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

(6:17 p.m.)

CHAIRPERSON MILLER: Okay. Here we go. Okay. This is the --

MEMBER ALBERTI: Back on the record.

CHAIRPERSON MILLER: -- meeting agenda for February 13, 2013.

No. 1 on the agenda is an entertainment endorsement application for Karaoke and DJ, proposed entertainment hours, Sunday through Thursday 6:00 p.m. to 2:00 a.m., Friday and Saturday 6:00 p.m. to 2:30 a.m. No pending investigative matters. No outstanding fines/citations. No settlement agreement. It's in ANC-2B.

The establishment is Mari Vanna Restaurant located at 1141 Connecticut Avenue, N.W., License No. 87559.

I move that we approve this application.

Do I have a second?

1 MEMBER BROOKS: Second.

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

4 All those in favor say aye.

5 ALL: Aye.

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

9 No. 2 is an application for a
10 license class change from a Retailer's Class
11 B to a Retailer's Class A. There are no
12 pending investigative matters or outstanding
13 fines/citations and no settlement agreement.
14 It's in ANC-3E.

15 Tenley Mini Market is the
16 establishment located at 4326 Wisconsin
17 Avenue, N.W., License No. 60821.

18 I move that we placard this
19 application.

20 Do I have a second?

21 MEMBER BROOKS: Second.

22 CHAIRPERSON MILLER: Mr. Brooks

1 has seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON MILLER: All those
5 opposed? All those abstaining? The vote is
6 5-0-0 to placard.

7 No. 3 is a request from Andrew
8 Kline on behalf of applicant to amend the ABC
9 license application to correctly reflect a
10 summer garden instead of a sidewalk cafe.
11 This is in ANC-2A.

12 Froggy Bottom Pub located at 2021
13 K Street, N.W., License No. 90421.

14 I would move that we placard this
15 application and note that we don't have a
16 resolution from the ANC with respect to their
17 views on this.

18 Do I have a second?

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON MILLER: Mr.

21 Silverstein has seconded the motion. Any
22 other comments?

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON MILLER: All those
4 opposed? All those abstaining? The vote is
5 5-0-0.

6 No. 4 is an amended entertainment
7 endorsement application to add dancing. The
8 current entertainment hours are Sunday through
9 Thursday 6:00 p.m. to 2:00 a.m., Friday and
10 Saturday 6:00 p.m. to 3:00 a.m. No pending
11 investigative matters, no outstanding fines/
12 citations. No conflict with a settlement
13 agreement. It is in ANC-1B.

14 Expo Restaurant & Nightclub is the
15 establishment located at 1928 9th Street,
16 N.W., License No. 60872.

17 I move that we approve this
18 application.

19 Do I have a second?

20 MEMBER BROOKS: Second.

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

1 All those in favor say aye.

2 ALL: Aye.

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

6 No. 5 is a request from Paul
7 Pascal on behalf of Barracks Row Ent Group,
8 LLC, the managing member and sole owner of
9 nine ABC establishments (ABRA Nos. 86141,
10 86148, 83029, 86142, 86033, 87549, 88059,
11 89141 and 89126) to pay for the alcoholic
12 beverage products of the nine entities checks
13 by drawn on the operating account of Barracks
14 Row Ent Group, LLC.

15 I move that we approve this
16 application.

17 Do I have a second?

18 MEMBER SILVERSTEIN: Second.

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

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON MILLER: All those
2 opposed? All those abstaining? The vote is
3 5-0-0 to approve the request.

4 No. 6 is an entertainment
5 endorsement application for live
6 entertainment, dancing and cover charge. No
7 pending investigative matters. No outstanding
8 fines/citations. No settlement agreement.
9 This is in ANC-1A.

10 Mad Momos located at 3605 14th
11 Street, N.W., License No. 88409.

12 I move that we placard this
13 request.

14 Do I have a second?

15 MEMBER BROOKS: Second.

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

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON MILLER: All those
21 opposed? All those abstaining? The vote is
22 5-0-0.

