

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA  
+ + + + +

ALCOHOLIC BEVERAGE REGULATION  
ADMINISTRATION BOARD  
+ + + + +  
PUBLIC HEARING

+ + + + +

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IN THE MATTER OF:                   :  
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AGENDA                               :  
\_\_\_\_\_  
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Wednesday,  
January 16, 2013  
ABRA Hearing Room  
Suite 400 South

Reeves Municipal Center  
2000 - 14th Street, N.W.  
Washington, DC 20009

The above-entitled matter convened  
at 7:34 p.m. before the District of Columbia  
Alcoholic Beverage Regulation Administration  
Board.

BEFORE:

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD C. BROOKS, Member

HERMAN JONES, Member

MIKE SILVERSTEIN, Member

The transcript constitutes the minutes  
from the Public Hearing held on January 16,  
2013.

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

2 7:34 p.m.

3 CHAIRPERSON MILLER: We're back on  
4 the record for the agenda for January 16th,  
5 2013. First item on our meeting agenda is an  
6 entertainment endorsement application for  
7 karaoke DJ, live entertainment and occasional  
8 fashion shows and swimsuit events. Proposed  
9 hours of entertainment are Sunday, 6:00 p.m.  
10 to 11:00 p.m.; Monday through Thursday, 6:00  
11 p.m. to 12:00 a.m.; Friday and Saturday, 6:00  
12 p.m. to 1:00 a.m.

13 No pending investigative matters our  
14 outstanding fines and citations. No  
15 settlement agreement. It's located in ANC 2C.  
16 The establishment is Hooters of Washington,  
17 D.C., 827 - 7th Street, N.W., License No.  
18 86298. I would move that we approve this  
19 application. Do I have a second?

20 MEMBER BROOKS: Second.

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

1 aye?

2 (Chorus of ayes.)

3 CHAIRPERSON MILLER: All those

4 opposed?

5 (No response.)

6 CHAIRPERSON MILLER: All those

7 abstaining?

8 (No response.)

9 CHAIRPERSON MILLER: The vote is 4-  
10 0-0. Number 2 on the agenda is a change of  
11 hours application to change to change hours of  
12 operation and hours of alcoholic beverage  
13 sales and service for inside premise and  
14 sidewalk caf, .

15 Current hours of operation and hours  
16 of alcoholic beverage sales and service for  
17 inside premise is Sunday, 10:00 a.m. to 2:00  
18 a.m.; Monday through Thursday, 5:00 p.m.;  
19 Friday, 5:00 p.m. to 3:00 a.m.; and Saturday,  
20 10:00 a.m. to 3:00 a.m.

21 Current hours of operation and hours  
22 of alcoholic beverage sales and service for

1 sidewalk caf, are Sunday, 12:00 p.m. to 2:00  
2 a.m.; Monday through Thursday, 5:00 p.m. to  
3 1:30 a.m.; Friday, 5:00 p.m. to 3:00 a.m.; and  
4 Saturday, 10:00 a.m. to 3:00 a.m.

5 The proposed hours of operation and  
6 hours of alcoholic beverage sales and service  
7 inside premise and sidewalk caf, would be  
8 Sunday through Thursday, 8:00 a.m. to 2:00  
9 a.m.; Friday and Saturday, 8:00 a.m. to 3:00  
10 a.m.

11 No pending investigative matters, no  
12 outstanding fines and citations. No  
13 settlement agreement. It's in ANC 1C. The  
14 establishment is Libertine, located at 2435 -  
15 18th Street, N.W., License No. 86298. I would  
16 move that we placard this application. Do I  
17 have a second?

18 MEMBER SILVERSTEIN: Second.

19 CHAIRPERSON MILLER: Mr. Silverstein  
20 has seconded the motion. Any comments?

21 (No response.)

22 CHAIRPERSON MILLER: All those in

1 favor say aye?

2 (Chorus of ayes.)

3 CHAIRPERSON MILLER: All those  
4 opposed?

5 MEMBER JONES: No.

6 CHAIRPERSON MILLER: All those  
7 abstaining?

8 (No response.)

9 CHAIRPERSON MILLER: The vote is 3  
10 to 1 to 0 to placard. Number 3 is a review of  
11 a sidewalk caf, application for six seats.  
12 Proposed hours of operation and hours of  
13 alcoholic beverage sales and service are  
14 Sunday, closed; Monday through Thursday, 5:00  
15 p.m. to 2:00 a.m.; Friday, 5:00 p.m. to 3:00  
16 a.m.; and Saturday, 6:00 p.m. to 3:00 a.m.

