

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: Agenda
: Hearing
A.B.R.A. Agenda :
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April 3, 2013

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
HERMAN JONES, Member

MIKE SILVERSTEIN, Member

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

(5:10 p.m.)

CHAIRPERSON MILLER: This is the meeting agenda for Wednesday, April 3, 2013.

The first item on our agenda is a review of a refund request from Kebebush Kumessa, former owner of DK Foods, Inc. t/a Rainbow Market which is located at 626 Kennedy Street, N.W., License No. 82769.

I'm going off the record for a second.

(Whereupon, at 5:10 p.m. a recess until 5:11 p.m.)

CHAIRPERSON MILLER: I would move that we deny this refund request. This concerns a private agreement and the Agency will be applying the funds to next year's application.

Do I have a second on that?

MEMBER SILVERSTEIN: I second.

CHAIRPERSON MILLER: Mr. Silverstein has seconded the motion.

1 All those in favor of the motion
2 to deny say aye.

3 ALL: Aye.

4 CHAIRPERSON MILLER: All those
5 opposed? All those abstaining? Then the vote
6 is 4-0-0.

7 No. 2 is a manager's application
8 by Gray G. Knotter.

9 I move that we deny the
10 application.

11 Do I have a second?

12 MEMBER BROOKS: Second.

13 MEMBER SILVERSTEIN: Second.

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

16 MEMBER ALBERTI: What is this to
17 deny?

18 CHAIRPERSON MILLER: Yes.

19 MEMBER SILVERSTEIN: Yes.

20 MEMBER ALBERTI: Okay. Fine.

21 CHAIRPERSON MILLER: All those in
22 favor?

1 MEMBER ALBERTI: I would like to
2 comment on this one.

3 CHAIRPERSON MILLER: Well, wait,
4 it's confidential.

5 MEMBER ALBERTI: Mr. Knotter?

6 CHAIRPERSON MILLER: I think so,
7 manager's applications.

8 MEMBER ALBERTI: I'm not going to
9 reveal any -- I'm not going to reveal -- yes.
10 I mean, so fine. I'm -- I will only say that
11 I will not approve this motion.

12 CHAIRPERSON MILLER: Okay. So all
13 those in favor of the motion to deny, say aye.

14 MEMBER SILVERSTEIN: Aye.

15 CHAIRPERSON MILLER: Aye. All
16 those opposed? All those abstaining?

17 MEMBER ALBERTI: Oppose.

18 MEMBER BROOKS: Oppose.

19 CHAIRPERSON MILLER: Then the
20 motion passes by a vote of 4-0-0 to deny the
21 application.

22 MEMBER ALBERTI: No, no, no, no.

1 We have two opposing. Two people opposed.

2 CHAIRPERSON MILLER: I'm sorry.

3 Let me do this again.

4 There is a motion to deny the
5 manager's application. I believe it was
6 seconded by Mr. Brooks. Is that correct?

7 MEMBER SILVERSTEIN: I seconded
8 it.

9 CHAIRPERSON MILLER: Oh, okay.
10 Seconded by Mr. Silverstein.

11 MEMBER ALBERTI: Would you repeat
12 the motion for Mr. Herman Jones' benefit?

13 CHAIRPERSON MILLER: Sure. We are
14 on Agenda Item No. 2, a manager's application
15 of Gray G. Knotter and I moved that we deny
16 the application and Mr. Silverstein has
17 seconded the motion.