1 No. 7 we did last week, so we can
2 pass that one.

3 No. 8 is a safekeeping application
4 because property has been vacated over
5 landlord/tenant dispute. It's in ANC-4B.

6 Jackie Lee's Lounge is the
7 establishment located at 116 Kennedy Street,
8 N.W., License No. 88077.

9 I move that we grant this request
10 to put the license in safekeeping for six
11 months. All those in favor say aye. Oh,
12 wait, I'm sorry.

13 Do I have a second?

14 MEMBER BROOKS: Second.

15 CHAIRPERSON MILLER: Mr. Brooks
16 has seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON MILLER: All those
20 opposed? All those abstaining? I believe the
21 vote is 5-0-0 to approve the application for
22 safekeeping for six months.

1 No. 9 is a letter dated February
2 1, 2013 from Charles Benoit requesting
3 permission to store invoices, records and
4 required licenses and certificates off-site at
5 another location in the District.

6 The establishment is Federal
7 Spirits located at 1629 K Street, N.W.,
8 License No. 89730.

9 I move that we approve this
10 request.

11 Do I have a second?

12 MEMBER BROOKS: Second.

13 CHAIRPERSON MILLER: Mr. Brooks
14 has seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON MILLER: All those
18 opposed? All those abstaining? The motion
19 passes by a vote of 5-0-0.

20 No. 10 is a letter dated January
21 29, 2013 from ANC-1D supporting extension of
22 hours application submitted by Class A

1 Licensees in Mount Pleasant.

2 This doesn't require any vote.
3 The ANC also singles out two establishments
4 saying that they don't -- they are not
5 contrary to the provisions of either
6 establishment's voluntary agreement, that's
7 Sportsman's Liquors and Lee Irving Liquors,
8 and I just want to note that in order to have
9 any effect, the voluntary agreements have to
10 be amended and a letter just indicating a
11 settlement isn't sufficient.

12 So I would suggest that the ANC-1D
13 with respect to any establishments they wish
14 to support an extension of hours for, that may
15 conflict with voluntary agreements or
16 settlement agreements, look at those
17 agreements and make amendments accordingly.

18 All right. Moving on to No. 11,
19 this is a letter dated January 28, 2013 from
20 Tam Tsui Chin requesting that the Board
21 consider his protest petition dated January 9,
22 2013 and schedule a new Roll Call Hearing.

1 Success entered into a settlement
2 agreement with ANC-6E on January 7, 2013.
3 Success is located at 917 5th Street, N.W.,
4 License No. 90985.

5 I believe that at Roll Call it was
6 determined that he hadn't filed a timely
7 petition and it appears that way in the
8 record.

9 And, therefore, I would move that
10 we deny his request, but also note that the
11 settlement agreement between Success and the
12 ANC does address his concerns, including noise
13 or at least the subject matter of his concerns
14 that he has identified from living next to the
15 restaurant.

16 So there are provisions in that
17 settlement agreement that do provide some
18 protections for him.

19 Okay. So I would move that we
20 deny this request.

21 And is there a second?

22 MEMBER BROOKS: Second.

1 CHAIRPERSON MILLER: Mr. Brooks
2 has seconded the motion. Any other comments?
3 Okay.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON MILLER: All those
7 opposed? All those abstaining? The vote is
8 5-0-0 to deny his request that the Board
9 consider his protest petition. Okay.

10 12 is a letter dated January 24,
11 2013 from Abeba Beyene requesting that the
12 Board allow Vita Restaurant and Lounge/
13 Penthouse Nine to use promoters.

14 Vita Restaurant and Lounge/
15 Penthouse Nine is located at 1318 9th Street,
16 N.W., License No. 86037.

17 Okay. In her letter, she
18 identifies how she has been changing her
19 business model and that the failure to make it
20 more neighborhood-friendly and the restriction
21 on the promoters makes it very difficult for
22 her financially.

1 So I would propose that we
2 postpone this consideration. However, I
3 understand she has some outstanding fees to
4 the District in the amount of \$3,000, so I
5 would move that we consider this request after
6 the Agency receives payment of the \$3,000.

7 Do I have a second?

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON MILLER: Mr.