17 No pending investigative matters, no  
18 outstanding fines and citations, no conflict  
19 with settlement agreement. It's in ANC 1B.  
20 The establishment is Ozio Martini and Cigar  
21 Lounge, located at 1813 M Street, N.W.,  
22 License No. 23167.

1 I would ask that somebody else move  
2 a motion on this application, as I intend to  
3 abstain from this application, from this vote.

4 MEMBER SILVERSTEIN: I move that we  
5 placard this application.

6 CHAIRPERSON MILLER: Is there a  
7 second?

8 MEMBER SILVERSTEIN: Is there a  
9 second?

10 MEMBER JONES: Second.

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

14 (Chorus of ayes.)

15 CHAIRPERSON MILLER: All those  
16 opposed?

17 MEMBER BROOKS: No.

18 CHAIRPERSON MILLER: All those  
19 abstaining?

20 (No response.)

21 CHAIRPERSON MILLER: The vote is 2  
22 to 1 to 1. Is that correct? 2 out of 4.

1 Doesn't pass, doesn't pass.

2 MEMBER BROOKS: Yeah, right.

3 CHAIRPERSON MILLER: Okay. We've  
4 got to do something.

5 MEMBER JONES: It doesn't matter.  
6 What's the next thing on the agenda.

7 CHAIRPERSON MILLER: We've got to do  
8 something.

9 (Off record discussion.)

10 CHAIRPERSON MILLER: I'll make a  
11 motion. I was going to --

12 MEMBER JONES: You voted no to  
13 placard, right?

14 MEMBER BROOKS: Yes.

15 MEMBER JONES: So make a motion.

16 MEMBER BROOKS: Well now I voted  
17 against placard.

18 MEMBER JONES: Correct.

19 MEMBER BROOKS: Yeah, okay.

20 MEMBER JONES: So you can have the  
21 option to make that motion.

22 MEMBER BROOKS: Yes, okay. I make a

1 motion to not placard Ozio and approve Ozio  
2 Martini and Cigar Lounge.

3 CHAIRPERSON MILLER: Okay. Is there  
4 a second?

5 MEMBER JONES: I second it.

6 CHAIRPERSON MILLER: Mr. Jones has  
7 seconded the motion. All those in favor say  
8 aye?

9 (Chorus of ayes.)

10 CHAIRPERSON MILLER: Okay. All  
11 those opposed?

12 (No response.)

13 CHAIRPERSON MILLER: All those  
14 abstaining?

15 (No response.)

16 CHAIRPERSON MILLER: Then the vote  
17 is 3 to 0 to 1 to approve, correct, not to  
18 placard?

19 MEMBER JONES: Correct.

20 CHAIRPERSON MILLER: Okay, there we  
21 go. All right. Number 4 is a safekeeping  
22 application filed by G Spot. G Spot is

1 located at 5413 Georgia Avenue, N.W. in ANC  
2 4D, License No. 82054. I move that we grant  
3 the application for safekeeping for a period  
4 of six months. Do I have a second?

5 MEMBER BROOKS: Second.

6 CHAIRPERSON MILLER: All those in  
7 favor say aye?

8 (Chorus of ayes.)

9 CHAIRPERSON MILLER: All those  
10 opposed?

11 (No response.)

12 CHAIRPERSON MILLER: All those  
13 abstaining?

14 (No response.)

15 CHAIRPERSON MILLER: The motion  
16 passes, 4-0-0.

17 MEMBER SILVERSTEIN: Point of order,  
18 Madam Chairman.

19 MEMBER JONES: We'd like to go off  
20 the record.

21 MEMBER SILVERSTEIN: We'd like to go  
22 off the record.

1 CHAIRPERSON MILLER: You want to go  
2 off the record?

3 MEMBER SILVERSTEIN: We'd like to go  
4 off the record for a second.

5 (Off the record.)

6 CHAIRPERSON MILLER: All right. Now  
7 we're going back on the record. I understand  
8 that Board member would like to move to  
9 reconsider number 3.

10 MEMBER SILVERSTEIN: I move we  
11 reconsider number 3. Having voted in the  
12 affirmative to approve, I would like to  
13 reconsider and move that we placard. Is there  
14 a second?

