

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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 IN THE MATTER OF: :
 :
 AGENDA CALENDAR :
 :
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AUGUST 12, 2015

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller, presiding.

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

4:11 p.m.

CHAIRPERSON MILLER: Okay, I'm going to start. We have a quorum. Starting with the legal agenda. First item on the legal agenda for August 12th, 2015 is a motion for reconsideration of Order No. 2015-374, dismissing the protest of ANC. This is supported -- 5E. This is supported by -- submitted by Chairperson Bradley Thomas on behalf of ANC 5E.

It's for the Ben Liquors protest, located at -- Ben Liquors is located at 1300 North Capitol Street, Northwest, License No. 060652, and there is an opposition to that motion for reconsideration, identified in number two on the legal agenda, submitted by Big Ben Liquors.

Okay, I have some difficulty, you know, in dismissing parties to a protest, but I am going to move to deny this reconsideration. I'll say especially, I have difficulty when it's an issue of notice and it's hard to resolve, but I'm under the understanding that in this kind of case, that the dates are identified on one notice for mediation

1 status -- in a status hearing, and the protest
2 hearing.

3 Those three dates are all on one notice
4 and this individual had notice of mediation, so he
5 would have had -- should have had notice of all of the
6 others, including the protest hearing.

7 So, I would move to deny. Do I have
8 second?

9 MEMBER BROOKS: Second.

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

12 (Chorus of ayes.)

13 CHAIRPERSON MILLER: All those opposed?

14 (No audible response.)

15 CHAIRPERSON MILLER: All those abstaining?

16 (No audible response.)

17 CHAIRPERSON MILLER: The motion passes 5-
18 0-0. We have another request for reconsideration in
19 number three, submitted by Erica Hurtt. She's an
20 abutting property owner, and that request is dated
21 August 4th, 2015.

22 It's related to All Souls, located at 725

1 T Street, Northwest, License No. 088179.

2 There is an opposition to that request,
3 submitted by Counsel for All Souls, Mr. Andrew Kline.

4 I would move to deny this one, primarily
5 on grounds that this is the second time that this
6 individual is asking for reconsideration of the same
7 event, and the regs really only provide for one time
8 that you can file a motion for reconsideration of an
9 order, an issue.

10 So, I'd move to deny the request. Do I
11 have a second?

12 MEMBER RODRIGUEZ: Second.

13 CHAIRPERSON MILLER: Mr. Rodriguez
14 seconded the motion. All those in favor say aye.

15 (Chorus of ayes.)

16 CHAIRPERSON MILLER: All those opposed?

17 (No audible response.)

18 CHAIRPERSON MILLER: All those abstaining?

19 (No audible response.)

20 CHAIRPERSON MILLER: The motion passes 5-
21 0-0. I also note that I believe that there still will
22 be a protest hearing and Ms. Hurtt can -- may be able

1 to participate in other ways in that hearing, other
2 than this.

3 Okay, number five is a request for off-
4 premises storage submitted by Erin Sharkey on behalf
5 of Burger Tap and Shake, dated July 28th, 2015.

6 Burger Tap and Shake is located at 445
7 Wisconsin Avenue, Northwest, License No. 097478. I
8 move that we approve this request. Do I have a
9 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 opposed?

15 (No audible response.)

16 CHAIRPERSON MILLER: All those abstaining?

17 (No audible response.)

18 CHAIRPERSON MILLER: The motion passes 5-
19 0-0. Number six, seven and eight are resolutions
20 regarding Adams Morgan Day.

21 Number six is ANC 1C resolution, submitted
22 by Chairperson Ted Guthrie, dated August 10th, 2015,

1 related to multiple licensed establishments.

2 Number seven is a second ANC 1C
3 resolution, submitted by Chairperson Ted Guthrie and
4 number eight is KCA's resolution on Adams Morgan Day,
5 submitted by Denis James, dated August 11th, 2015,
6 also relating to multiple licensed establishments.

7 All of these resolutions deal with, I
8 guess there's some type of a modified version of Adams
9 Morgan Day this year, in which these organizations are
10 saying that the requirements, certain requirements of
11 their settlement agreements won't apply on that day,
12 or will be missing.

