

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION

ADMINISTRATION BOARD

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IN THE MATTER OF: :

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A.B.R.A. AGENDA :

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FEBRUARY 29, 2012

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control

Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Ruthanne Miller, Chairperson, presiding.

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

JEANNETTE MOBLEY, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

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

7:13 p.m.

CHAIRPERSON MILLER: All right.

We're on the record to do our agenda for  
Wednesday, February 29th, 2012.

First item on the agenda is a  
review of manager's application for Marta M.  
Chapman.

I think this application raises  
some questions and I would recommend or move  
that we invite Ms. Chapman in for a fact  
finding.

MEMBER SILVERSTEIN: Second.

CHAIRPERSON MILLER: Okay. All  
those in favor, say aye? Aye.

(Chorus of ayes.)

CHAIRPERSON MILLER: All those  
opposed?

(No audible response.)

CHAIRPERSON MILLER: All those  
abstaining.

MEMBER ALBERTI: I oppose.

1 CHAIRPERSON MILLER: You oppose?

2 MEMBER ALBERTI: My preference is  
3 to approve the license.

4 CHAIRPERSON MILLER: Okay. Let's  
5 see if we have --

6 MEMBER SILVERSTEIN: Six to one.

7 CHAIRPERSON MILLER: We don't  
8 have seven here.

9 MEMBER ALBERTI: Five to one.

10 CHAIRPERSON MILLER: Okay.

11 MEMBER ALBERTI: Five to one?

12 Okay. The vote is five to one. All right.

13 The next is a review of manager's  
14 application for Alyssa Hotz.

15 I don't believe this raised any  
16 questions in my mind and I would move to  
17 approve. Do I have a second?

18 MEMBER MOBLEY: Second.

19 CHAIRPERSON MILLER: Any  
20 comments?

21 (No audible response.)

22 CHAIRPERSON MILLER: Okay. All

1 those in favor, say aye?

2 (Chorus of ayes.)

3 CHAIRPERSON MILLER: Those in  
4 favor. All those opposed?

5 (No audible response.)

6 CHAIRPERSON MILLER: Okay. All  
7 those abstaining?

8 (No audible response.)

9 CHAIRPERSON MILLER: The vote is  
10 6-0.

11 Okay. We next have a change of  
12 hours application for Sala Thai, License No.  
13 71866.

14 I would move to approve this  
15 application. Are there any comments?

16 (No audible response.)

17 CHAIRPERSON MILLER: All those in  
18 favor, say aye?

19 (Chorus of ayes.)

20 CHAIRPERSON MILLER: All those  
21 opposed?

22 (No audible response.)

1 CHAIRPERSON MILLER: Abstaining?

2 (No audible response.)

3 CHAIRPERSON MILLER: The vote is  
4 6-0 to approve.

5 The next one is a review of an  
6 entertainment endorsement application to add  
7 entertainment for District 2 Bar & Grille,  
8 License No. 77455.

9 I would move to approve this.

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON MILLER: All those in  
12 favor, say aye?

13 (Chorus of ayes.)

14 CHAIRPERSON MILLER: Those  
15 opposed?

16 (No audible response.)

17 CHAIRPERSON MILLER: The vote is  
18 6-0 to approve.

19 No. 5 is a review of application  
20 for safekeeping due to loss of lease for  
21 Little Ethiopia, License No. 80135 in ANC  
22 1B.

1 I would move that we approve this  
2 for six months.

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON MILLER: All those in  
5 favor, say aye?

6 (Chorus of ayes.)

7 CHAIRPERSON MILLER: All those  
8 opposed?

9 (No audible response.)

10 CHAIRPERSON MILLER: All those  
11 abstaining?

12 (No audible response.)

13 CHAIRPERSON MILLER: The vote is  
14 6-0 to approve.

15 No. 6 is a review of application  
16 for safekeeping due to a lease termination  
17 and also a request from the Licensee to  
18 waive late fees for non-payment of September  
19 2011 second year payment due to loss of the  
20 lease in September 2011. This is for  
21 FunXion in ANC 2F, License No. 82038.