15 MEMBER JONES: I second it.

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

19 (Chorus of ayes.)

20 CHAIRPERSON MILLER: I'm sorry. All  
21 those in favor say aye.

22 (Chorus of ayes.)

1 CHAIRPERSON MILLER: Opposed?

2 MEMBER BROOKS: No.

3 CHAIRPERSON MILLER: All those  
4 abstaining? Abstaining. So therefore the  
5 vote is 2-1-1, and actually the motion passes,  
6 okay. So approve placard. All right. Number  
7 5 on the agenda is a letter dated January 7th,  
8 2013 from Emanuel Mpras, requesting a one-time  
9 exception for Board Order No. 2011-352 for  
10 Inauguration week.

11 The establishment is Muse Nightclub  
12 and Lounge, 716 - 6th Street, N.W., License  
13 No. 79224. I move that we deny this  
14 application. Do I have a second?

15 MEMBER BROOKS: Second.

16 CHAIRPERSON MILLER: Comments? My  
17 comment would be basically that I didn't see  
18 any good reasons set forth in this letter for  
19 approving. So my reasoning. Is there any  
20 other comment?

21 (No response.)

22 CHAIRPERSON MILLER: Okay. We have

1 a motion that's been seconded to deny the  
2 request of Mr. Mpras. All those in favor of  
3 a motion to deny say aye?

4 (Chorus of ayes.)

5 CHAIRPERSON MILLER: All those  
6 opposed?

7 MEMBER SILVERSTEIN: Nay.

8 CHAIRPERSON MILLER: All those  
9 abstaining?

10 (No response.)

11 CHAIRPERSON MILLER: Then the vote  
12 is 3 to 1 to 0 to deny. Number 6 is a letter  
13 dated January 7, 2013 from Bobby Pittman,  
14 requesting a waiver of hour limitations for  
15 licensed establishments on H Street, N.E.,  
16 that have settlement agreements with his group  
17 of protests.

18 Actually, I think that this is a FYI  
19 for the Board, that they intend to waive hour  
20 limitations for the licensed establishments on  
21 H Street.

22 MEMBER JONES: Concur.

1                   CHAIRPERSON MILLER: Therefore, we  
2                   don't need to vote. Okay. Number 7 is a  
3                   correspondence dated January 4, 2013 from  
4                   Commissioner Ron Lewis of ANC 2E, to the same  
5                   effect, requesting a waiver of Caf, Milano's  
6                   settlement agreement of restrictions during  
7                   Inauguration week.

8                   Caf, Milano is located at 3251  
9                   Prospect Street, N.W., License Nos. 17247. So  
10                  again, this is a FYI that the ANC does not  
11                  object to the extension of hours for Caf,  
12                  Milano. Yes.

13                  MEMBER SILVERSTEIN: No, I'm sorry.  
14                  Go ahead.

15                  CHAIRPERSON MILLER: Okay. Number  
16                  8.

17                  MEMBER SILVERSTEIN: Madam Chair?  
18                  Once more, a feeling.

19                  CHAIRPERSON MILLER: Once more a  
20                  feeling.

21                  MEMBER SILVERSTEIN: We have been  
22                  informed that Ozio is willing to amend their

1 application to 11:00 p.m., and as such, the  
2 issue with hours goes away.

3 That being the case, I once again  
4 ask that we reconsider and defer to the wisdom  
5 of Board Member Brooks' feeling all along  
6 that the proper course of action was to  
7 approve, and would like to move that we  
8 approve the request, subject to the 11:00 p.m.  
9 closure time for the sidewalk caf,.

10 CHAIRPERSON MILLER: Okay. Do we  
11 have a letter or we have a representation for  
12 the fact that the request has changed. Okay.  
13 Then all those in favor of approving the  
14 application of Ozio's regarding the caf,,  
15 which will only be open until 11:00 p.m.

16 MEMBER BROOKS: First, I'll second  
17 that.

18 CHAIRPERSON MILLER: You second,  
19 okay. Mr. Brooks has seconded the motion.  
20 Any other comments. Okay. All those in favor  
21 of that say aye?

22 (Chorus of ayes.)

1 CHAIRPERSON MILLER: All those  
2 opposed?

3 (No response.)

4 CHAIRPERSON MILLER: All those  
5 abstaining? Abstain. So now the vote is 3 to  
6 0 to 1, and it's approved. All right. I  
7 think we're finished with that one.