10 Silverstein has seconded the motion. Any
11 comments?

12 MEMBER ALBERTI: I will be voting
13 against this. The motion, I think that we
14 should deny it, her request, even after the
15 fines are paid, because she provides little
16 detail of the changes that she has made other
17 than the fact that she has changed her name,
18 the trade name of the establishment.

19 This was a very serious situation
20 and I see no evidence presented to us that
21 there are any real changes, so I will not be
22 voting in favor of the motion.

1 CHAIRPERSON MILLER: Okay. Any
2 others? Okay. There is a motion that has
3 been seconded.

4 All those in favor say aye.

5 MEMBER BROOKS: Aye.

6 CHAIRPERSON MILLER: Aye. All
7 those opposed?

8 MEMBER JONES: Oppose.

9 MEMBER ALBERTI: Oppose.

10 MEMBER SILVERSTEIN: Oppose.

11 CHAIRPERSON MILLER: All those
12 abstaining? Okay. So the motion fails by a
13 vote of 2-3-0.

14 Is there any other motion with
15 respect to this letter?

16 MEMBER SILVERSTEIN: I move we
17 deny outright.

18 CHAIRPERSON MILLER: Okay. Is
19 there a second?

20 MEMBER ALBERTI: I'll second. I
21 understand the motion is that we are going to
22 deny the request to rescind or lift our motion

1 -- our previous Board Order?

2 CHAIRPERSON MILLER: That would be
3 -- I believe it would be just with respect to
4 allowing her to use promoters.

5 MEMBER ALBERTI: Okay.

6 CHAIRPERSON MILLER: Okay.

7 MEMBER ALBERTI: Correct.

8 CHAIRPERSON MILLER: All right.

9 So there is a motion on the table to deny the
10 request to allow this establishment to use
11 promoters.

12 Is there a second to this motion?

13 MEMBER BROOKS: Second.

14 CHAIRPERSON MILLER: Mr. Brooks
15 has seconded the motion. Any other comments?
16 Okay.

17 All those in favor of this motion
18 to deny the request to use promoters say aye.

19 MEMBER BROOKS: Aye.

20 MEMBER ALBERTI: Aye.

21 MEMBER JONES: Aye.

22 MEMBER SILVERSTEIN: Aye.

1 CHAIRPERSON MILLER: All those
2 opposed? Opposed. All those abstaining? The
3 motion passes by a vote of 4-1-0.

4 Okay. No. 13 is a motion for
5 reconsideration dated January 12, 2013 from
6 Linda McAllister for Board Order No. 2013-001
7 and District of Columbia's -- oh, and we have
8 received with respect to this motion the
9 District of Columbia's opposition for
10 reconsideration dated February 1, 2013 from
11 Maureen Zaniel.

12 The establishment is Lace located
13 at 2214 Rhode Island Avenue, N.E., License No.
14 76369.

15 As the District notes, this motion
16 for reconsideration was untimely, so I would
17 deny the motion on that basis.

18 Do I have a second?

19 MEMBER SILVERSTEIN: Second.

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

1 MEMBER ALBERTI: I'm sorry, could
2 you repeat the motion again, please?

3 CHAIRPERSON MILLER: The motion is
4 for reconsideration from Linda McAllister for
5 Board Order No. 2013-001 and the District of
6 Columbia Government has opposed the motion on
7 grounds that it is untimely.

8 MEMBER ALBERTI: And your motion
9 is?

10 CHAIRPERSON MILLER: My motion is
11 to deny the motion on grounds of it's
12 untimely.

13 MEMBER ALBERTI: Thank you, that's
14 what I was asking.

15 CHAIRPERSON MILLER: Okay. And
16 Mr. Silverstein has seconded the motion, I
17 believe. Are there any other questions or
18 comments? Okay.

19 All those in favor then to deny
20 the motion for reconsideration say aye.

21 ALL: Aye.

22 CHAIRPERSON MILLER: All those

1 opposed? All those abstaining? The vote is
2 5-0-0 to deny.