13 So, those are just FYI's. No action is
14 required.

15 Next we have number nine, settlement
16 agreement between ANC 2B and DC Grill Express, dated
17 July 30th, 2015.

18 DC Grill Express is located 1917 18th
19 Street, Northwest, License No. 099452.

20 So, I would move that we approve the
21 settlement agreement with the following modifications:

22 First modification would be on page two,

1 let's see, dealing with the nature of the business.
2 Somebody else want to look at this with me too? I'm
3 trying to find --

4 MEMBER ALBERTI: Well, the nature of the
5 business, at some point it says that they will only
6 sell beer, wine and margarita's.

7 CHAIRPERSON MILLER: That's it.

8 MEMBER ALBERTI: They need to replace
9 margarita's with either liquor or spirits.

10 CHAIRPERSON MILLER: That's it, okay,
11 thank you. Four, page 405.1 the last sentence should
12 be deleted, which says that applicant shall, if
13 requested by any of the Protestants, send a
14 representative to the Protestants home, to determine
15 acceptable audio levels.

16 Then on page seven, there is a reference
17 to signs, and that should be deleted. That is in
18 paragraph 13.

19 MEMBER ALBERTI: There is also on --

20 CHAIRPERSON MILLER: Okay.

21 MEMBER ALBERTI: I have it listed as item
22 number four, where it talks about there will be no

1 dedicated dance floor, but it also says they will not
2 permit dancing.

3 CHAIRPERSON MILLER: That's right.

4 MEMBER ALBERTI: There is no way that they
5 can stop. Anyways, the no permit -- the -- not
6 permitting dancing needs to be changed to that --

7 CHAIRPERSON MILLER: Discouraging.

8 MEMBER ALBERTI: -- discouraging dancing.

9 CHAIRPERSON MILLER: Okay.

10 MEMBER ALBERTI: They can discourage
11 dancing.

12 CHAIRPERSON MILLER: Correct, okay. So,
13 that's clause four.

14 MEMBER ALBERTI: Yes.

15 CHAIRPERSON MILLER: Okay, anything else?
16 Let's double-check.

17 Okay, all right, actually, we have an
18 order written already with these changes, and that is
19 2015-393, so I move that we approve that order setting
20 forth those conditions.

21 MEMBER RODRIGUEZ: Second.

22 CHAIRPERSON MILLER: Mr. Rodriguez has

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

2 (Chorus of ayes.)

3 CHAIRPERSON MILLER: All those opposed?

4 (No audible response.)

5 CHAIRPERSON MILLER: All those abstaining?

6 (No audible response.)

7 CHAIRPERSON MILLER: The motion passes 4-
8 0-0. Number 10 is a settlement agreement between
9 Protestant Group of 11 and Rose's Liquor, dated July
10 1st, 2015.

11 Rose's Liquor is located at 830
12 Bladensburg Road, Northeast, License No. 060822. I
13 move that we approve, and this is written up in Board
14 Order No. 390. Do I have a second?

15 MEMBER ALBERTI: Second.

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

18 (Chorus of ayes.)

19 CHAIRPERSON MILLER: All those opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those abstaining?

22 (No audible response.)

1 CHAIRPERSON MILLER: The motion passes 4-
2 0-0. Number 11 is a settlement agreement between ANC
3 2F and In Stereo, LLC, dated July 1st, 2015.

4 In Stereo, LLC is located at 1410 14th
5 Street, Northwest, License No. 099229.

6 I move that we approve this settlement
7 agreement, and this is set forth in Board Order No.
8 389. Do I have a second?

9 MEMBER ALBERTI: Second.

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

12 (Chorus of ayes.)

13 CHAIRPERSON MILLER: All those opposed?

14 (No audible response.)

15 CHAIRPERSON MILLER: All those abstaining?

16 (No audible response.)

17 CHAIRPERSON MILLER: The motion passes 4-
18 0-0. Number 12 is a request for a remand hearing
19 dated August 6th, 2015, submitted by Richard Bianco on
20 behalf of Yegna.

21 Yegna is located at 1920 9th Street,
22 Northwest, License No. 074241.

1 I move that we grant this request. Do I
2 have a second?

3 MEMBER RODRIGUEZ: Second.

4 CHAIRPERSON MILLER: Mr. Rodriguez
5 seconded the motion. All those in favor say aye.

6 (Chorus of ayes.)

7 CHAIRPERSON MILLER: All those opposed?

8 (No audible response.)

9 CHAIRPERSON MILLER: All those abstaining?

10 (No audible response.)