8 Okay. I am at number 9, which is  
9 again just -- it's a letter from Denis James,  
10 with respect to relaxing the hour  
11 restrictions, agreeing to relax the hour  
12 restrictions during Inauguration week, on  
13 behalf of the Kalorama Citizens Association,  
14 for licensed establishments in which they have  
15 a voluntary agreement. So that is an FYI, no  
16 need to vote.

17 Number 10 is a letter dated December  
18 31, 2012, received on January 2nd, 2013, from  
19 MaryEva Condon, providing an update for the  
20 status of the license for Margarita's Mexican  
21 Caf,, which is currently in safekeeping.  
22 Margarita Mexican Caf, is located 2317

1 Wisconsin Avenue, N.W., License No. 16488.

2 I believe that we should, can  
3 acknowledge here receipt of this letter, and  
4 I recommend that no action be taken at this  
5 time, but we refer to Legal for further  
6 analysis and next steps, most likely which may  
7 lead to another hearing. But we can confer  
8 with Legal afterwards.

9 I guess I would ask for a motion --  
10 I'll do a motion that we refer to Legal. Do  
11 I have a second?

12 MEMBER BROOKS: Second.

13 CHAIRPERSON MILLER: It's necessary,  
14 okay. Mr. Brooks has seconded the motion.  
15 All those in favor say aye?

16 (Chorus of ayes.)

17 CHAIRPERSON MILLER: All those  
18 opposed?

19 (No response.)

20 CHAIRPERSON MILLER: All those  
21 abstaining?

22 (No response.)

1                   CHAIRPERSON MILLER: Okay. The vote  
2                   is 4-0-0 to refer to Legal. Number 11 is a  
3                   review of technical amendment rulemaking for  
4                   2013 and I move that we postpone consideration  
5                   of this rulemaking until next week. Do I have  
6                   a second?

7                   MEMBER BROOKS: Second.

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

11                  (Chorus of ayes.)

12                  CHAIRPERSON MILLER: All those  
13                  opposed?

14                  (No response.)

15                  CHAIRPERSON MILLER: All those  
16                  abstaining?

17                  MEMBER JONES: Abstain.

18                  CHAIRPERSON MILLER: Abstaining,  
19                  one, Mr. Jones. So the vote is 3-0-1 to  
20                  postpone to next week. Okay. That is our  
21                  meeting agenda. We also have a supplemental  
22                  agenda.

1 (Off record comment.)

2 MEMBER JONES: Number 8 she said.

3 CHAIRPERSON MILLER: Number 8? I

4 skipped one? You didn't hear number 8.

5 Number 8 is correspondence from Ron Lewis,

6 dated January 4th, 2013, from ANC 2E, and it's

7 another FYI letter with request to waiving

8 their settlement agreement hour restrictions

9 during Inauguration week with Leopold's/Kafe

10 Konditorei, at 3351 Cady's Alley, N.W.,

11 License No. 25268. Again, this is an FYI,

12 does not require action on our part.

13 We have supplemental, a short

14 supplemental agenda. Number 1 on that is

15 correspondence with Andy Litsky, dated January

16 15th, 2013, also indicating waiver of hour

17 restrictions in the settlement agreement, to

18 permit Ziegfield/Secrets to be open until 4:00

19 a.m. January 19th, 2013 through January 21,

20 2013 at Ziegfield/Secrets, 1824 Half Street,

21 S.W., License No. 78663. So this is an FYI

22 and we have received it.

1                   Number 2 is the District of  
2                   Columbia's Motion for Extension of Time to  
3                   Respond, dated January 11, 2013 from Fernando  
4                   Rivera, requesting an extension of ten days  
5                   until January 22, 2013, to file an opposition  
6                   to the Respondent's Motion to Exclude Prior  
7                   Violations History.

8                   The establishment is Yegna, 1920 -  
9                   9th Street, N.W., License No. 74241. I move  
10                  that we grant this motion. Do I have a  
11                  second?

12                  MEMBER BROOKS: Second.

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

16                  (Chorus of ayes.)

17                  CHAIRPERSON MILLER: All those  
18                  opposed?

19                  (No response.)

20                  CHAIRPERSON MILLER: All those  
21                  abstaining?

22                  (No response.)

1                   CHAIRPERSON MILLER: Okay. I  
2 believe the vote is 4-0-0 to grant. Number 3  
3 is a voluntary agreement dated November 14,  
4 2012, between number 9, ANC 2F, the Logan  
5 Circle Community Association and the Rhode  
6 Island West Neighborhood Association.

