

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

A.B.R.A. Agenda

Agenda
Hearing

December 3, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

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

(3:38 p.m.)

CHAIRPERSON MILLER: Okay. We're back on the record and starting with the Licensing Agenda.

The first item on the Licensing Agenda is a review of request letters regarding change in safekeeping status of the license for California Liquors located at 2100 18th Street, N.W.

Okay. So my recollection is that I would like to move that we approve releasing the license from safekeeping upon final inspection.

MEMBER SHORT: Yes, ma'am.

CHAIRPERSON MILLER: Okay, of the establishment. And then we will placard the license application in March.

MEMBER SHORT: Second it.

CHAIRPERSON MILLER: Okay. Any other comments?

All those in favor say aye.

ALL: Aye.

CHAIRPERSON MILLER: All those opposed?
All those abstaining? The motion passes 4-0-0.

1 No. 2 is another request to extend
2 safekeeping status of a license for six months. And
3 this relates to Machu Picchu located at 3263 M Street,
4 N.W., License No. 008309.

5 I move that we approve extending the
6 license in safekeeping for six months. Do I have a
7 second?

8 MEMBER BROOKS: Second.

9 CHAIRPERSON MILLER: Mr. Brooks has
10 seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON MILLER: All those opposed?
14 All those abstaining? The motion passes 4-0-0.

15 No. 3 is an application for safekeeping of
16 a license. This is an original request and it's by
17 Marvelous Market located at 3217 P Street, N.W.,
18 License No. 079966.

19 I move that we approve this for a period
20 of six months. Do I have a second?

21 MEMBER SHORT: Second.

22 CHAIRPERSON MILLER: Mr. Short has

1 seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON MILLER: All those opposed?

5 All those abstaining? The motion passes 4-0-0.

6 No. 4 is a request for change of hours for
7 CVS Pharmacy #2104 located at 5013 Connecticut Avenue,
8 N.W., License No. 083507, to allow them to open one
9 hour earlier from 8:00 a.m. to 7:00 a.m.

10 I move that we approve.

11 MEMBER RODRIGUEZ: Second it.

12 CHAIRPERSON MILLER: Mr. Rodriguez has
13 seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those opposed?

17 All those abstaining? The motion passes 4-0-0.

18 No. 5 is a request for a change of hours
19 by Me & My Supermarket located at 1111 H Street, N.E.,
20 License No. 095280.

21 And I move that we approve this request.

22 Do I have a second?

1 MEMBER BROOKS: Second.

2 CHAIRPERSON MILLER: Mr. Brooks has
3 seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON MILLER: All those opposed?
7 All those abstaining? The motion passes 4-0-0.

8 No. 6 is an application for an
9 entertainment endorsement to include computer
10 programmed playlist, DJ, jazz band and dancing. This
11 is for Panda Gourmet located at 2700 New York Avenue,
12 N.E., License No. 086961.

13 I move that we placard this application.
14 Do I have a second?

15 MEMBER SHORT: Second.

16 CHAIRPERSON MILLER: Mr. Short has
17 seconded the motion.

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON MILLER: All those opposed?
21 All those abstaining? The motion passes 4-0-0.

22 No. 7 is an application for a manager's

1 license by Sean P. Wolf, ABRA #097227.

2 I move that we hold a Fact-Finding on this
3 application. Do I have a second?

4 MEMBER BROOKS: Second.

5 CHAIRPERSON MILLER: Mr. Brooks has
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye. All those opposed? All those
9 abstaining? The motion passes 4-0-0.

10 No. 8 is an application for a manager's
11 license for Charles H. Rogers, ABRA #097240.

12 Does somebody have a motion on this one?

13 MEMBER BROOKS: I move that we approve.

14 CHAIRPERSON MILLER: Okay. Is there a
15 second?

16 MEMBER RODRIGUEZ: Second.

17 CHAIRPERSON MILLER: All right.

18 All those in favor say aye.

19 MEMBER RODRIGUEZ: Aye.

20 MEMBER BROOKS: Aye.

21 CHAIRPERSON MILLER: All those opposed?

22 Oppose.

1 MEMBER SHORT: I oppose.

2 CHAIRPERSON MILLER: So the vote is 2 to

3 --

4 MEMBER RODRIGUEZ: 3-1.

5 CHAIRPERSON MILLER: 2-2-0.

6 MEMBER RODRIGUEZ: Oh.

7 CHAIRPERSON MILLER: So the approval
8 fails, so I believe that means he is disapproved.

9 All right. We will leave that at that.

10 The approval, 2-2-0. In dissent is Miller and Short.

11 Okay.

12 We have a Supplemental Licensing Agenda.

13 The first item on the Supplemental
14 Licensing Agenda is a letter from Emanuel Mpras
15 requesting reinstatement of a canceled license upon
16 payment of all renewal fees and late fees.