22 I would move that we approve the

1 request to put the license in safekeeping,  
2 but deny the request to waive the late fee  
3 because this Agency has a policy of not  
4 waiving late fees. Do I have a second?

5 MEMBER MOBLEY: Second.

6 CHAIRPERSON MILLER: Any comment?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those in  
9 favor, say aye?

10 (Chorus of ayes.)

11 CHAIRPERSON MILLER: All those  
12 opposed?

13 (No audible response.)

14 CHAIRPERSON MILLER: Abstaining?

15 (No audible response.)

16 CHAIRPERSON MILLER: The vote is  
17 6-0 to approve the motion to put the license  
18 in safekeeping and deny the waiver of late  
19 fees.

20 Okay.

21 No. 7 is a review of change of  
22 hours application to add Sunday hours of

1 operation and Sunday hours of sales and  
2 service and Sunday hours of entertainment.

3 This is for Caf, Citron in ANC 2B at 1343  
4 Connecticut Avenue, N.W., Mr. Nophlin 60138.

5 I would move that we placard this  
6 one.

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON MILLER: Okay. Any  
9 comment?

10 (No audible response.)

11 CHAIRPERSON MILLER: All right.

12 All those in favor, say aye?

13 (Chorus of ayes.)

14 CHAIRPERSON MILLER: All those  
15 opposed?

16 (No audible response.)

17 CHAIRPERSON MILLER: All those  
18 abstaining?

19 (No audible response.)

20 CHAIRPERSON MILLER: The vote is  
21 6-0 to placard.

22 Okay. No. 8, review of request

1 from Michael Froelich on behalf of licensee  
2 to extend safekeeping for an additional six  
3 months to allow for completion of  
4 reconstruction. This is Farmers & Fishers  
5 at 3000 K Street, N.W. in ANC 2E, License  
6 No. 74934.

7 I would move that we grant this  
8 request. Do I have a second?

9 MEMBER MOBLEY: Second.

10 CHAIRPERSON MILLER: Comments?

11 (No audible response.)

12 CHAIRPERSON MILLER: Okay. All  
13 those in favor, say aye?

14 (Chorus of ayes.)

15 CHAIRPERSON MILLER: All those  
16 opposed?

17 (No audible response.)

18 CHAIRPERSON MILLER: All those  
19 abstaining?

20 (No audible response.)

21 CHAIRPERSON MILLER: The vote is  
22 6-0 to grant this request.

1                   No. 9 is a letter from Mr.  
2           Stephen O'Brien on behalf of the licensee  
3           requesting approval that invoices for  
4           alcoholic beverages purchased by the  
5           licensee from District of Columbia  
6           wholesalers be paid by checks drawn on  
7           accounts designated "Daily Grill" or "Grill  
8           Concepts."

9                   I would move that we grant this  
10          motion. This is for Georgetown Inn, 1310  
11          Wisconsin Avenue, N.W., License No. 88198.

12                   MEMBER SILVERSTEIN: Second.

13                   CHAIRPERSON MILLER: Okay.

14          Comments?

15                   (No audible response.)

16                   CHAIRPERSON MILLER: All those in  
17          favor, say aye?

18                   (Chorus of ayes.)

19                   CHAIRPERSON MILLER: All those  
20          opposed?

21                   (No audible response.)

22                   CHAIRPERSON MILLER: All those

1 abstaining?

2 (No audible response.)

3 CHAIRPERSON MILLER: The vote is  
4 6-0 to approve.

5 No. 10 is a review of a letter  
6 dated February 10, 2012 from ANC 3B  
7 regrading the renewal of the Glover Park  
8 Liquor License Moratorium. AND 3B requests  
9 that the Board renew the moratorium which  
10 expires in April and amend it to change the  
11 cap from 12 to 14 Retailer Class CRs.