11 CHAIRPERSON MILLER: The motion passes 4-
12 0-0. Number 13 is violation history computation rule-
13 making. I move that we approve this rule-making. Do
14 I have a second?

15 MEMBER BROOKS: Second.

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

18 (Chorus of ayes.)

19 CHAIRPERSON MILLER: All those opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those abstaining?

22 (No audible response.)

1 CHAIRPERSON MILLER: The motion passes 4-
2 0-0. Number 14 was Dupont Circle moratorium zone
3 rule-making.

4 I move that we approve this rule-making.
5 Do I have a second?

6 MEMBER ALBERTI: Second.

7 CHAIRPERSON MILLER: Mr. Alberti seconded
8 the motion. All those in favor say aye.

9 (Chorus of ayes.)

10 CHAIRPERSON MILLER: All those opposed?

11 (No audible response.)

12 CHAIRPERSON MILLER: All those abstaining?

13 (No audible response.)

14 CHAIRPERSON MILLER: The motion passes 4-
15 0-0. Any comments on those at this point?

16 Okay, I do believe that they were proposed
17 and will have another opportunity to address them.

18 Okay, that's the legal agenda, and we have
19 a supplemental agenda.

20 Supplemental agenda number one, a review
21 of a settlement agreement between ANC 2B and Brick
22 Lane, dated August 11th, 2015.

1 Brick Lane Restaurant is located at 1636
2 17th Street, Northwest, License No. 098427.

3 I move that we approve this settlement
4 agreement, with the following modifications:

5 Page one, clause two, nature of the
6 business, remove the last sentence.

7 Page two, clause five, sidewalk café,
8 second half of the second sentence, remove the word
9 seek'.

10 Page three, number 10, remove the last
11 sentence dealing with sole owner, I guess the title of
12 clause 10 is Compliance with ABRA Rules.

13 Number 11, nature -- notice and
14 opportunity to cure, we have standard show cause
15 language that should be substituted for the language
16 that is used in this clause.

17 So, that is all of the modifications. I
18 would move that we approve with these modifications.
19 Do I have a second?

20 MEMBER RODRIGUEZ: Second.

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

1 (Chorus of ayes.)

2 CHAIRPERSON MILLER: All those opposed?

3 (No audible response.)

4 CHAIRPERSON MILLER: All those abstaining?

5 (No audible response.)

6 CHAIRPERSON MILLER: The motion passes 4-
7 0-0. Number two is a settlement agreement between ANC
8 1B and All Souls, dated August 10th, 2015. All Souls
9 is located at 725 T Street, Northwest, License No.
10 098427.

11 I move that we approve with modifications,
12 the first one being page one, section 1(b), sidewalk
13 café materials, remove the words 'non-metal'.

14 Page two, clause nine, under binding
15 effect, remove the word 'assigned'. That's it.

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

18 MEMBER BROOKS: Second.

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

21 (Chorus of ayes.)

22 CHAIRPERSON MILLER: All those opposed?

1 (No audible response.)

2 CHAIRPERSON MILLER: All those abstaining?

3 (No audible response.)

4 CHAIRPERSON MILLER: The motion passes 4-

5 0-0. Number three is another resolution on Adams

6 Morgan Day, and this one is submitted by Maureen

7 Gallagher, Vice President of RCNA, and it's RCNA's

8 resolution, dated August 11th, 2015, dealing with the

9 multiple establishments and this is again, and FYI,

10 like the previous ones we mentioned under the regular

11 legal agenda.

12 So, that concludes the legal agenda.

13 Licensing agenda, there is one item on the

14 licensing agenda. Request to increase sidewalk café

15 seating from 10 to 28 seats in ANC 5E. This is Bacio

16 Pizzeria, located at 81 Seaton Place, Northwest,

17 License No. 092663.

18 I move that we placard this application.

19 Do I have a second?

20 MEMBER RODRIGUEZ: Second.

21 CHAIRPERSON MILLER: Mr. Rodriguez

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

1 (Chorus of ayes.)

2 CHAIRPERSON MILLER: All those opposed?

3 (No audible response.)

4 CHAIRPERSON MILLER: All those abstaining?

5 (No audible response.)