7                   The Rhode Island West Neighborhood  
8 Association withdrew itself as a party to the  
9 voluntary agreement in a letter submitted on  
10 November 29th, 2012. Number 9 is located at  
11 1435 P Street, N.W., License No. 86354. I  
12 move that we approve this voluntary agreement.  
13 Do I have a second?

14                   MEMBER BROOKS: Second.

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

18                   (Chorus of ayes.)

19                   CHAIRPERSON MILLER: All those  
20 opposed?

21                   (No response.)

22                   CHAIRPERSON MILLER: All those

1 abstaining?

2 (No response.)

3 CHAIRPERSON MILLER: The vote, the  
4 motion passes by a vote of 4-0-0. Number 4 is  
5 a review of a new Full Service Grocery Store  
6 Definition, which will be emergency and  
7 proposed rulemaking, in response to the  
8 Council's direction.

9 I would move that we approve the  
10 proposed Full Service Grocery Store Definition  
11 in the emergency and proposed rulemaking. Do  
12 I have a second?

13 MEMBER SILVERSTEIN: Second.

14 CHAIRPERSON MILLER: Mr. Silverstein  
15 has seconded the motion. All those in favor  
16 say aye?

17 (Chorus of ayes.)

18 CHAIRPERSON MILLER: All those  
19 opposed?

20 (No response.)

21 CHAIRPERSON MILLER: All those  
22 abstaining?

1 (No response.)

2 CHAIRPERSON MILLER: Then the motion  
3 passes by a vote of 4-0-0. Number 5 is a  
4 review of proposed emergency Growler  
5 Rulemaking. I move that we approve this  
6 proposed rulemaking. Do I have a second?

7 MEMBER BROOKS: Second.

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

11 (Chorus of ayes.)

12 CHAIRPERSON MILLER: All those  
13 opposed?

14 (No response.)

15 CHAIRPERSON MILLER: All those  
16 abstaining?

17 (No response.)

18 CHAIRPERSON MILLER: Then the motion  
19 passes by a vote of 4-0-0. Okay. That  
20 completes our supplemental agenda and all the  
21 matters for the Board's attention January  
22 16th, 2013. So I'm just going to read the

1 closed meeting instructions. I'll be right  
2 back. I've got to go get them.

3 (Off the record.)

4 CHAIRPERSON MILLER: Oh, it has just  
5 been brought to my attention that there are  
6 three items on the change of hours agenda that  
7 we need to vote on. So we didn't quite  
8 conclude our matters yet.

9 Okay. The first is a change of  
10 hours application, to change hours of  
11 operation and hours of alcoholic beverage  
12 sales. The proposed hours of operation and  
13 hours of alcoholic beverage sales service are  
14 Sunday, 8:00 a.m. to 7:00 p.m.; Monday through  
15 Saturday, 8:00 a.m. to 9:00 p.m.

16 No pending investigative matters, no  
17 pending fines and citations, no voluntary  
18 agreement. It's in ANC 1D. The establishment  
19 is International Progreso Market, 3158 Mount  
20 Pleasant Street, License No. 083128.

21 Actually, I'm going to read all  
22 three and suggest that we vote on them in

1 bulk, and none of them have any outstanding  
2 fines or citations or investigative matters,  
3 or settlement agreements.

4 Okay. So the second one is change  
5 of hours application, to change hours of  
6 operation and hours of alcoholic beverage  
7 sales. The proposed hours of operation and  
8 hours of alcoholic beverage sales service are  
9 Monday through Saturday, 8:00 a.m. to 12:00  
10 a.m.

11 It's for Colony Liquors, located at  
12 2448 - 18th Street, N.W., License No. 086823,  
13 and the third one is a proposed change of  
14 hours and operation for alcoholic beverage  
15 sales. The proposed hours of operation are  
16 Sunday, 9:00 a.m. to 7:00 p.m.; Monday through  
17 Friday, 9:00 a.m. to 9:00 p.m.; and Saturday,  
18 9:00 a.m. to 8:00 p.m.

19 The proposed hours of alcohol  
20 beverage sales service are Monday through  
21 Friday, 9:00 a.m. to 9:00 p.m., and Saturday,  
22 9:00 a.m. to 8:00 p.m.