12 Also, we have on that same topic  
13 No. 11, a review of various correspondence  
14 dated February 11, 2012 opposing the renewal  
15 of the Glover Park Liquor License  
16 Moratorium. The correspondence is from an  
17 ANC commissioner and individual residents.

18 I want to state for the record  
19 that the Board will be having a public  
20 moratorium hearing on the Glover Park Liquor  
21 License Moratorium on March 21st at 11:00  
22 a.m. and we'll be considering all of those

1 correspondence in that context in that  
2 hearing. I don't think there's a vote on  
3 this one.

4 No. 12, review of a letter dated  
5 February 16, 2012 from ANC 1B requesting  
6 reinstatement to the All Souls Protest on  
7 the basis that Commissioner Myla Moss was  
8 unable to attend due to a professional  
9 emergency. The applicant supports this  
10 request. This goes to All Souls at 725 T  
11 Street, N.W., License No. 88179.

12 Okay. Ms. Moss wrote us a letter  
13 in which she said that she failed to appear  
14 at the hearing because of a professional  
15 emergency and I believe that is good cause.  
16 But in addition, I think it's good cause,  
17 that it's important for the ANC to  
18 participate in this hearing. And the  
19 applicant has no objection to the  
20 reinstatement.

21 So I would move to grant  
22 reinstatement. Do I have a second?

1 MEMBER NOPHLIN: Second.

2 CHAIRPERSON MILLER: Is there  
3 comment on this motion?

4 MEMBER ALBERTI: Yes, Madam  
5 Chair, this is the second time this ANC has  
6 asked us to reinstate a representative in  
7 this case. I will note that neither Ms.  
8 Moss or anyone from the ANC called to tell  
9 us that no one could attend the hearing and  
10 Ms. Moss' letter is very vague as to the  
11 criticalness of her emergency. So I will be  
12 opposing the motion to grant reinstatement.

13 CHAIRPERSON MILLER: Okay. Any  
14 other comments? Yes?

15 MEMBER SILVERSTEIN: Madam Chair,  
16 I'd like to associate myself completely with  
17 the comments of Board Member Alberti and  
18 point out that the protest hearing will go  
19 on with others who were involved in the  
20 protest. And if the ANC wishes to become  
21 involved, it can do so, simply not at a  
22 party status, and that if it passes any

1 resolutions in the interim, we still must  
2 give them great weight. But they have an  
3 obligation, as do all, to tell us if they  
4 can't make it, and simply to say  
5 professional obligations is entirely too  
6 vague.

7 MEMBER MOBLEY: Board Member  
8 Mobley would like to also be in support of  
9 what Board Member Silverstein just stated.  
10 Thank you.

11 CHAIRPERSON MILLER: Okay.

12 MEMBER ALBERTI: Call the vote.

13 CHAIRPERSON MILLER: All right.  
14 Call the vote. Yes, we have a second.

15 Okay. All those in favor of the  
16 motion that's on the table to grant the  
17 request for reinstatement, say aye?

18 (Chorus of ayes.)

19 CHAIRPERSON MILLER: All those  
20 opposed?

21 (Chorus of nos.)

22 MEMBER SILVERSTEIN: Four to two.

1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: Four to two.

3 CHAIRPERSON MILLER: So the  
4 motion fails by a vote of 2-4.

5 MEMBER ALBERTI: I thought we had  
6 a tie vote.

7 CHAIRPERSON MILLER: Okay. Would  
8 someone else like to make a motion?

9 MEMBER SILVERSTEIN: I would like  
10 to move that we deny the reinstatement.

11 MEMBER ALBERTI: I'll second the  
12 motion.

13 CHAIRPERSON MILLER: Okay. Any  
14 comments?

15 (No audible response.)

16 CHAIRPERSON MILLER: Then I'll  
17 call the vote. All those in favor of the  
18 motion to deny the reinstatement, say aye?

19 (Chorus of ayes.)