18 All those in favor of the motion
19 to deny the application on No. 2 of Mr.
20 Knotter, say aye.

21 MEMBER SILVERSTEIN: Aye.

22 CHAIRPERSON MILLER: Aye. This is

1 the one where you said I just want to put on
2 the record --

3 MEMBER JONES: So this is a
4 discussion now or oppose?

5 CHAIRPERSON MILLER: Oh, okay.
6 I'm sorry. I just wanted to clarify what the
7 -- I got a little confused.

8 MEMBER ALBERTI: This is the one
9 where I said I was going to oppose the
10 motion --

11 CHAIRPERSON MILLER: The motion.

12 MEMBER ALBERTI: -- to deny.

13 CHAIRPERSON MILLER: The motion.
14 Okay. All right. I'm going to start again
15 with the vote.

16 The motion is to deny the
17 application, seconded by Mr. Silverstein.

18 All those in favor say aye to
19 deny.

20 MEMBER SILVERSTEIN: Aye.

21 CHAIRPERSON MILLER: Aye. All
22 those opposed?

1 MEMBER ALBERTI: Opposed.

2 MEMBER BROOKS: Opposed.

3 MEMBER JONES: Opposed.

4 CHAIRPERSON MILLER: All those
5 abstaining? Then the motion fails by a vote
6 of 2-3-0.

7 MEMBER ALBERTI: I would like to
8 move that we refer this item to legal.

9 CHAIRPERSON MILLER: Okay.

10 MEMBER SILVERSTEIN: I second that
11 motion.

12 CHAIRPERSON MILLER: All right.
13 The motion -- there is a motion to refer this
14 application to legal that has been seconded by
15 Mr. Silverstein.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed? All those abstaining? That motion
20 passes 5-0-0 to refer to legal.

21 No. 3 is a manager's application
22 of Michael D. Audi. I move that we approve

1 this application.

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON MILLER: Mr.

4 Silverstein has seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON MILLER: All those

8 opposed? All those abstaining? The motion

9 passes 5-0-0.

10 No. 4 is a letter dated March 19,
11 2013 from on behalf of Washington Regional
12 Alcohol Program concerning 2013 St. Patrick's
13 Day SoberRide Campaign. This is an FYI. No
14 action is required on the part of the Board.

15 No. 5 is a review of a request for
16 termination of a settlement agreement between
17 ANC-6E, Bistro Bohem located at 1840 6th
18 Street, N.W., License No. 86825.

19 I move that we refer this to legal
20 and postpone it to after their review.

21 Do I have a second?

22 MEMBER ALBERTI: Second.

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

3 All those in favor say aye.

4 ALL: Aye.

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

8 No. 6, 7 and 8 are requests dated
9 March 22, 2013 from Washington Wholesale
10 Liquor Company regarding approval to provide
11 retailers with products valued at more than
12 \$50 and less than \$500. It's Washington
13 Wholesale Liquor Company, LLC located at 2800
14 V Street, N.E., License No. 60518.

15 I move that we approve all three
16 requests, 6, 7 and 8.

17 Do I have a second?

18 MEMBER BROOKS: Second.

19 CHAIRPERSON MILLER: Mr. Brooks
20 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 motion
3 passes 5-0-0.

4 No. 9 is an application for an
5 exception to single sale restrictions. There
6 are no pending investigative matters. No
7 pending enforcement matters. No outstanding
8 fines/citations. But there is a conflict with
9 the settlement agreement. And there is a
10 letter from ANC-6A opposing the application.

11 The establishment is Grand
12 Liquors, 409 15th Street, N.E., License No.
13 89508.

14 I move that we deny the
15 application.

16 Do I have a second?

17 MEMBER SILVERSTEIN: Second.

18 CHAIRPERSON MILLER: Mr.
19 Silverstein has seconded the motion. Any
20 other Board questions?

21 MEMBER ALBERTI: This is Grand
22 Liquors?

1 CHAIRPERSON MILLER: Yes.

2 MEMBER ALBERTI: Yes. I mean, I
3 will vote to deny the application because the
4 request is prohibited by the settlement
5 agreement that exists for this licensee.

6 CHAIRPERSON MILLER: Okay. Any
7 other comments? All right.

8 All those in favor of the motion
9 to deny say aye.

10 ALL: Aye.

11 CHAIRPERSON MILLER: All those
12 opposed? All those abstaining? The vote is
13 5-0-0.

14 No. 10 is an application for
15 change of hours and also an entertainment
16 endorsement. It is by The Blaguard located at
17 1400 18th Street, N.W., License No. 86012.