3 No. 14 is a settlement agreement
4 dated January 27, 2012 between Georgia Avenue
5 Food Barn and ANC-4B.

6 The establishment is Georgia
7 Avenue Food Barn located at 6205 Georgia
8 Avenue, N.W., License No. 71950.

9 I would move that we approve this
10 settlement agreement with modifications to
11 paragraphs 4 and 7. And I think that our
12 general counsel will confer with the parties
13 on those two paragraphs.

14 Do I have a second? Is there a
15 second? Calling once.

16 MEMBER ALBERTI: What was this?

17 CHAIRPERSON MILLER: Okay. This
18 is the settlement agreement, No. 14.

19 MEMBER ALBERTI: Oh, yes.

20 CHAIRPERSON MILLER: Georgia
21 Avenue Food Barn.

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Okay. With
2 modifications, proof of modifications to 4 and
3 7.

4 MEMBER ALBERTI: Yes.

5 CHAIRPERSON MILLER: Okay.
6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON MILLER: All those
9 opposed? All those abstaining? Then the vote
10 is 5-0-0 to approve with modifications to 4
11 and 7.

12 Okay. That concludes our meeting
13 agenda. We have a couple of items on our
14 supplemental agenda.

15 No. 1 is a Motion to Continue the
16 Show Cause Hearing currently set for today,
17 February 13, 2013, dated February 11, 2013
18 from Louise Phillips.

19 The establishment is DC Fish
20 Carryout, 3475 14th Street, N.W., License No.
21 74236.

22 We have already actually continued

1 this earlier this afternoon. The new date for
2 the Show Cause Hearing will be April 3rd at
3 2:30 p.m. So I believe we already voted on
4 that earlier, so I don't think we need to vote
5 again.

6 No. 2 is a request for a hold on
7 new license applications as it relates to the
8 Petition for the Moratorium on Issuance of New
9 Retailers Licenses on the Historic 14th and U
10 Street Corridor.

11 Okay. Basically, they are
12 requesting that there be no new licenses
13 issued pending resolution or the moratorium on
14 the issuance of licenses in this Historic 14th
15 and U Street Corridor that is being proposed.

16 So I would move that we deny this
17 request. And I would just comment that there
18 is a Zoning Overlay that already is
19 restricting businesses in the meantime.

20 So do I have a second?

21 MEMBER BROOKS: Second.

22 CHAIRPERSON MILLER: Okay. The

1 motion to deny has been seconded. Any other
2 comments, questions?

3 All those in favor of the motion
4 to deny say aye.

5 ALL: Aye.

6 CHAIRPERSON MILLER: All those
7 opposed? All those abstaining? Okay. The
8 motion is denied by a vote of -- or the
9 request is denied by a vote of 5-0-0.

10 Finally, we have a list of change
11 of hours requests. We now have a change of
12 hours agenda and all of these have no conflict
13 with voluntary agreements or settlement
14 agreements.

15 So I would move that we approve
16 the change of hours applications listed 1
17 through 27 on our change of hours agenda as
18 follows:

19 No. 1, Review of Change of Hours
20 Application to change Hours of Operation and
21 Hours of Alcoholic Beverage Sales. Proposed
22 Hours of Operation and Hours of Alcoholic

1 Beverage Sales: Monday through Sunday 9:00
2 a.m. to 10:00 p.m. No voluntary agreement.
3 ANC-2B.

4 Metro Liquors, 1726 Columbia Road,
5 N.W., Retailer's A, License No. 060602.

6 No. 2, Review of Change of Hours
7 Application to change Hours of Operation and
8 Hours of Alcoholic Beverage Sales. Proposed
9 Hours of Operation and Hours of Alcoholic
10 Beverage Sales: Monday through Sunday 9:00
11 a.m. to 10:00 p.m. No voluntary agreement.
12 ANC-3C.

13 Sherry's Wine & Spirits, 2627
14 Connecticut Avenue, N.W., Retailer's A,
15 License No. 086022.

16 No. 3, Review of Change of Hours
17 Application to change Hours of Operation and
18 Hours of Alcoholic Beverage Sales. Proposed
19 Hours of Operation and Hours of Alcoholic
20 Beverage Sales: Monday through Sunday 10:00
21 a.m. to 12:00 a.m. No voluntary Agreement.
22 ANC-2F.