20 CHAIRPERSON MILLER: All those  
21 opposed? Opposed.

22 Okay. So is the vote 5-1 or 4-2?

1 I didn't really --

2 MEMBER ALBERTI: Mr. Nophlin?

3 MEMBER NOPHLIN: I voted against.

4 MEMBER ALBERTI: Against?

5 CHAIRPERSON MILLER: Again?

6 MEMBER ALBERTI: Reinstatement?

7 MR. NOPHLIN: Reinstatement.

8 CHAIRPERSON MILLER: Okay. So

9 it's --

10 MEMBER ALBERTI: So you vote for  
11 the last motion?

12 MEMBER NOPHLIN: Yes.

13 MEMBER ALBERTI: Okay. So it's 5  
14 to --

15 CHAIRPERSON MILLER: Four to two?

16 MEMBER ALBERTI: Five to one.

17 MEMBER NOPHLIN: Five to one.

18 MEMBER ALBERTI: Are you in favor  
19 of reinstatement or --

20 MEMBER NOPHLIN: No, I'm not.

21 MEMBER ALBERTI: Okay.

22 CHAIRPERSON MILLER: Five to one?

1 MEMBER ALBERTI: Five to one.

2 CHAIRPERSON MILLER: Five to one.

3 Okay. Five to one.

4 Moving onto the next letter,  
5 which is also a request for reinstatement.

6 This is by Alabama Convenience -- oh, no,  
7 I'm sorry. This is by Elisa Om with respect  
8 to Alabama Convenience's application. Elisa  
9 Om represents she was unable to attend the  
10 protest status hearing due to an illness.

11 This is Alabama Convenience, License No.  
12 80896.

13 I would move that we grant the  
14 request for reinstatement due to an illness,  
15 which is recognized under the law as good  
16 cause. Do I have a second?

17 MEMBER NOPHLIN: Second.

18 CHAIRPERSON MILLER: Do I have  
19 comments on this one?

20 MEMBER ALBERTI: I will oppose  
21 the motion on this one. Again, Ms. Om did  
22 not call. Ms. Om indicated in her letter

1 that she wasn't even going to come. She was  
2 going to send an employee who happened to  
3 get sick also, which I find less than  
4 convincing. So I will oppose this motion.

5 CHAIRPERSON MILLER: Any others?

6 (No audible response.)

7 CHAIRPERSON MILLER: Okay. Then  
8 there's a motion on the table to grant the  
9 reinstatement request. All those in favor,  
10 say aye?

11 (Chorus of ayes.)

12 CHAIRPERSON MILLER: All those  
13 opposed?

14 MEMBER ALBERTI: I oppose.

15 MEMBER MOBLEY: I oppose.

16 CHAIRPERSON MILLER: And all  
17 those abstaining?

18 (No audible response.)

19 CHAIRPERSON MILLER: Then the  
20 vote I believe --

21 MEMBER SILVERSTEIN: I abstain.

22 CHAIRPERSON MILLER: Okay. You

1 abstain?

2 MEMBER SILVERSTEIN: Three-two-  
3 one.

4 CHAIRPERSON MILLER: Three-two-  
5 one. Three-two-one. Then the motion  
6 passes. Okay. The reinstatement is  
7 granted.

8 Moving onto No. 14, review of a  
9 letter dated February 10, 2012 from Thomas  
10 Knott requesting off-premise storage for the  
11 Black Squirrel invoices. Invoices will be  
12 kept at his home address at 3841 Beecher  
13 Street, N.W., Washington, D.C. related to  
14 Black Squirrel is at 2427 18th Street, N.W.,  
15 License No. 78091.

16 I would recommend that we approve  
17 this request since --

18 MEMBER MOBLEY: I second.

19 CHAIRPERSON MILLER: -- invoices  
20 will be in D.C. Yes. Okay. I've got a  
21 second.

22 Any comments?

1 (No audible response.)

2 CHAIRPERSON MILLER: All those in  
3 favor, say aye?

4 (Chorus of ayes.)

5 CHAIRPERSON MILLER: All those  
6 opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those  
9 abstaining?

10 (No audible response.)