18 I move that we postpone our review
19 of this application.

20 Do I have a second?

21 MEMBER SILVERSTEIN: Second.

22 MEMBER BROOKS: Second.

1 MEMBER SILVERSTEIN: Mr. Brooks.

2 CHAIRPERSON MILLER: Mr. Brooks

3 has seconded the motion. Any comments?

4 All those in favor of the motion
5 to postpone say aye.

6 ALL: Aye.

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

10 No. 11 is a manager's application
11 for Panithansirikul Chamni.

12 I move that we deny this
13 application.

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 of the motion
19 to deny say aye.

20 ALL: Aye.

21 CHAIRPERSON MILLER: All those
22 opposed? All those abstaining? The motion

1 passes 5-0-0.

2 No. 12 is a letter dated March 4,
3 2013 from DC Metro Management, LLC. This is
4 from the Hudson Restaurant, License No.
5 077128, noting that the establishment has
6 closed and stating that its Class CR License
7 will not be renewed. Hudson is located at
8 2030 M Street, N.W.

9 No action is required, at this
10 time, on the part of the Board.

11 Okay. No. 13 is a letter dated
12 March 14, 2013 from ANC-7B requesting that the
13 Board deem all requests for extension of hours
14 as a substantial change.

15 This is an FYI. Also no action
16 required on the part of the Board.

17 No. 14 is a motion to discharge
18 and dismiss the Show Cause dated March 13,
19 2013 from Emanuel Mpras. The establishment is
20 Lotus located at 1420 K Street, N.W., License
21 No. 75162.

22 I move that we postpone

1 consideration of this motion pending receipt
2 of the Government's opposition.

3 Do I have a second?

4 MEMBER SILVERSTEIN: Second.

5 CHAIRPERSON MILLER: Mr.

6 Silverstein has seconded the motion.

7 All those in favor of the motion
8 say aye.

9 ALL: Aye.

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

13 No. 15 is a review of settlement
14 agreement dated March 14, 2013 between Alero
15 Restaurant and Cleveland Park Citizens
16 Association and Mark Rosenman. Alero
17 Restaurant is located at 3500 Connecticut
18 Avenue, N.W., License No. 13738.

19 Do any Board Members have comments
20 on this settlement agreement?

21 MEMBER ALBERTI: Yes, Item 1. And
22 I apologize. Where it says the -- Item 1

1 where it says "Salsa lessons which may include
2 acoustic guitar, DJs, dancing and a cover
3 charge," the Board cannot accept that the way
4 it is written.

5 The phrase Salsa lessons restricts
6 them to a particular genre of music and the
7 Board will not allow them -- or genre of dance
8 and the Board will not accept something that
9 is that discriminatory. They cannot specify
10 the genre of dance that the license can have
11 at their establishment.

12 CHAIRPERSON MILLER: Other
13 comments?

14 MEMBER ALBERTI: So to finish my
15 comment or just to add to my comment. I would
16 accept this with modifications to --
17 modifications that are acceptable to the Board
18 to Item 1.

19 CHAIRPERSON MILLER: Okay.
20 Others? Well, I would say I don't agree
21 necessarily with everything that you said, but
22 I would have no objection to the parties

1 editing this to be a little more generic. And
2 I guess the advantage of that also is if the
3 establishment changes in the future.

4 But in any event, okay, then I
5 guess the motion would be to approve with
6 minor modification to paragraph 1.

7 MEMBER ALBERTI: Second.

8 CHAIRPERSON MILLER: Okay. Any
9 other comments?

10 All those in favor then of the
11 motion to approve with minor modifications to
12 paragraph 1 say aye.

13 MEMBER SILVERSTEIN: Aye.

14 CHAIRPERSON MILLER: Aye.

15 MEMBER ALBERTI: Aye.

16 MEMBER BROOKS: Aye.

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

19 MEMBER JONES: Abstain.

20 CHAIRPERSON MILLER: Abstaining.

21 Mr. Jones abstains. Then the motion passes by
22 a vote of 4-0-1.

1 No. 16 is a review of settlement
2 agreement dated March 16, 2013 between 1905,
3 ANC-1B and the Westminster Civic Association.
4 1905 is located at 1905 9th Street, N.W.,
5 License No. 77350.