17 I move that we approve the reinstatement
18 upon payment of all renewal fees and late fees. Do I
19 have a second?

20 MEMBER SHORT: Second.

21 CHAIRPERSON MILLER: Mr. Short has
22 seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON MILLER: All those opposed?

4 All those abstaining? The motion passes 4-0-0.

5 No. 2 is a request for a cancellation of
6 license by D'Vines located at 3103 14th Street, N.W.,
7 License No. 077775.

8 I move that we approve this request for
9 cancellation. Do I have a second?

10 MEMBER ALBERTI: Second.

11 CHAIRPERSON MILLER: Mr. Alberti has
12 seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON MILLER: All those opposed?

16 All those abstaining? The motion passes 4-0-0.

17 No. 3 is a request for a stipulated
18 license and it has ANC support. This is for Via
19 Umbria located at 1525 Wisconsin Avenue, N.W., License
20 No. 097178.

21 I move that we approve.

22 MEMBER SHORT: Second.

1 CHAIRPERSON MILLER: Mr. Short has
2 seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those opposed?
6 All those abstaining? The motion passes 4-0-0.

7 We have a Second Supplemental Licensing
8 Agenda with one item and that is a letter from
9 establishment owners requesting reinstatement of a
10 canceled license and forgiveness of late fees
11 associated with pending second year payment.

12 It is the National Tap House located at
13 1331 Connecticut Avenue, N.W., License No. 092156.

14 I move to grant reinstatement upon payment
15 of all fees. Do I have a second?

16 MEMBER ALBERTI: I'll second it with a
17 clarification, just for clarification.

18 CHAIRPERSON MILLER: Okay.

19 MEMBER ALBERTI: We are not forgiving the
20 late fees.

21 CHAIRPERSON MILLER: Correct.

22 MEMBER ALBERTI: Okay. I would just note

1 that.

2 CHAIRPERSON MILLER: Thank you.

3 MEMBER ALBERTI: Just so it's clear to
4 everybody.

5 CHAIRPERSON MILLER: Right. Thank you.
6 All right. Do I have a second? Did you second it?

7 MEMBER ALBERTI: I seconded it.

8 CHAIRPERSON MILLER: Okay.

9 MEMBER ALBERTI: Yes.

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

12 ALL: Aye.

13 CHAIRPERSON MILLER: All those opposed?
14 All those abstaining? The motion passes 4-0-0.

15 We have a Cancellation Agenda with two
16 items.

17 The first item is ABRA #091620, Flying
18 Fish Coffee and Tea located at 3064 Mount Pleasant
19 Street, N.W. The licensee is requesting cancellation
20 of the license, because the establishment is no longer
21 selling alcoholic beverages.

22 I move that we approve this cancellation.

1 MEMBER ALBERTI: Second.

2 CHAIRPERSON MILLER: Mr. Alberti seconded
3 the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON MILLER: All those opposed?
7 All those abstaining? The motion passes 4-0-0.

8 No. 2 is a cancellation for HR-57, the
9 ABRA No. is 088592, located at 1007 H Street, N.E.
10 The licensee has requested cancellation of license as
11 the establishment is no longer operating.

12 I move that we approve the cancellation.

13 Do I have a second?

14 MEMBER ALBERTI: Second.

15 CHAIRPERSON MILLER: All those in favor
16 say aye. Sorry.

17 MEMBER ALBERTI: I seconded it.

18 CHAIRPERSON MILLER: Mr. Alberti seconded
19 the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON MILLER: All those opposed?

1 All those abstaining? The motion passes 4-0-0.

2 Okay. We have some Legal Agendas.

3 The first item on the Legal Agenda is a
4 Motion for Reconsideration submitted by Charles C.
5 Parsons, Esq., the abutting property owner, with
6 respect to The Alibi Restaurant & Lounge located at
7 237 2nd Street, N.W., License No. 093941.

8 And No. 2 is a response to that Motion for
9 Reconsideration by the applicant dated November 13,
10 2014 submitted by Doyle, Barlow & Mazard, PLLC, on
11 behalf of the applicant, The Alibi Restaurant &
12 Lounge.