1           That is Costco Wholesaler No. 1120,  
2           located at 2448 - 18th Street, N.W., License  
3           No. 086823. I move that we approve the  
4           proposed hours of operation and sale of  
5           alcoholic beverage sales service for these  
6           three. Do I have a second?

7           MEMBER BROOKS: Second.

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

11          (Chorus of ayes.)

12          CHAIRPERSON MILLER: All those  
13          opposed?

14          (No response.)

15          CHAIRPERSON MILLER: All those  
16          abstaining?

17          (No response.)

18          CHAIRPERSON MILLER: The vote is 4-  
19          0-0 to approve. Okay. Now we have concluded  
20          the Board's business for January 16th, 2013,  
21          and I will need to read the Open Meetings  
22          instructions.

1 (Off record discussion.)

2 CHAIRPERSON MILLER: Oh, you're  
3 right.

4 (Off record discussion.)

5 CHAIRPERSON MILLER: One more time  
6 with feeling. Thank you. Mr. Brooks has  
7 noticed that in No. 3, the address for Costco  
8 Wholesaler No. 1120 is incorrect. It actually  
9 repeats the address of Colony Liquors in No.  
10 2. So the correct address will be inserted  
11 after the hearing.

12 Okay, done. As Chairperson of the  
13 Alcoholic Beverage Control Board, and in  
14 accordance with Section 405 of the Open  
15 Meetings Amendment Act of 2010, I move that  
16 the ABC Board hold a closed meeting on January  
17 23, for the purpose of seeking legal advice  
18 from our counsel on the matters identified on  
19 the Board's agenda for January 23, 2013, as  
20 published in the D.C. Register on January 18,  
21 2013. Is there a second?

22 MEMBER BROOKS: Second.

1 CHAIRPERSON MILLER: Mr. Brooks has  
2 seconded the motion. I'll take a roll call  
3 vote on the motion before us, now that it's  
4 been seconded. Mr. Brooks?

5 MEMBER BROOKS: I agree.

6 CHAIRPERSON MILLER: Ms. Miller  
7 agrees. Mr. Silverstein.

8 MEMBER SILVERSTEIN: I agree.

9 CHAIRPERSON MILLER: Mr. Jones.

10 MEMBER JONES: I agree.

11 CHAIRPERSON MILLER: It appears the  
12 motion has passed by a vote of 4-0-0. I  
13 hereby give notice that the ABC Board will  
14 hold this aforementioned closed meeting  
15 pursuant to the Open Meetings Amendment Act of  
16 2010.

17 Notice will also be posted on the  
18 ABC Board Hearing Room Bulletin Board placed  
19 on the electronic calendar on ABRA's website,  
20 and published in the D.C. Register in as  
21 timely a manner as practicable.

22 As Chairperson of the Alcoholic

1 Beverage Control Board for the District of  
2 Columbia, and in accordance with Section 405  
3 of the Open Meetings Amendment Act of 2010, I  
4 move that the ABC Board hold a closed meeting  
5 on January 23rd, 2013, for the purpose of  
6 discussing and hearing reports on ongoing or  
7 planned investigations of alleged criminal and  
8 civil misconduct, or violations of law or  
9 regulations in seeking legal advice from our  
10 counsel on the Board's investigative agenda  
11 for January 23, 2013, as published in the D.C.  
12 Register on January 18, 2013. Is there a  
13 second?

14 MEMBER BROOKS: Second.

15 CHAIRPERSON MILLER: Mr. Brooks has  
16 seconded the motion. I'll take a roll call  
17 vote on the motion. Mr. Brooks.

18 MEMBER BROOKS: I agree.

19 CHAIRPERSON MILLER: Ms. Miller  
20 agrees. Mr. Silverstein.

21 MEMBER SILVERSTEIN: I agree.

22 CHAIRPERSON MILLER: Mr. Jones.

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MEMBER JONES: I agree.

CHAIRPERSON MILLER: It appears that the motion has passed by a 4-0-0 vote. I hereby give notice that the ABC Board will hold this aforementioned closed meeting, pursuant to the Open Meetings Amendment Act of 2010.

Notice will also be posted on the ABC Board Hearing Room Bulletin Board, placed on the electronic calendar on ABRA's website, and published in the D.C. Register in as timely a manner as practicable.

That concludes all matters before the ABC Board on January 16, 2013, and we are adjourned. Thank you.

(Whereupon, at 8:01 p.m., the meeting was adjourned.)

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