6 All right. I have one objection
7 to their Paragraph No. 2 and that is the
8 sentence that says "applicant will not utilize
9 panhandlers or homeless persons to pick up
10 trash and litter," that's discriminatory. So
11 I would move that one of the modifications to
12 this agreement be the deletion of that line.

13 Do others have --

14 MEMBER ALBERTI: Yes, I have --

15 CHAIRPERSON MILLER: Yes, you do.

16 MEMBER ALBERTI: -- a comment to
17 Item 1. No, I agree on this one.

18 CHAIRPERSON MILLER: Okay.

19 MEMBER ALBERTI: Item 1 where they
20 state that the parties agree that all changes
21 to their specified model would be considered
22 a substantial change. I object to the

1 inclusion of that stipulation in the voluntary
2 agreement. It is the purview of the Board and
3 no one else to determine what is a substantial
4 change.

5 CHAIRPERSON MILLER: I just would
6 disagree. I agree with your concept, but I
7 don't agree with the application in this case,
8 because it says it is going to be considered
9 by them to be a substantial change. So that's
10 why that doesn't bother me, but I understand
11 that the official finding of substantial
12 change is to be made by the Board.

13 So perhaps it can be communicated
14 better, that their intent of just signaling
15 the Board what they consider. Is that what
16 you mean?

17 MEMBER JONES: Talking about the
18 nature and the use of that language, in
19 particular, because --

20 CHAIRPERSON MILLER: Okay.

21 MEMBER JONES: -- substantial
22 change has a certain meaning. So given that

1 it does have a representative meaning, legal
2 meaning, I am concerned about the nature of
3 that language being used in that way in that
4 document to be approved by this body, given
5 our actionable understanding of what the
6 terminology means.

7 Therefore, I would have some level
8 of discomfort associated with that without
9 different clarification of their intent and
10 perhaps, for the record, some change in their
11 language associated therewith to better
12 reflect their intent.

13 CHAIRPERSON MILLER: Others?

14 MEMBER SILVERSTEIN: Yes.

15 CHAIRPERSON MILLER: Yes?

16 MEMBER SILVERSTEIN: I agree with
17 my colleagues. The Board is to determine what
18 is a substantial change. And I think that
19 there should be a change in the language to
20 make it clear that we are the ones who have to
21 make that determination legally. It is a
22 legal term.

1 CHAIRPERSON MILLER: Okay. And
2 maybe it's to communicate that they would like
3 us to make that determination under certain
4 conditions or something to that effect. So we
5 can have our legal counsel work or communicate
6 with them regarding that issue.

7 Any other issues?

8 MEMBER JONES: Well, just to be
9 clear.

10 CHAIRPERSON MILLER: Yes.

11 MEMBER JONES: Just make sure in
12 that statement it does not implied that we are
13 involved in the process.

14 CHAIRPERSON MILLER: Right.

15 MEMBER JONES: We are not involved
16 in that process. So if they seek, then we can
17 provide feedback to a limited degree.

18 MEMBER ALBERTI: This may be
19 helpful to the parties. I am accepting of the
20 language that says that they agree that any
21 change would be of concern to the community.

22 CHAIRPERSON MILLER: Okay. I'm

1 not sure if that's what they are trying to
2 communicate though. They might be trying to
3 communicate more.

4 MEMBER ALBERTI: Well, they can
5 tell us what they would like to communicate.

6 CHAIRPERSON MILLER: Yes, yes.
7 Okay. Okay. Then I would move that we
8 approve this settlement agreement with minor
9 modifications to include deleting the last
10 line of Paragraph No. 2 and changing the
11 substantial change language in Paragraph No.
12 1 in consultation with our legal staff.