6 CHAIRPERSON MILLER: The motion passes 4-

7 0-0. We have a supplemental licensing agenda. The

8 first item, a request for safekeeping, original

9 request by Langdon Market, located at 2409 Franklin

10 Street, Northeast, License No. 011714.

11 I move that we approve for six months. Do

12 I have a second?

13 MEMBER BROOKS: Second.

14 CHAIRPERSON MILLER: Mr. Brooks has

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

16 (Chorus of ayes.)

17 CHAIRPERSON MILLER: All those opposed?

18 (No audible response.)

19 CHAIRPERSON MILLER: All those abstaining?

20 (No audible response.)

21 CHAIRPERSON MILLER: The motion passes 4-

22 0-0. Number two is another request to extend

1 safekeeping status of a license for six months. This
2 is a first request, and this is by Watergate Wine &
3 Beverage, located at 2544 Virginia Avenue, Northwest,
4 License No. 078595.

5 I move that we approve this request. Do
6 I have a second?

7 MEMBER RODRIGUEZ: Second.

8 CHAIRPERSON MILLER: Mr. Rodriguez
9 seconded the motion. All those in favor say aye.

10 (Chorus of ayes.)

11 CHAIRPERSON MILLER: All those opposed?

12 (No audible response.)

13 CHAIRPERSON MILLER: All those abstaining?

14 (No audible response.)

15 CHAIRPERSON MILLER: The motion passes 4-
16 0-0. Number three is a request to extend safekeeping
17 status of a license until December 31st, 2015, and so,
18 the first request. License has been in safekeeping,
19 according to these records, since March 29th, 2010.

20 The establishment is Downtown Spirits,
21 located at 1522 K Street, Northwest, License No.
22 084123. I move that we have a fact finding hearing.

1 Do I have a second?

2 MEMBER BROOKS: Second.

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

5 (Chorus of ayes.)

6 CHAIRPERSON MILLER: All those opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those abstaining?

9 (No audible response.)

10 CHAIRPERSON MILLER: The motion passes 4-
11 0-0. Number four is a request to extend safekeeping
12 status of license. This is a second request, and the
13 original safekeeping date that's indicated is pre-1994
14 in ANC 4B.

15 This is for Seven Seas Restaurant, located
16 at 5915 Georgia Avenue, Northwest, License No. 000654.

17 I move that we hold a fact finding
18 hearing. Do I have a second?

19 MEMBER ALBERTI: Second.

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

22 (Chorus of ayes.)

1 CHAIRPERSON MILLER: All those opposed?

2 (No audible response.)

3 CHAIRPERSON MILLER: All those abstaining?

4 (No audible response.)

5 CHAIRPERSON MILLER: The motion passes 5-

6 0-0. Number five is a request to extend safekeeping

7 status of a license. This is the fourth request.

8 Okay, I have, in my notes, to approve for

9 six months. Do others have that? This one, it looks

10 a little unusual, but --

11 MEMBER ALBERTI: For number five?

12 CHAIRPERSON MILLER: Yes, I think maybe

13 things are moving forward on this. We had a fact

14 finding hearing on March 11th, and we have a status

15 hearing coming up.

16 MEMBER ALBERTI: There's a --

17 CHAIRPERSON MILLER: That's right, there's

18 a status hearing coming up in September and we also

19 had some kind of documentation that they're moving

20 forward.

21 MEMBER ALBERTI: There's a transfer

22 application --

1 CHAIRPERSON MILLER: Yes.

2 MEMBER ALBERTI: -- making its way through
3 the process and our understanding is that it's
4 sufficiently completed this time, that we're confident
5 that this will be resolved. So, it will come out of
6 safekeeping soon.

7 CHAIRPERSON MILLER: Okay, so, I move to
8 approve for six months. Do I have a second?

9 MEMBER BROOKS: Second.

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

12 (Chorus of ayes.)

13 CHAIRPERSON MILLER: All those opposed?

14 (No audible response.)

15 CHAIRPERSON MILLER: All those abstaining?

16 (No audible response.)

17 CHAIRPERSON MILLER: The motion passes 5-
18 0-0. Okay, so, do you -- I'm not sure if we discussed
19 whether we'd be having the status hearing on September
20 11th. I think we would just need to take a look at
21 that, since we're approving this today for six months,
22 okay.