1 Batch 13, 1724 14th Street, N.W.,
2 Retailer's A, License No. 087970.

3 No. 4, Review of Change of Hours
4 Application to change Hours of Operation and
5 Hours of Alcoholic Beverage Sales. Proposed
6 Hours of Operation and Hours of Alcoholic
7 Beverage Sales: Monday through Sunday 9:00
8 a.m. to 12:00 a.m. No conflict with voluntary
9 agreement. ANC-6A.

10 Grand Liquors, 409 15th Street,
11 N.E., Retailer's A, License No. 089508.

12 No. 5, Review of Change of Hours
13 Application to change Hours of Operation and
14 Hours of Alcoholic Beverage Sales. Proposed
15 Hours of Operation and Hours of Alcoholic
16 Beverage Sales: Sunday 12:00 p.m. to 7:00
17 p.m., Monday through Thursday 10:00 a.m. to
18 9:00 p.m., Friday and Saturday 9:30 a.m. to
19 9:30 p.m. No conflict with voluntary
20 agreement. ANC-8D.

21 South Capitol Liquors, 4652
22 Livingston Road, S.E., Retailer's A, License

1 No. 16866.

2 No. 6, Review of Change of Hours
3 Application to change Hours of Operation and
4 Hours of Alcoholic Beverage Sales. Proposed
5 Hours of Operation and Hours of Alcoholic
6 Beverage Sales: Monday through Sunday 9:00
7 a.m. to 10:00 p.m. No conflict with voluntary
8 agreement. ANC-2F.

9 Press Liquors, 525 14th Street,
10 N.W., Retailer's A, License No. 76197.

11 No. 7, Review of Change of Hours
12 Application to change Hours of Operation and
13 Hours of Alcoholic Beverage Sales. Proposed
14 Hours of Operation and Hours of Alcoholic
15 Beverage Sales: Sunday through Thursday 10:00
16 a.m. to 10:00 p.m., Friday and Saturday 10:00
17 a.m. to 11:00 p.m. No voluntary agreement.
18 ANC-4C.

19 JB Liquors, 3914 14th Street, N.W.,
20 Retailer's A, License No. 084240.

21 No. 8, Review of Change of Hours
22 Application to change Hours of Operation and

1 Hours of Alcoholic Beverage Sales. Proposed
2 Hours of Operation and Hours of Alcoholic
3 Beverage Sales: Monday through Sunday 5:30
4 a.m. to 12:00 a.m. Proposed House of
5 Alcoholic Beverage Sales Monday through Sunday
6 9:00 a.m. to 12:00 a.m. No voluntary
7 agreement. ANC-2C.

8 Chinatown Liquor, 602 H Street,
9 N.W., Retailer's A, License No. 073058.

10 No. 9, Review of Change of Hours
11 Application to change Hours of Operation and
12 Hours of Alcoholic Beverage Sales. Proposed
13 Hours of Operation and Hours of Alcoholic
14 Beverage Sales: Monday through Sunday 9:00
15 a.m. to 10:00 p.m. No voluntary agreement.
16 ANC-3G.

17 Circle Wine & Spirits, 5501
18 Connecticut Avenue, N.W., Retailer's A,
19 License No. 080830.

20 No. 10, Review of Change of Hours
21 Application to change Hours of Operation and
22 Hours of Alcoholic Beverage Sales. Proposed

1 Hours of Operation and Hours of Alcoholic
2 Beverage Sales: Sunday 10:00 a.m. to 6:00
3 p.m., Monday through Thursday 9:00 a.m. to
4 8:00 p.m., Friday and Saturday 9:00 a.m. to
5 9:00 p.m. No voluntary agreement. ANC-3G.