11 CHAIRPERSON MILLER: The vote is  
12 6-0.

13 I'm going to defer -- 15 through  
14 17 relate to Sanctuary 21, in which I didn't  
15 participate. So would somebody else --

16 MEMBER ALBERTI: Okay. I will do  
17 it. Item 15 is a petition for  
18 reconsideration of the Board's order in a  
19 matter regarding Sanctuary 21, License No.  
20 83267.

21 My recommendation is to not grant  
22 the motion for reconsideration, is to deny

1 the motion for reconsideration.

2 MEMBER SILVERSTEIN: Second.

3 MEMBER ALBERTI: I'll poll the  
4 Board. All in favor?

5 (Chorus of ayes.)

6 MEMBER ALBERTI: All opposed?

7 (No audible response.)

8 MEMBER ALBERTI: Okay. The vote  
9 is --

10 CHAIRPERSON MILLER: Two  
11 abstaining. Or do abstaining?

12 MEMBER ALBERTI: And two  
13 abstaining?

14 CHAIRPERSON MILLER: Two  
15 abstaining.

16 MEMBER ALBERTI: Okay. So the  
17 vote is 3-0-2.

18 MEMBER SILVERSTEIN: Four-zero-  
19 two.

20 MEMBER ALBERTI: Four-zero-two.

21 Excuse me. Four-zero-two. Two abstaining.

22 Chairman Miller and Ms. Mobley are

1 abstaining.

2 Item 16 is in opposition to the  
3 applicant's petition for reconsideration in  
4 the matter concerning Sanctuary 21. Since  
5 the motion for reconsideration was denied,  
6 that item 16 is now moot.

7 And item 17 is a review of a  
8 letter in opposition to the motion for  
9 reconsideration in the matter regarding  
10 Sanctuary 21, and that item also is moot.

11 Is that okay to do it that way?

12 CHAIRPERSON MILLER: Yes.

13 MEMBER ALBERTI: Okay.

14 CHAIRPERSON MILLER: No. 18 is  
15 review of amendment to the voluntary  
16 agreement dated February 13th, 2012 between  
17 Station 4 and ANC 6D. Station 4 is at 1101  
18 4th Street, S.W. and it's License No. 86192.

19 And I would recommend that we  
20 approve this voluntary agreement. Do I have  
21 a second?

22 MEMBER NOPHLIN: Second.

1 CHAIRPERSON MILLER: Any  
2 comments?

3 (No audible response.)

4 CHAIRPERSON MILLER: All those in  
5 favor, say aye?

6 (Chorus of ayes.)

7 CHAIRPERSON MILLER: All those  
8 opposed?

9 (No audible response.)

10 CHAIRPERSON MILLER: All those  
11 abstaining?

12 (No audible response.)

13 CHAIRPERSON MILLER: The motion  
14 passes to approve the amendment.

15 No. 19, review of voluntary  
16 agreement dated February 14th, 2012 between  
17 7th and L Street Market and ANC 6B. L  
18 Street Market's at 700 L Street, S.E.,  
19 License No. 60537.

20 I would move that we approve this  
21 voluntary agreement with modifications to  
22 section 3.

1 MEMBER ALBERTI: Second.

2 CHAIRPERSON MILLER: Okay. Any  
3 comments?

4 (No audible response.)

5 CHAIRPERSON MILLER: All those in  
6 favor, say aye?

7 (Chorus of ayes.)

8 CHAIRPERSON MILLER: All those  
9 opposed?

10 (No audible response.)

11 CHAIRPERSON MILLER: All those  
12 abstaining?

13 (No audible response.)

14 CHAIRPERSON MILLER: The motion  
15 passes to approve this voluntary agreement  
16 with modifications to section 3.

17 No. 20, review of voluntary  
18 agreement dated February 14th, 2012 between  
19 Marvelous Market and ANC 6B. Marvelous  
20 Market's located at 301 7th Street, S.E.  
21 Its License No. 75434.

22 I would move that we approve this

1 voluntary agreement with modifications to  
2 section 4. Do I have a second?

