
12:3,18 13:15	28:2	purpose 30:5	22:4 24:14,19	school 18:3
14:17 15:10,21	Partnership 7:7	purposes 31:6	26:9,16 27:5,12	seats 15:8 17:6 19:8
16:15 17:9 18:1	passed 31:22	pursuant 32:2	requesting 4:6,12	second 2:22 3:11
19:11 20:3,17	passes 3:5,16 5:17	P-R-O-C-E-E-D-...	4:19 7:8	5:4,4,5 6:3,17
21:10 22:3,17	6:8 7:1 8:2 9:4,22	2:1	requiring 14:13	7:15,16 8:17,18
23:11 24:3,19	10:16 11:20 12:13	p.m 2:2 32:13	respect 22:1	9:10,13,14 10:7,8
26:16 27:12 28:10	13:8 14:9 15:5,17		response 5:15 9:2	11:11,12 12:4,5
29:7 30:4 31:5	16:10 17:4,19	Q	9:20 10:14 11:18	12:21,22 13:22
Mpras 25:9	19:6,21 20:13	question 29:8	12:11 13:6 14:7	14:19 15:11,12
	21:5,20 22:13		15:3 16:8 17:2,17	16:1,2,17,18
N	23:5,21 24:13	R	19:4,19 20:11	17:10,11 18:18,20
Nando's 10:2	25:7 27:4,22	Ragonese 6:10	21:3,18 22:11	19:12,13 20:4,5
necessary 11:5	28:21 29:19 30:22	really 8:8,10,11	23:3,19 24:11	20:18,19 21:11,12
Nick 1:17,19	31:20	28:1,2	25:5,19,22 27:2	22:4,5,18,19
Noir 8:14	Pepco 14:12	reapply 5:9 6:18	27:20 28:19 29:17	23:12,13 24:4,5
notice 32:1,4	Peri 10:2,3	reconsideration	30:20 31:18	24:20,21 26:17,18
No.92083 12:2	person 29:7	3:7 4:20 5:19,20	Restaurant 10:18	27:13,14 28:12,13
N.W 1:17	petition 5:18 25:8	6:2,10,11 25:9,20	12:16 15:9,20	29:9,10 30:13,14
	placard 13:15	record 32:10	17:7 19:9 23:9	31:11,12
O	19:11 20:3	Reeves 1:16	retailers 2:9,13	Secret 15:19
OAG 25:22	place 15:22	regarding 3:8 5:21	review 3:17 6:9 8:4	Section 30:3 31:3
Oh 8:7 18:12	placed 32:5	27:10	8:13 9:5 10:1,17	seek 11:1
Okay 2:17,20 24:22	planned 30:7	regards 3:9,21 4:13	11:6,21 12:14	seeking 10:22 30:9
29:12,20		5:1 6:14 9:7 10:3		

31:7 separate 8:10 28:1 28:3 service 13:13 21:22 23:8 settlement 8:14 9:6 10:2,18 11:7,22 12:4,15 26:11,14 28:7 Shaw-Dupont 3:17 Shenanigans 25:11 25:21 Silverstein 1:22 2:19,22 3:11 5:5,8 6:3,17 7:10,12,21 8:5,18 11:12 12:5 12:22 13:19,22 14:19 16:18 18:5 18:9,17 19:13 20:5,19 22:5 23:13 24:21 26:18 27:14 28:13 29:10 Sing 10:18 site 32:6 sits 18:2 Skyline 6:11,15 stand 18:16 Standard 3:21 stipulated 13:17,18 15:7 store 18:8 22:2 24:15 26:4,6 street 1:17 7:6 14:18 21:9 strike 8:12 28:4 submitted 26:4 summer 15:7 17:5 19:7 Sunshine 5:21 supplemental 13:11 25:14,15 Susie 4:4 Sweet 4:20 5:2 27:7 27:10 28:8 S&R 3:9	Taylor 4:5 tell 29:7 Thaddeus 3:20 Thai 17:7 20:16 21:9 Thank 5:6 14:2 15:16 18:17,21 thing 13:9 third 12:20 time 4:3 timely 16:17 32:7 Tuscan 7:5 two 4:9 31:22	1B 12:16 10 7:3 8:9,11 10:6 20:14 10th 25:17 26:2 30:5,11 31:6,9 11 8:4,8 9:12 21:6 12 8:13 10:6 21:21 12th 4:2 24:17 13 9:5 22:14 1350 7:6 14 10:1 23:6 28:11 14th 1:16 15 10:6,17 23:22 16 11:6 24:14 17 11:21 25:8 18 12:14 25:18 19th 25:15	16:10 17:4,19 19:6,21 20:13 21:5,20 22:13 23:5,21 24:13 25:7 27:4,22 28:21 29:19 30:22 31:20 400 18:2,6 405 30:3 31:3	85239 5:22 86700 11:9 88119 25:12,21 88290 19:10 89639 4:8 89877 20:2	
	<hr/> U <hr/> U 21:9			<hr/> 9 <hr/> 9 6:9 9:12 19:22 90210 15:20 90258 15:9 91148 14:12 91375 17:8 92028 13:14 92041 10:4 92202 26:7	
	<hr/> V <hr/> valued 2:9,14 violations 30:9 Virender 3:7 vote 2:16,17 11:5	<hr/> 2 <hr/> 2 2:11,21 14:10 20 15:8 26:9 2000 1:16 2010 30:4 31:4 32:3 2013 1:14 2:6 4:2 13:11 24:17 25:14 25:15 30:11,13 31:6,9,10 2013-181 25:10 21 27:5 28:2,5 22 28:1,4 23 28:6 24 19:8 28:22 26 1:14 26th 2:6 13:11	<hr/> 5 <hr/> 5 4:4 9:10,11 11:4 16:11 5C 4:15 5C's 4:13 5th 4:17 25:14 30:12 31:10 514 10:20 54 13:14		
	<hr/> W <hr/> Wah 10:18 Walmart 26:7 Walter 22:1 Washington 1:17 way 29:5 Web 32:6 weeks 4:10 West 7:5 we're 2:4 11:2,4 32:11 William 4:11 Winery 2:8	<hr/> 3 <hr/> 3 3:6 8:17 9:12 15:6 3E 8:15 10:3 3-0 3:5,15 5:17 6:8 3-1 8:2 394 17:22	<hr/> 6 <hr/> 6 4:11 10:6 17:5 6D 9:7 12:1 26:12 6:54 2:2 60628 9:8 26:15 60716 3:9 60730 23:10 24:2 60806 16:14		
	<hr/> P <hr/> p 1:6,12	<hr/> 4 <hr/> 4 3:17 11:3 15:18 4B 5:19,21 6:2 4-0 7:1 9:4,22 10:16 11:20 12:13 13:8 14:9 15:5,17	<hr/> 7 <hr/> 7 4:18 11:11 17:20 7B 10:19 7:19 32:13 71866 21:9 71881 12:17 72038 8:15 72512 5:2 27:11 28:9 75234 6:15 75411 22:2 7581 3:8 77295 22:16 78642 4:14		
	<hr/> \$ <hr/> \$50 2:10,14 \$500 2:10,14			<hr/> 8 <hr/> 8 5:18 9:12 19:7 83557 20:16 83769 3:22	
<hr/> T <hr/>	<hr/> 1 <hr/> 1 2:7,21 10:6 11:4 13:12 1A 4:19 28:7				