6 Magruder's of DC, 5618-26
7 Connecticut Avenue, N.W., Retailer's A,
8 License No. 091195.

9 No. 11, Review of Change of Hours
10 Application to change Hours of Operation and
11 Hours of Alcoholic Beverage Sales. Proposed
12 Hours of Operation and Hours of Alcoholic
13 Beverage Sales: Monday through Sunday 9:00
14 a.m. to 12:00 a.m. No voluntary agreement.
15 ANC-4D.

16 Rocket Liquors, 900 Kennedy
17 Street, N.W., Retailer's A, License No.
18 022581.

19 No. 12, Review of Change of Hours
20 Application to change Hours of Operation and
21 Hours of Alcoholic Beverage Sales. Proposed
22 Hours of Operation and Hours of Alcoholic

1 Beverage Sales: Sunday through Wednesday 9:00
2 a.m. to 10:00 p.m., Thursday through Saturday
3 9:00 a.m. to 12:00 a.m. No voluntary
4 agreement. ANC-2B.

5 Crown Liquors, 1325 Connecticut
6 Avenue, N.W., Retailer's A, License No.
7 088121.

8 No. 13, Review of Change of Hours
9 Application to change Hours of Operation and
10 Hours of Alcoholic Beverage Sales. Proposed
11 Hours of Operation and Hours of Alcoholic
12 Beverage Sales: Monday through Sunday 9:00
13 a.m. to 12:00 a.m. No voluntary agreement.
14 ANC-2E.

15 Wagner's Liquors, 1717 Wisconsin
16 Avenue, N.W., Retailer's A, License No.
17 089176.

18 No. 14, Review of Change of Hours
19 Application to change Hours of Operation and
20 Hours of Alcoholic Beverage Sales. Proposed
21 Hours of Operation and Hours of Alcoholic
22 Beverage Sales: Sunday 10:00 a.m. to 10:00

1 p.m., Monday through Saturday 9:00 a.m. to
2 10:00 p.m. No voluntary agreement. ANC-1C.

3 Martin's Wine & Spirits, 1919
4 Florida Avenue, N.W., Retailer's A, License
5 No. 021266.

6 No. 15, Review of Change of Hours
7 Application to change Hours of Operation and
8 Hours of Alcoholic Beverage Sales. Proposed
9 Hours of Operation and Hours of Alcoholic
10 Beverage Sales: Monday through Sunday 7:00
11 a.m. to 12:00 a.m. No conflict with voluntary
12 agreement. ANC-6A.

13 Jumbo Liquors, 1122 H Street,
14 N.W., Retailer's A, License No. 000420.

15 No. 16, Review of Change of Hours
16 Application to change Hours of Operation and
17 Hours of Alcoholic Beverage Sales. Proposed
18 Hours of Operation and Hours of Alcoholic
19 Beverage Sales: Sunday 12:00 p.m. to 6:00
20 p.m., Monday through Saturday 9:00 a.m. to
21 10:00 p.m. No voluntary agreement. ANC-3E.

22 Tenley Wine & Liquors, 4525

1 Wisconsin Avenue, N.W., Retailer's A, License
2 No. 078014.

3 No. 17, Review of Change of Hours
4 Application to change Hours of Operation and
5 Hours of Alcoholic Beverage Sales. Proposed
6 Hours of Operation and Hours of Alcoholic
7 Beverage Sales: Monday through Sunday 7:00
8 a.m. to 12:00 a.m. No voluntary agreement.
9 ANC-8A.

10 Corner Market, 1447 Howard Road,
11 S.E., Retailer's A, License No. 086200.

12 No. 18, Review of Change of Hours
13 Application to change Hours of Operation and
14 Hours of Alcoholic Beverage Sales. Proposed
15 Hours of Operation and Hours of Alcoholic
16 Beverage Sales: Monday through Sunday 9:00
17 a.m. to 12:00 a.m. No voluntary agreement.
18 ANC-7D.

19 Silvermans Liquors, 2033 Benning
20 Road, N.E., Retailer's A, License No. 014314.

21 No. 19, Review of Change of Hours
22 Application to change Hours of Operation and

1 Hours of Alcoholic Beverage Sales. Proposed
2 Hours of Operation and Hours of Alcoholic
3 Beverage Sales: Monday through Sunday 9:00
4 a.m. to 12:00 a.m. No voluntary agreement.
5 ANC-7B.