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON MILLER: Comments?

5 (No audible response.)

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

8 (Chorus of ayes.)

9 CHAIRPERSON MILLER: All those  
10 opposed?

11 (No audible response.)

12 CHAIRPERSON MILLER: All those  
13 abstaining?

14 (No audible response.)

15 CHAIRPERSON MILLER: The motion  
16 passes to approve this voluntary agreement  
17 with modifications to section 4 by a vote of  
18 6-0.

19 Okay. Do we have something else?

20 MEMBER ALBERTI: No.

21 CHAIRPERSON MILLER:

22 Cancellations or anything?

1 MEMBER MOBLEY: Yes,  
2 cancellations. License cancellations, yes.

3 CHAIRPERSON MILLER: Okay. Oh,  
4 so this one?

5 MEMBER ALBERTI: Oh, yes.

6 CHAIRPERSON MILLER: Supplemental  
7 agenda?

8 MEMBER ALBERTI: We need to do  
9 the supplemental agenda, yes.

10 CHAIRPERSON MILLER: And --

11 MEMBER ALBERTI: Before you do  
12 the cancellations.

13 CHAIRPERSON MILLER: Yes. Okay.  
14 We have one more agenda item. Review of a  
15 request from licensee for approval of a  
16 stipulated license and letter of support  
17 from ANC 6A for Souk Restaurant, 1208 H  
18 Street, N.E., License No. 88675.

19 I would recommend that we hold a  
20 fact finding hearing on this request.

21 MEMBER SILVERSTEIN: Second.

22 CHAIRPERSON MILLER: Any comments?

1 (No audible response.)

2 CHAIRPERSON MILLER: All those in  
3 favor, say aye?

4 (Chorus of ayes.)

5 CHAIRPERSON MILLER: All those  
6 opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those  
9 abstaining?

10 (No audible response.)

11 CHAIRPERSON MILLER: The vote is  
12 6-0.

13 Okay. We have some license  
14 cancellation requests.

15 First is ABRA-022929 for Lucky  
16 Lincoln House Restaurant, CR, 504 on 10th  
17 Street, N.W.

18 MEMBER ALBERTI: Just do them all  
19 and then vote.

20 CHAIRPERSON MILLER: Okay. Are  
21 we supposed to grant them or something? Do  
22 we want to grant them?

1 MEMBER ALBERTI: Well, just read  
2 the list and then we'll --

3 CHAIRPERSON MILLER: Read the  
4 list?

5 MEMBER ALBERTI: -- make a  
6 motion.

7 CHAIRPERSON MILLER: We want to  
8 grant them all?

9 MEMBER ALBERTI: And then we,  
10 yes, vote to a cancel all of them. Let's  
11 just vote on all of them.

12 CHAIRPERSON MILLER: Okay. The  
13 second one; we'll deal with this as a group,  
14 ABRA-078857, Sake Club, CR, 1400 Irving  
15 Street, N.W. No payment or activity on  
16 license since 2008. The location is  
17 currently occupied by a new license holder.  
18 Licensing Division provided written notice  
19 to the licensee on January 27, 2012 with no  
20 subsequent response.

21 And the third is ABRA License No.  
22 076293 for La Pata Negra, CR, 1612 14th

1 Street, N.W. This license is a 405.1. no  
2 payment or activity on license since 2009.  
3 Location currently occupied by new license  
4 holder. Licensing Division provided written  
5 notice to licensee on January 27, 2012 with  
6 no subsequent response.

7 So we are asked to approve these  
8 three cancellations. I would move that we  
9 do so.

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON MILLER: Any comments?

12 (No audible response.)

13 CHAIRPERSON MILLER: All right.

14 All those in favor, in aye?

15 (Chorus of ayes.)

16 CHAIRPERSON MILLER: All those

17 opposed?

18 (No audible response.)

19 CHAIRPERSON MILLER: All those

20 abstaining?

21 (No audible response.)