1 MEMBER ALBERTI: Yes, we probably will --
2 I think we should --

3 MEMBER SILVERSTEIN: Just approval.

4 MEMBER ALBERTI: We'll discuss that.

5 CHAIRPERSON MILLER: Yes.

6 MEMBER ALBERTI: With the General Counsel.

7 CHAIRPERSON MILLER: Yes, okay. So,
8 meanwhile, the -- they're approved for another six
9 months.

10 Number six is request for a stipulated
11 license with a letter of ANC support, and this is in
12 ANC 1C.

13 It's WeWork, located at 1875 Connecticut
14 Avenue, Northwest, License No. 097647.

15 I move that we approve. 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 aye.

20 (Chorus of ayes.)

21 CHAIRPERSON MILLER: All those opposed?

22 (No audible response.)

1 CHAIRPERSON MILLER: All those abstaining?
2 (No audible response.)

3 CHAIRPERSON MILLER: The motion passes 5-
4 0-0. Number seven is an application for a sidewalk
5 café with seating for 64 patrons. This is Atlas Brew
6 Works, located at 2052 West Virginia Avenue,
7 Northeast, License No. 091282. I move that we
8 approve. Do I have a second?

9 MEMBER RODRIGUEZ: Second.

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

12 (Chorus of ayes.)

13 CHAIRPERSON MILLER: All those opposed?

14 (No audible response.)

15 CHAIRPERSON MILLER: All those abstaining?

16 (No audible response.)

17 CHAIRPERSON MILLER: The motion passes 5-
18 0-0. Number eight is an application for a sidewalk
19 café with seating for 70 patrons in ANC 1A. The
20 establishment is the Thip Khao, located at 3460 14th
21 Street, Northwest, License No. 097131. I move that we
22 placard this application. Do I have a second?

1 MEMBER SHORT: Second.

2 CHAIRPERSON MILLER: Mr. Short seconded
3 the motion. All those in favor say aye.

4 (Chorus of ayes.)

5 CHAIRPERSON MILLER: All those opposed?

6 (No audible response.)

7 CHAIRPERSON MILLER: All those abstaining?

8 (No audible response.)

9 CHAIRPERSON MILLER: The motion passes 5-
10 0-0. Number nine is a request to expand the interior
11 occupancy load at the establishment 2120. This is for
12 this is for Burger Tap and Shake, located 4445
13 Wisconsin Avenue, Northwest, License No. 097478.

14 I move that we approve. Do I have a
15 second?

16 MEMBER BROOKS: Second.

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

19 (Chorus of ayes.)

20 CHAIRPERSON MILLER: All those opposed?

21 All those abstaining?

22 The motion passes 5-0-0. Number 10 are

1 floor plans for full service grocery store in ANC 2E.

2 This is for Via Umbria, located at 1525
3 Wisconsin Avenue, Northwest, License No. 097178.

4 I move that we refer this to the
5 licensing. Do I have a second?

6 MEMBER ALBERTI: Second.

7 CHAIRPERSON MILLER: Mr. Alberti seconded
8 the motion. All those in favor say aye.

9 (Chorus of ayes.)

10 CHAIRPERSON MILLER: All those opposed?

11 All those abstaining?

12 The motion passes 5-0-0. Number 11 are
13 results of a regulatory inspection regarding alcohol
14 not being served at an establishment in ANC 2B.

15 It's for to be determined number two,
16 located at 1850 I Street, Northwest, License No.
17 081026. I move that we refer this to licensing. Do I
18 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 opposed?
2 All those abstaining?

3 The motion passes 5-0-0. Number 12 is a
4 request for approval to provide gifts that don't
5 exceed \$500 to Republic National Distributing Company.

6
7 It's Kendall-Jackson Winery, located at
8 421 Aviation Boulevard, Santa Rosa, California,
9 License No. 364901.

10 I move that we approve. Do I have a
11 second?

12 MEMBER SHORT: Second.

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

15 (Chorus of ayes.)

16 CHAIRPERSON MILLER: All those opposed?
17 All those abstaining?

18 The motion passes 5-0-0. We have a second
19 supplemental licensing agenda.

20 First item is a request for stipulated
21 license. There's a signed letter of ANC support --
22 signed letter of ANC support is forthcoming.

1 The establishment is WeWork, located at
2 718 7th Street, Northwest, License No. 097654.

3 Okay, the ANC voted to consent to the
4 issuance of stipulated license. Okay, I would move to
5 approve. Do I have a second?

6 MEMBER RODRIGUEZ: Second.

7 CHAIRPERSON MILLER: Mr. Rodriguez
8 seconded the motion. All those in favor say aye.

9 (Chorus of ayes.)