6 O'Connor's Liquors, 2900 Minnesota
7 Road, S.E., Retailer's A, License No. 060231.

8 No. 20, Review of Change of Hours
9 Application to change Hours of Operation and
10 Hours of Alcoholic Beverage Sales. Proposed
11 Hours of Operation and Hours of Alcoholic
12 Beverage Sales: Sunday 9:00 a.m. to 10:00
13 p.m., Monday through Saturday 9:00 a.m. to
14 11:00 p.m. No conflict with voluntary
15 agreement. ANC-8C.

16 Holiday Liquors, 3505 Wheeler
17 Road, S.E., Retailer's A, License No. 090195.

18 No. 21, Review of Change of Hours
19 Application to change Hours of Operation and
20 Hours of Alcoholic Beverage Sales. Proposed
21 Hours of Operation and Hours of Alcoholic
22 Beverage Sales: Monday through Sunday 9:00

1 a.m. to 12:00 a.m. No voluntary agreement.

2 ANC-4D.

3 Hamilton Liquors, 5205 Georgia

4 Avenue, N.W., Retailer's A, License No.

5 083291.

6 No. 22, Review of Change of Hours

7 Application to change Hours of Operation and

8 Hours of Alcoholic Beverage Sales. Proposed

9 Hours of Operation and Hours of Alcoholic

10 Beverage Sales: Sunday 8:00 a.m. to 8:00

11 p.m., Monday through Saturday 7:00 a.m. to

12 12:00 a.m. No voluntary agreement. ANC-8B.

13 Shipley Liquors, 2281 Savannah

14 Street, N.W., Retailer's A, License No. 08521.

15 No. 23, Review of Change of Hours

16 Application to change Hours of Operation and

17 Hours of Alcoholic Beverage Sales. Proposed

18 Hours of Operation and Hours of Alcoholic

19 Beverage Sales: Sunday 7:00 a.m. to 12:00

20 a.m., Monday through Saturday 9:00 a.m. to

21 12:00 a.m. No voluntary agreement. ANC-2C.

22 The Local Vine Cellar, 425 11st

1 Street, N.W., Retailer's A, License No.
2 087410.

3 No. 24, Review of Change of Hours
4 Application to change Hours of Operation and
5 Hours of Alcoholic Beverage Sales. Proposed
6 Hours of Operation and Hours of Alcoholic
7 Beverage Sales: Sunday through Thursday 9:00
8 a.m. to 11:00 p.m., Friday and Saturday 9:00
9 a.m. to 12:00 a.m. No voluntary agreement.
10 ANC-7E.

11 Young's Globe Liquors, 4520
12 Benning Road, S.E., Retailer's A, License No.
13 077016.

14 No. 25, Review of Change of Hours
15 Application to change Hours of Operation and
16 Hours of Alcoholic Beverage Sales. Proposed
17 Hours of Operation and Hours of Alcoholic
18 Beverage Sales: Monday through Sunday 9:00
19 a.m. to 12:00 a.m. No voluntary agreement.
20 ANC-2F.

21 Continental Wine & Liquor, 1100
22 Vermont Avenue, N.W., Retailer's A, License

1 No. 078964.

2 No. 26, Review of Change of Hours
3 Application to change Hours of Operation and
4 Hours of Alcoholic Beverage Sales. Proposed
5 Hours of Operation and Hours of Alcoholic
6 Beverage Sales: Monday through Sunday 7:00
7 a.m. to 12:00 a.m. No conflict with voluntary
8 agreement. ANC-4B.

9 Georgia Avenue Food Barn, 6205
10 Georgia Avenue, N.W., Retailer's A, License
11 No. 071950.

12 No. 27, Review of Change of Hours
13 Application to change Hours of Operation and
14 Hours of Alcoholic Beverage Sales. Proposed
15 Hours of Operation and Hours of Alcoholic
16 Beverage Sales: Sunday 9:00 a.m. to 9:00
17 p.m., Monday through Friday 7:00 a.m. to 10:00
18 p.m., Saturday 8:00 a.m. to 10:00 p.m. No
19 conflict with ABC Board Order. ANC-1A.