13 Do I have a second?

14 MEMBER SILVERSTEIN: Second.

15 MEMBER JONES: Unreadiness?

16 CHAIRPERSON MILLER: What?

17 MEMBER JONES: Unreadiness.

18 MEMBER ALBERTI: You what?

19 MEMBER SILVERSTEIN: Unreadiness.

20 MEMBER JONES: Unreadiness.

21 CHAIRPERSON MILLER: What

22 unreadiness? What's unreadiness?

1 MEMBER JONES: I have a point of
2 concern.

3 CHAIRPERSON MILLER: Oh, oh this
4 one?

5 MEMBER JONES: Regarding the
6 motion.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER JONES: I have some
9 unreadiness related to the motion.

10 CHAIRPERSON MILLER: Okay. Speak
11 to it.

12 MEMBER JONES: Regarding the
13 motion.

14 CHAIRPERSON MILLER: Okay.

15 MEMBER JONES: That being we are
16 saying that we are going to -- we are voting.
17 The motion is to accept the settlement
18 agreement with the modifications. However,
19 given that we have not and cannot explicitly
20 state to them what those modifications should
21 be, I am concerned about how we could vote to
22 accept a document that we haven't had an

1 opportunity or legal had an opportunity to
2 review said modifications.

3 Those modifications may not still
4 be able or be sufficient enough to comport
5 with addressing our concerns.

6 MEMBER ALBERTI: May I make a
7 friendly -- attempt to make a friendly
8 amendment to the motion?

9 CHAIRPERSON MILLER: Sure. Okay.

10 MEMBER ALBERTI: I believe that we
11 should amend the motion to say that we would
12 accept the voluntary agreement with amendments
13 to Items 1 and 2, with modifications to Items
14 1 and 2 that are acceptable to the Board. Do
15 you accept that, Madam Chair?

16 CHAIRPERSON MILLER: I'll accept
17 that.

18 MEMBER JONES: Okay.

19 MEMBER ALBERTI: Thank you.

20 CHAIRPERSON MILLER: Okay.

21 MEMBER ALBERTI: I second the
22 motion.

1 CHAIRPERSON MILLER: Then the
2 motion has been seconded by Mr. Alberti. Any
3 other comments?

4 All those in favor then of the
5 motion say aye.

6 ALL: Aye.

7 CHAIRPERSON MILLER: All those
8 opposed? All those abstaining? Then the
9 motion passes 5-0-0.

10 No. 17 is a settlement agreement
11 amendment dated March 22, 2013 between Modern
12 Liquors and ANC-2F. Modern Liquors is located
13 at 901 M Street, N.W., License No. 84387.

14 I move that we approve this
15 settlement agreement amendment.

16 Do I have a second?

17 MEMBER ALBERTI: Second.

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

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON MILLER: All those

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

3 No. 18 is a review of our
4 Technical Amendment Rulemaking 2013. I move
5 that we approve this rulemaking.

6 Do I have a second?

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON MILLER: Mr.
9 Silverstein has seconded the motion. Any
10 comments?

11 All those in favor say aye.

12 ALL: Aye.

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

16 Okay. That concludes our regular
17 meeting agenda. We have a few items on our
18 supplemental agenda.

19 The first one is a request from
20 Martin Schaeffer, Esq. on behalf of Irene S.
21 Wenger and Sheldon Arpad, owners of property
22 located at 3123 and 3125 M Street, N.W., for

1 an involuntary transfer of an ABC license.

2 The establishment is Me N Yu located at 3123
3 M Street, N.W., License No. 60425.

4 I move that we approve this
5 request.

6 Do I have a second?

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON MILLER: Mr.

9 Silverstein has seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

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

15 No. 2 is a request from John
16 Sneed, owner of Rockland Barbeque and
17 Grilling Company, for issuance of a CT or DT
18 license for land with a street address of 1271
19 1st Street, S.E. The requestor seeks approval
20 to store alcohol off-site and bring to and
21 remove from site daily utilizing own vehicles.