13 And I would move that we deny this Motion
14 for Reconsideration because it involves issues that
15 are being litigated in a court and also issues that
16 are going to be litigated by the Board are narrower
17 than what Mr. Parsons is addressing.

18 So do I have a second?

19 MEMBER SHORT: Second.

20 CHAIRPERSON MILLER: Okay. Any other
21 comments?

22 Not hearing any then, all those in favor

1 of denying say aye.

2 ALL: Aye.

3 CHAIRPERSON MILLER: All those opposed?

4 All those abstaining? The motion passes 5-0-0.

5 Okay. No. 2 is moot as it is related to
6 No. 1 that we just voted on.

7 No. 3 is a letter of support of New Year's
8 Eve extended hours dated November 13, 2014 submitted
9 by Ron Lewis, who is Chair of ANC-2E.

10 This is an FYI and no action is required.

11 Okay. We have a Supplemental Legal
12 Agenda.

13 The first item on the Supplemental Legal
14 Agenda is a review of a stipulation for entry of
15 decision submitted by the protestant group of 10,
16 applicant and ANC-6C dated October 16, 2014 related to
17 Ibiza located at 1222 1st Street, N.E., License No.
18 074456.

19 I move that we approve this stipulation
20 with modifications to paragraph 4(a) --

21 MEMBER ALBERTI: And (c).

22 CHAIRPERSON MILLER: -- and (c), right,

1 related to the d/b/a. And also paragraph 14 with
2 respect to the last line. Does that sound right to --

3 MEMBER ALBERTI: 4(a) and (c) and No. 14?

4 CHAIRPERSON MILLER: Yes.

5 MEMBER ALBERTI: Yes.

6 CHAIRPERSON MILLER: Okay. Okay. Then is
7 there a second?

8 MEMBER ALBERTI: Second.

9 CHAIRPERSON MILLER: Okay. Mr. Alberti
10 seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON MILLER: All those opposed?
14 All those abstaining? The motion passes 5-0-0.

15 No. 2 is a Motion for Reconsideration
16 submitted by Dominick Cardella, abutting property
17 owner, dated November 18, 2014. There is an objection
18 filed by applicant, Penn Quarter Sports Tavern located
19 at 639 Indiana Avenue, N.W., License No. 076039.

20 I move that we deny this Motion for
21 Reconsideration and note that this is the second
22 Motion for Reconsideration that Mr. Cardella has filed

1 and we don't entertain, basically, two Motions for
2 Reconsideration. Okay. Do I have a second? Second?

3 MEMBER ALBERTI: Second.

4 CHAIRPERSON MILLER: Okay. Any other
5 comments? All right.

6 All those in favor of denying this Motion
7 for Reconsideration say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those opposed?
10 All those abstaining? The motion passes 5-0-0.

11 No. 3 is a settlement agreement between
12 ANC-6B and DCanter dated November 6, 2014. DCanter is
13 located at 545 8th Street, S.E., License No. 090639.

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

16 MEMBER ALBERTI: Second.

17 CHAIRPERSON MILLER: Mr. Alberti seconded
18 the motion. Any comments?

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON MILLER: All those opposed?
22 All those abstaining? The motion passes 5-0-0. Board

1 Order No. 2014-502.

2 No. 4 is a settlement agreement between
3 ANC-6B and Congress Market dated November 12, 2014.
4 Congress Market is located at 421 East Capitol Street,
5 S.E., License No. 076414.

6 I move that we approve with modification
7 to Paragraph No. 2(c).

8 MEMBER ALBERTI: Second.

9 CHAIRPERSON MILLER: Mr. Alberti seconded
10 the motion. Any comments?

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON MILLER: All those opposed?
14 All those abstaining? The motion passes 5-0-0.

15 No. 5 is a settlement agreement between
16 ANC-6B and Radici dated November 12, 2014. Radici is
17 located at 303 7th Street, S.E., License No. 0756434.
18 Is that right? That's the B License and Retailer DR
19 License No. is 088503.

20 I move that we approve with modification
21 to No. 6.

22 MEMBER RODRIGUEZ: Second it.

1 CHAIRPERSON MILLER: Mr. Rodriguez has
2 seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those opposed?
6 All those abstaining? The motion passes 5-0-0.

7 No. 6 is a settlement agreement between
8 ANC-6B and S.E. Market dated November 12, 2014. S.E.
9 Market is located at 1500 Independence Avenue, S.E.,
10 License No. 089011.