22 CHAIRPERSON MILLER: And the

1 motion passes by 6-0 to approve the license  
2 cancellation requests.

3 So I think that concludes our  
4 agenda and cancellations for February 29th,  
5 2012, and all that's left is the closing.

6 As Chairperson of the Alcoholic  
7 Beverage Control Board for the District of  
8 Columbia and in accordance with Section 405  
9 of the Open Meetings Amendment Act of 2010,  
10 I move that the ABC Board hold a closed  
11 meeting on March 7th, 2012 for the purpose  
12 of seeking legal advice from our counsel on  
13 the matters identified on the Board's agenda  
14 for March 7th, 2012, as published in the  
15 D.C. Register on March 2nd, 2012. Is there  
16 a second?

17 MEMBER NOPHLIN: Second.

18 CHAIRPERSON MILLER: I will take  
19 a roll call on the motion before us now that  
20 it has been seconded.

21 Mr. Nophlin?

22 MEMBER NOPHLIN: I agree.

1 CHAIRPERSON MILLER: Mr. Brooks?

2 MEMBER BROOKS: I agree.

3 CHAIRPERSON MILLER: Mr. Alberti?

4 MEMBER ALBERTI: I agree.

5 CHAIRPERSON MILLER: Ms. Miller

6 agrees.

7 Mr. Silverstein?

8 MEMBER SILVERSTEIN: I agree.

9 CHAIRPERSON MILLER: Ms. Mobley?

10 MEMBER MOBLEY: I agree.

11 As it appears that the motion has  
12 passed, I hereby give notice that the ABC  
13 Board will hold this aforementioned closed  
14 meeting. Pursuant to the Open Meetings  
15 Amendment Act of 2010, notice will also be  
16 posted on the ABC Board hearing room  
17 bulletin board, placed on the electronic  
18 calendar on ABRA's Web site, and published  
19 in the D.C. Register in as timely a manner  
20 as practicable.

21 As Chairperson of the Alcoholic  
22 Beverage Control Board for the District of

1 Columbia and in accordance with Section 405  
2 of Open Meetings Amendment Act of 2010, I  
3 move that the ABC Board hold a closed  
4 meeting on March 7th, 2012 for the purpose  
5 of discussing and hearing reports concerning  
6 ongoing or planned investigations of alleged  
7 criminal or civil misconduct or violations  
8 of the law or regulations and seeking legal  
9 advice from our counsel on the Board's  
10 investigative agenda for March 7th, 2012, as  
11 published in the D.C. Register on March 2nd,  
12 2012. Is there a second?

13 MEMBER SILVERSTEIN: Second.

14 CHAIRPERSON MILLER: I'll now  
15 poll the Board members.

16 Mr. Nophlin?

17 MEMBER NOPHLIN: I agree.

18 CHAIRPERSON MILLER: Mr. Brooks?

19 MEMBER BROOKS: I agree.

20 CHAIRPERSON MILLER: Mr. Alberti?

21 MEMBER ALBERTI: I agree.

22 CHAIRPERSON MILLER: Ms. Miller

1 agrees.

2 Mr. Silverstein?

3 MEMBER SILVERSTEIN: I agree.

4 CHAIRPERSON MILLER: Ms. Mobley?

5 MEMBER MOBLEY: I agree.

6 CHAIRPERSON MILLER: Okay. As it  
7 appears that the motion has passed, I give  
8 notice that the ABC Board will hold this  
9 aforementioned closed meeting. Pursuant to  
10 the Open Meetings Amendment Act of 2010,  
11 notice will also be posted on the ABC Board  
12 hearing room bulletin board, placed on the  
13 electronic calendar on ABRA's Web site, and  
14 published in the D.C. Register in as timely  
15 a manner as practicable.

16 And that completes our February  
17 29th, 2012 hearing today.

18 MEMBER MOBLEY: Adjourning at  
19 7:37 p.m.

20 CHAIRPERSON MILLER: Thank you.

21 (Whereupon, the hearing was  
22 concluded at 7:37 p.m.)

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