10 CHAIRPERSON MILLER: All those opposed?

11 All those abstaining?

12 The motion passes 5-0-0. Number two is a
13 request for offsite storage of surplus alcoholic
14 beverages at 6011 Blair Road, Northwest, in ANC 2F.
15 It's Barrel House Liquors, located at 1341 14th
16 Street, Northwest, License No. 023984.

17 I move that we approve this request. Do
18 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 opposed?
2 All those abstaining?

3 The motion passes 5-0-0. We have a
4 cancellation agenda -- wait a second. Yes, we have a
5 cancellation agenda. We have one time, ABRA No.
6 079657, G3 Holdings, LLC, at 6211 Dix Street,
7 Northeast, licensee did not pay fees.

8 I move that we approve the cancellation.
9 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 opposed?
15 All those abstaining?

16 The motion passes 5-0-0. I believe that
17 completes our agendas, and we just have our votes on
18 closed meetings. Okay, as Chairperson of the
19 Alcoholic Beverage Control Board for the District of
20 Columbia, in accordance with D.C. Official Code
21 Section 2-574(b) of the Opening Meetings Amendment
22 Act, I move that the ABC Board hold a closed meeting

1 on September 9th, 2015 for the purpose of seeking
2 legal advice from our Counsel on the matters
3 identified on the Board's agenda for September 9th,
4 2015, as published in the D.C. Register on September
5 4th, 2015. Is there a second?

6 MEMBER BROOKS: Second.

7 CHAIRPERSON MILLER: Mr. Brooks has
8 seconded the motion. I will now take a roll call vote
9 on the motion before us, now that it's been seconded.
10 Mr. Brooks?

11 MEMBER BROOKS: I agree.

12 CHAIRPERSON MILLER: Mr. Alberti?

13 MEMBER ALBERTI: I agree.

14 CHAIRPERSON MILLER: Mr. Rodriguez?

15 MEMBER RODRIGUEZ: I agree.

16 CHAIRPERSON MILLER: Ms. Miller agrees.

17 Mr. Short?

18 MEMBER SHORT: I agree.

19 CHAIRPERSON MILLER: It appears that the
20 motion is passed by a 5-0-0 vote.

21 I hereby give notice that the ABC Board
22 will hold this aforementioned closed meeting.

1 Pursuant to the Open Meetings Act, notice will also be
2 posted on the ABC Board hearing room bulletin board,
3 placed on the electronic calendar and ABRA's website
4 and published in the D.C. Register in as timely a
5 manner as practical.

6 As Chairperson of the Alcoholic Beverage
7 Control Board for the District of Columbia, in
8 accordance with D.C. Official Code Section 2-574(b)
9 closed meetings, and 2-574 notice of meetings of the
10 Opening Meetings Act, I move that the ABC Board hold
11 a closed meeting on September 9th, 2015 for the
12 purpose of discussing and hearing reports concerning
13 ongoing or planned investigations of alleged criminal
14 or civil misconduct or violations of law or
15 regulations and seeking legal advice from our Counsel
16 on the Board's investigative agenda for September 9th,
17 2015, as published in the D.C. Register on September
18 4th, 2015. Is there a second?

19 MEMBER BROOKS: Second.

20 CHAIRPERSON MILLER: Mr. Brooks has
21 seconded the motion. I'll now take a roll call vote
22 on the motion before us, now that it's been seconded.

1 Mr. Brooks?

2 MEMBER BROOKS: I agree.

3 CHAIRPERSON MILLER: Mr. Alberti?

4 MEMBER ALBERTI: I agree.

5 CHAIRPERSON MILLER: Mr. Rodriguez?

6 MEMBER RODRIGUEZ: I agree.

7 CHAIRPERSON MILLER: Ms. Miller agrees.

8 Mr. Short?

9 MEMBER SHORT: I agree.

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

12 I hereby give notice that the ABC Board
13 will hold this aforementioned closed meeting.

14 Pursuant to the Open Meetings Act, notice will also be
15 posted on the ABC Board hearing room bulletin board,
16 placed on the electronic calendar and ABRA's website,
17 and published in the D.C. Register in as timely a
18 manner as practicable. This completes our agendas and
19 our business for August 12th, 2015, and we are
20 adjourned until September 9th.

21 (Whereupon, the above-entitled matter went
22 off the record at 4:40 p.m.)

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