11 I move that we approve with modification
12 to paragraph 2(c).

13 MEMBER ALBERTI: Second.

14 CHAIRPERSON MILLER: Mr. Alberti has
15 seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those opposed?
19 All those abstaining? The motion passes 5-0-0.

20 No. 7 is a settlement agreement between
21 ANC-6B and Bayou Bakery on the Hill dated November 12,
22 2014. Bayou Bakery on the Hill is located at 921

1 Pennsylvania Avenue, S.E., License No. 096910.

2 I move that we approve the settlement
3 agreement. Do I have a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON MILLER: Mr. Short has
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those opposed?
10 All those abstaining? The motion passes 5-0-0.

11 And this will be put in Order No. 2014-
12 503.

13 And I want to just jump back up to No. 3
14 and note that we had a Board Order for that one that
15 has been written for DCanter. It's 2014-502.

16 Okay. Moving along to No. 8, a settlement
17 agreement between ANC-4C and Catrachitos dated
18 November 12, 2014. Catrachitos is located at 4608
19 14th Street, N.W., License No. 095465.

20 I move that we approve with modification
21 to Paragraph No. 10.

22 MEMBER ALBERTI: Second.

1 CHAIRPERSON MILLER: Mr. Alberti has
2 seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those opposed?
6 All those abstaining? The motion passes 5-0-0.

7 No. 9 is a settlement agreement between
8 ANC-1A and Gee's Market dated November 25, 2014.
9 Gee's Market is located at 3583 Warder Street, N.W.,
10 License No. 083125.

11 I move that we approve with modification
12 to Paragraph No. 10. Do I have a second?

13 MEMBER RODRIGUEZ: Second.

14 CHAIRPERSON MILLER: Mr. Rodriguez
15 seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those opposed?
19 All those abstaining? The motion passes 5-0-0.

20 No. 10 is a letter of information
21 submitted by Michael Fonseca, Esq. on behalf of
22 Minibar Delivery dated November 24, 2014. And it is

1 related to Minibar Delivery.

2 I move that we approve the operation as
3 described in that letter. Do I have a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON MILLER: Mr. Short has
6 seconded the motion. No?

7 MEMBER ALBERTI: Is this really an
8 approval? I mean, I thought this was more --

9 CHAIRPERSON MILLER: You think it's an
10 FYI?

11 MEMBER ALBERTI: Well, I think this is
12 more an advice. There was a request for advice and
13 then an FYI.

14 CHAIRPERSON MILLER: Okay.

15 MEMBER ALBERTI: I mean, I think after
16 reading it, I think we were all in agreement that this
17 comports with the current law and we found no problems
18 with the proposal.

19 CHAIRPERSON MILLER: I think that sounds
20 right. I didn't have the letter in front of me to
21 see.

22 MEMBER ALBERTI: But it's a request for

1 advice.

2 CHAIRPERSON MILLER: Okay. It's a request
3 for advice?

4 MEMBER ALBERTI: Yes.

5 CHAIRPERSON MILLER: Whether --

6 MEMBER ALBERTI: So --

7 CHAIRPERSON MILLER: -- it comports?

8 MEMBER ALBERTI: -- there is no approval.

9 We are not approving a license or anything.

10 CHAIRPERSON MILLER: It's not an
11 application, right?

12 MEMBER ALBERTI: Right, right.

13 CHAIRPERSON MILLER: Okay.

14 MEMBER SHORT: I'll withdraw my second,
15 Madam Chair.

16 CHAIRPERSON MILLER: That's okay. I
17 withdraw my motion.

18 MEMBER ALBERTI: Take that.

19 CHAIRPERSON MILLER: Okay. So are you
20 affording some advice here or --

21 MEMBER ALBERTI: I'm just saying that this
22 is an FYI with a note that --

1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: -- we have no objections
3 to this proposal.

4 CHAIRPERSON MILLER: No objections.

5 MEMBER ALBERTI: And believe it comports
6 with current statute.

7 CHAIRPERSON MILLER: Right. Yes, it has
8 some language in there, "We do seek the Board's advice
9 on the validity of the operation in practice." Okay.
10 All right. So we don't have a problem with it.

11 MEMBER ALBERTI: Right.

12 CHAIRPERSON MILLER: Are you suggesting we
13 don't need to vote on it?

14 MEMBER ALBERTI: Right. I don't think we
15 need to vote on that.

16 CHAIRPERSON MILLER: Okay. Is that the
17 consensus?

18 MEMBER RODRIGUEZ: Yes, I agree.

19 CHAIRPERSON MILLER: Okay. Okay. That's
20 fine. So we will acknowledge having read it and not
21 seeing any problems with it.