20 King's Deli & Grocery, 3651
21 Georgia Avenue, N.W., Retailer's A, License
22 No. 087806.

1 Okay. I would now ask for a
2 second on the motion.

3 MEMBER BROOKS: Second.

4 CHAIRPERSON MILLER: Mr. Brooks
5 has seconded the motion to approve all of the
6 change of hours applications, 1 through 27.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? Then the vote
11 is 5-0-0 to approve the change of hours
12 applications, 1 through 27.

13 Off the record for a second.

14 (Whereupon, off the record for a
15 recess.)

16 CHAIRPERSON MILLER: All right.
17 Okay. I have to read the closing. So that
18 concludes our agenda items for February 13,
19 2013.

20 And I am just going to read our
21 Open Meetings instructions so we can vote on
22 that.

1 As Chairperson of the Alcoholic
2 Beverage Control Board for the District of
3 Columbia and in accordance with Section 405 of
4 the Open Meetings Amendment Act of 2010, I
5 move that the ABC Board hold a closed meeting
6 on February 20, 2013 for the purpose of
7 seeking legal advice from our counsel on the
8 matters identified in the Board's Agenda for
9 February 20, 2013 as published in the DC
10 Register on February 15, 2013.

11 Is there a second?

12 MEMBER BROOKS: Second.

13 MEMBER SILVERSTEIN: Second.

14 CHAIRPERSON MILLER: I will take a
15 roll call vote on the motion before us now
16 that it has been seconded by Mr. Brooks.

17 Mr. Brooks? Roll call vote?

18 MEMBER BROOKS: I agree.

19 CHAIRPERSON MILLER: Mr. Alberti?

20 MEMBER ALBERTI: I agree.

21 CHAIRPERSON MILLER: Ms. Miller
22 agrees.

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Mr. Silverstein?

MEMBER SILVERSTEIN: I agree.

CHAIRPERSON MILLER: Mr. Jones?

MEMBER JONES: I agree.

CHAIRPERSON MILLER: As it appears the motion has passed by a 5-0-0 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 DC Register in as timely manner as practicable.

As Chairperson of the Alcoholic Beverage Control Board for the District of Columbia and in accordance with Section 405 of the Open Meetings Amendment Act of 2010, I move that the ABC Board hold a closed meeting on February 20, 2013 for the purpose of discussing and hearing reports concerning ongoing or planned investigations of alleged

1 criminal or civil misconduct or violations of
2 law or regulations and seeking legal advice
3 from our counsel on the Board's investigative
4 agenda for February 20, 2013, as published in
5 the DC Register on February 15, 2013.

6 Is there a second?

7 MEMBER BROOKS: Second.

8 CHAIRPERSON MILLER: Mr. Brooks
9 has seconded the motion. I'll now take a roll
10 call vote.

11 Mr. Brooks?

12 MEMBER BROOKS: I agree.

13 CHAIRPERSON MILLER: Mr. Alberti?

14 MEMBER ALBERTI: I agree.

15 CHAIRPERSON MILLER: Ms. Miller
16 agrees.

17 Mr. Silverstein?

18 MEMBER SILVERSTEIN: I agree.

19 CHAIRPERSON MILLER: Mr. Jones?

20 MEMBER JONES: I agree.

21 CHAIRPERSON MILLER: As it appears
22 the motion has passed by a 5-0-0 vote, I

1 hereby give notice that the ABC Board will
2 hold this aforementioned closed meeting
3 pursuant to the Open Meetings Amendment Act of
4 2010. Notice will also be posted on the ABC
5 Board hearing room bulletin board, placed on
6 the electronic calendar on ABRA's website and
7 published in the DC Register in as timely
8 manner as practicable.

9 And that concludes the ABC Board's
10 business for February 13, 2013. Thank you.

11 (Whereupon, the A.B.R.A. Agenda
12 Hearing in the above-entitled matter was
13 concluded at 6:40 p.m.)

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