22 I move that we refer this request

1 to legal.

2 Do I have a second?

3 MEMBER ALBERTI: Second.

4 CHAIRPERSON MILLER: Mr. Alberti
5 seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON MILLER: All those
9 opposed? All those abstaining? Okay. The
10 motion passes 4-0-0.

11 Okay. No. 3 and 4, right, apply
12 to MIA located at 1214 18th Street, N.W.,
13 License No. 81092.

14 No. 3 is the District's opposition
15 to respondent's Motion to Vacate, Discharge
16 and Dismiss Show Cause dated March 29, 2013
17 from Louise Phillips.

18 And 4 is a reply in support of the
19 Motion to Vacate, Discharge and Dismiss Show
20 Cause dated April 1, 2013 from Emanuel Mpras.

21 MIA is located at 1214 18th Street,
22 N.W., License No. 81092.

1 I move that we schedule the
2 motion, opposition reply, argument to next
3 Wednesday, April 10th at 3:30 p.m. Schedule
4 them for oral argument.

5 Do I have a second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON MILLER: Okay. Mr.

8 Silverstein has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON MILLER: All those

12 opposed? All those abstaining? Then the

13 motion passes by a vote of 4-0-0.

14 Okay. That completes our
15 supplemental agenda and it completes all our
16 business for April 3, 2013.

17 (Whereupon, at 5:37 p.m. a recess
18 until 5:38 p.m.)

19 CHAIRPERSON MILLER: All right.

20 As Chairperson of the Alcoholic Beverage
21 Control Board for the District of Columbia and
22 in accordance with Section 405 of the Open

1 Meetings Amendment Act of 2010, I move that
2 the ABC Board hold a closed meeting on April
3 10, 2013 for the purpose of seeking legal
4 advice from our counsel on the matters
5 identified on the Board's Agenda for April 10,
6 2013, as published in the DC Register on April
7 5, 2013.

8 Is there a second?

9 MEMBER SILVERSTEIN: Second.

10 CHAIRPERSON MILLER: Mr.

11 Silverstein has seconded the motion. I'll
12 take a roll call vote.

13 Mr. Alberti?

14 MEMBER ALBERTI: Yes, 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: The motion
22 passes by a vote of 4-0-0.

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

9 As Chairperson of the Alcoholic
10 Beverage Control Board for the District of
11 Columbia and in accordance with Section 405 of
12 the Open Meetings Amendment Act of 2010, I
13 move that the ABC Board hold a closed meeting
14 on April 10, 2013 for the purpose of
15 discussing and hearing reports concerning
16 ongoing or planned investigations of alleged
17 criminal or civil misconduct or violations of
18 law or regulations and seeking legal advice
19 from our counsel on the Board's investigative
20 agenda for April 10, 2013 as published in the
21 DC Register on April 5, 2013.

22 Is there a second?

1 MEMBER ALBERTI: Second.

2 CHAIRPERSON MILLER: Mr. Alberti
3 seconded the motion. I'll now take a roll
4 call.

5 Mr. Alberti?

6 MEMBER ALBERTI: I agree.

7 CHAIRPERSON MILLER: Ms. Miller
8 agrees.

9 Mr. Jones?

10 MEMBER JONES: I agree.

11 CHAIRPERSON MILLER: Mr. Jones
12 agrees.

13 So the motion is passed by a vote
14 of 3-0-0.

15 I hereby give notice that the ABC
16 Board will hold this aforementioned closed
17 meeting pursuant to the Open Meetings
18 Amendment Act of 2010. Notice will also be
19 posted on the ABC Board hearing room bulletin
20 board, placed on the electronic calendar on
21 ABRA's website and published in the DC
22 Register in as timely a manner as practicable.

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And that concludes our business
for April 3, 2013 and the Board is adjourned.
(Whereupon, the A.B.R.A. Agenda in
the above-entitled matter was concluded at
5:40 p.m.)

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