22 MEMBER ALBERTI: Right.

1 CHAIRPERSON MILLER: Okay. No action
2 required. Okay. Thank you.

3 That completes the Supplemental Legal
4 Agenda.

5 MEMBER ALBERTI: Yes.

6 CHAIRPERSON MILLER: I think we have a
7 second one. Let me see. No, I'm not sure. Let me --

8 MEMBER ALBERTI: We do.

9 CHAIRPERSON MILLER: We do. Okay. I
10 thought we did.

11 Okay. The Second Supplemental Legal
12 Agenda.

13 No. 1 is review of amendment to settlement
14 agreement submitted by the applicant and ANC-2A dated
15 December 1, 2014 for Shadow Room located at 2131 K
16 Street, N.W., License No. 075871.

17 I move that we approve with modification
18 to Paragraph No. 1, just with some specifics with
19 respect to the wording. Do I have a second?

20 MEMBER ALBERTI: Second.

21 CHAIRPERSON MILLER: Okay. Any comments?

22 Then all those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON MILLER: All those opposed?

3 All those abstaining? The motion passes 5-0-0.

4 No. 2 is a joint request for extension of
5 protest deadline for Via Umbria located at 1525
6 Wisconsin Avenue, N.W., 097178 is the License No. The
7 request has been submitted by the applicant and the
8 ANC-2E and it is dated December 2, 2014. And their
9 current deadline for filing a protest would be
10 December 29, 2014.

11 So I move that we approve extending the
12 deadline to January 12, 2015.

13 MEMBER SHORT: Second.

14 CHAIRPERSON MILLER: Which is -- okay.
15 Which is the date they requested in their letter.
16 Okay. And that has been seconded by Mr. Short.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON MILLER: All those opposed?

20 All those abstaining? The motion passes 5-0-0.

21 No. 3 is a settlement agreement submitted
22 by the applicant and ANC-8E dated November 30, 2014.

1 It is with respect to Alabama Convenience located at
2 2209 Alabama Avenue, S.E., License No. 080896.

3 Okay. I move that we approve with
4 modifications to Paragraph Nos. 3 and 10 and 23 and
5 27, the last two paragraphs.

6 MEMBER ALBERTI: Second.

7 CHAIRPERSON MILLER: Okay. Mr. Alberti
8 seconded the motion. Any comments?

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON MILLER: All those opposed?
12 All those abstaining? The motion passes 5-0-0.

13 I think that completes the Legal Agendas.
14 Okay.

15 (Whereupon, the above-entitled matter went
16 off the record at 4:02 p.m. and resumed at 4:04 p.m.)

17 CHAIRPERSON MILLER: So that completed the
18 Legal Agenda. I want to go back to one item on the
19 Licensing Agenda, because we only had four people here
20 when we took the vote and we now have five, so --

21 MEMBER ALBERTI: The vote was 2-2, right?

22 CHAIRPERSON MILLER: The vote was 2-2.

1 MEMBER ALBERTI: So the motion to approve
2 didn't pass?

3 CHAIRPERSON MILLER: Correct.

4 MEMBER RODRIGUEZ: Which one is it?

5 CHAIRPERSON MILLER: So we are going back
6 to -- this is the Licensing Agenda No. 8. This is the
7 application for manager's license for Charles H.
8 Rogers, ABRA #097240.

9 So now that we have five people here, I'm
10 going to ask if someone wants to make a motion
11 actually to reconsider?

12 MEMBER ALBERTI: I --

13 CHAIRPERSON MILLER: If somebody wants --

14 MEMBER ALBERTI: -- well, I can't.

15 CHAIRPERSON MILLER: You weren't here.
16 You can't do it.

17 MEMBER RODRIGUEZ: I'll make a motion that
18 we reconsider, Madam Chair.

19 CHAIRPERSON MILLER: Okay. You were in
20 the majority?

21 MEMBER RODRIGUEZ: Yes.

22 CHAIRPERSON MILLER: Okay. All right. Is

1 there a second?

2 MEMBER BROOKS: Second.

3 CHAIRPERSON MILLER: Okay. So this is to
4 reconsider.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON MILLER: All those opposed?
8 All those abstaining? So it's 5-0-0 to reconsider.

9 Now, is there a motion to approve the
10 application for the manager's license?

11 MEMBER ALBERTI: I'll move that we approve
12 the manager's license for Charles H. Rogers.

13 MEMBER RODRIGUEZ: I second the motion,
14 Madam Chair.

15 CHAIRPERSON MILLER: Okay.

16 All those in favor say aye.

17 MEMBER RODRIGUEZ: Aye.

18 MEMBER ALBERTI: Aye.

19 MEMBER BROOKS: Aye.

20 CHAIRPERSON MILLER: All those opposed?
21 Opposed.

22 MEMBER SHORT: Opposed.

1 CHAIRPERSON MILLER: Okay. The motion
2 passes then 3-2-0 with Mr. Short and Ms. Miller
3 opposed.

4 MEMBER ALBERTI: Sorry, Jim.

5 CHAIRPERSON MILLER: Okay. So that
6 completes our agendas. And so what is left is just to
7 vote on the closed meetings for next week.

8 MEMBER ALBERTI: I'm sure he cry to the --
9 his job about licenses.

10 CHAIRPERSON MILLER: No, that's -- shhh,
11 that's not for the record. Okay.

12 MEMBER SHORT: I'm going to go to church.

13 CHAIRPERSON MILLER: All right. Here we
14 go.

15 As Chairperson of the Alcoholic Beverage
16 Control Board for the District of Columbia and in
17 accordance with Section 405 of the Open Meetings
18 Amendment Act of 2010, I move that the ABC Board hold
19 a closed meeting on December 12, 2014 for the purpose
20 of seeking legal advice from our counsel on the
21 matters identified on the Board's Agenda for December
22 12, 2014 as published in the DC Register on December

1 5, 2014.

2 Do I have a second?

3 MEMBER RODRIGUEZ: Second.

4 CHAIRPERSON MILLER: Mr. Rodriguez has
5 seconded the motion. I'll now take a roll call vote
6 on the motion before us now that it has been seconded.

7 Mr. Brooks?

8 MEMBER BROOKS: I agree.

9 CHAIRPERSON MILLER: Mr. Alberti?

10 MEMBER ALBERTI: I agree.

11 CHAIRPERSON MILLER: Mr. Rodriguez?

12 MEMBER RODRIGUEZ: I agree.

13 CHAIRPERSON MILLER: Ms. Miller agrees.

14 Mr. Short?

15 MEMBER SHORT: I agree.

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

18 I hereby give notice that the ABC Board
19 will hold this aforementioned closed meeting pursuant
20 to the Open Meetings Amendment Act of 2010. Notice
21 will also be posted on the ABC Board hearing room
22 bulletin board, placed on the electronic calendar on

1 ABRA's website and published in the DC Register in as
2 timely a manner as practicable.

3 As Chairperson of the Alcoholic Beverage
4 Control Board for the District of Columbia and in
5 accordance with Section 405 of the Open Meetings
6 Amendment Act of 2010, I move that the ABC Board hold
7 a closed meeting on December 12, 2014 for the purpose
8 of discussing and hearing reports concerning ongoing
9 or planned investigations of alleged criminal or civil
10 misconduct or violations of law or regulations and
11 seeking legal advice from our counsel on the Board's
12 Investigative Agenda for December 12, 2014 as
13 published in the DC Register on December 5, 2014.

14 Is there a second?

15 MEMBER BROOKS: Second.

16 CHAIRPERSON MILLER: I'll now take a roll
17 call vote on the motion before us now that it has been
18 seconded.

19 Mr. Brooks?

20 MEMBER BROOKS: I agree.

21 CHAIRPERSON MILLER: Mr. Alberti?

22 MEMBER ALBERTI: I agree.

1 CHAIRPERSON MILLER: Mr. Rodriguez?

2 MEMBER RODRIGUEZ: I agree.

3 CHAIRPERSON MILLER: Ms. Miller agrees.

4 Mr. Short?

5 MEMBER SHORT: I agree.

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

8 I hereby give notice that the ABC Board
9 will hold this aforementioned closed meeting pursuant
10 to the Open Meetings Amendment Act of 2010. Notice
11 will also be posted on the ABC Board hearing room
12 bulletin board, placed on the electronic calendar on
13 ABRA's website and published in the DC Register in as
14 timely a manner as practicable.

15 Okay. All right. So that completes our
16 business dealing with the agendas and the closed
17 meeting.

18 We will be adjourning now and coming back
19 for our hearing at 4:30.

20 (Whereupon, the A.B.R.A. Agenda in the
21 above-entitled matter was concluded at 4:08 p.m.)

22

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