

Capital Reporting Company
ABRA - Agenda 11-07-2012

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DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD
MEETING

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IN THE MATTER OF: :

A.B.R.A. AGENDA :

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November 7, 2012

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

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<p style="text-align: right;">2</p> <p>1 PRESENT</p> <p>2</p> <p>3 RUTHANNE MILLER, Chairperson</p> <p>4 NICK ALBERTI, Member</p> <p>5 DONALD BROOKS, Member</p> <p>6 HERMAN JONES, Member</p> <p>7 CALVIN NOPHLIN, Member</p> <p>8 MIKE SILVERSTEIN, Member</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p style="text-align: right;">4</p> <p>1 CHAIRPERSON MILLER: All those abstaining?</p> <p>2 (No audible response.)</p> <p>3 CHAIRPERSON MILLER: The motion to approve</p> <p>4 passes by a vote of 4-0-0.</p> <p>5 No. 2 is a letter dated November 2, 2012 from</p> <p>6 Andrew Kline indicating that no bill of sale for Radius</p> <p>7 exists in order to complete the license transfer. A</p> <p>8 release of liens as executed by the Office of Tax and</p> <p>9 Revenue have been provided in lieu of the bill of sale.</p> <p>10 This is for Radius, located at 3155 Mount Pleasant</p> <p>11 Street, N.W., License No. 81818. I move that we refer</p> <p>12 this to Licensing to make certain corrections in the</p> <p>13 transfer form. Do I have --</p> <p>14 MR. ALBERTI: Second.</p> <p>15 CHAIRPERSON MILLER: -- a second? Mr.</p> <p>16 Alberti has seconded the motion. All those in favor,</p> <p>17 say aye?</p> <p>18 (Chorus of ayes.)</p> <p>19 CHAIRPERSON MILLER: All those opposed?</p> <p>20 (No audible response.)</p> <p>21 CHAIRPERSON MILLER: All those abstaining?</p> <p>22 (No audible response.)</p>
<p style="text-align: right;">3</p> <p>1 PROCEEDINGS</p> <p>2 6:07 p.m.</p> <p>3 CHAIRPERSON MILLER: -- calendar now for the</p> <p>4 meeting's supplemental agenda, which is pretty short.</p> <p>5 No. 1 is a letter from Candace M. Fitch on</p> <p>6 behalf of the Licensee requesting approval of an</p> <p>7 increase of two people for the total load based on the</p> <p>8 newly issued certificate of occupancy with a total</p> <p>9 occupancy load of 150. This Licensee was previously</p> <p>10 placarded for a total of 148 seats. The application</p> <p>11 was approved by the Board but not yet issued.</p> <p>12 It's for Satellite Room, 2047 9th Street,</p> <p>13 N.W., License No. 87296. I move that we approve this</p> <p>14 addition of two seats.</p> <p>15 MR. ALBERTI: Second.</p> <p>16 CHAIRPERSON MILLER: Comments?</p> <p>17 (No audible response.)</p> <p>18 CHAIRPERSON MILLER: All those in favor, say</p> <p>19 aye?</p> <p>20 (Chorus of ayes.)</p> <p>21 CHAIRPERSON MILLER: All those opposed?</p> <p>22 (No audible response.)</p>	<p style="text-align: right;">5</p> <p>1 CHAIRPERSON MILLER: The vote is 5-0-0.</p> <p>2 No. 3 is a request for a stipulated license</p> <p>3 dated October 31, 2012 and letter of support from ANC</p> <p>4 6D. The establishment is Krupa, located at 301 Tingey</p> <p>5 Street, S.E., License No. 90630. I move that we</p> <p>6 postpone this for another week to get more information</p> <p>7 on this application -- on this request.</p> <p>8 MR. ALBERTI: Second.</p> <p>9 CHAIRPERSON MILLER: Mr. Alberti has seconded</p> <p>10 the motion. All those in favor, say aye?</p> <p>11 (Chorus of ayes.)</p> <p>12 CHAIRPERSON MILLER: All those opposed?</p> <p>13 (No audible response.)</p> <p>14 CHAIRPERSON MILLER: All those abstaining?</p> <p>15 (No audible response.)</p> <p>16 CHAIRPERSON MILLER: The motion passes by a</p> <p>17 vote of 5-0-0.</p> <p>18 No. 4 is a request from Stephen O'Brien</p> <p>19 seeking conditional approval of a stipulated license</p> <p>20 for use of the expansion portion of the premises</p> <p>21 pending receipt of ANC 2C approval letter. The ANC is</p> <p>22 meeting this evening, November 7th, 2012. No pending</p>

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<p style="text-align: right;">6</p> <p>1 investigative matters, no outstanding fines or 2 citations, no voluntary agreement. 3 The establishment is Bistro Bohem, located in 4 ANC 2C, at 1840 6th Street, N.W., License No. 86825. I 5 move that we approve conditioned upon ANC approval this 6 evening. 7 Do I have a second? 8 MR. ALBERTI: Second. 9 CHAIRPERSON MILLER: Mr. Alberti has seconded 10 the motion. All those in favor, say aye? 11 (Chorus of ayes.) 12 CHAIRPERSON MILLER: All those opposed? 13 (No audible response.) 14 CHAIRPERSON MILLER: All those abstaining? 15 (No audible response.) 16 CHAIRPERSON MILLER: The motion passes 5-0-0. 17 No. 5 is an approval of a proposed rulemaking 18 to determine the requirements of safety plans published 19 on October 31, 2012. I move that we approve this 20 proposed rulemaking. 21 Do I have a second? 22 MR. SILVERSTEIN: Second.</p>	<p style="text-align: right;">8</p> <p>1 vote on the motion now that it's been seconded by Mr. 2 Silverstein. Mr. Brooks? 3 MR. BROOKS: I agree. 4 CHAIRPERSON MILLER: Mr. Alberti? 5 MR. ALBERTI: I agree. 6 CHAIRPERSON MILLER: Ms. Miller agrees. Mr. 7 Silverstein? 8 MR. SILVERSTEIN: I agree. 9 CHAIRPERSON MILLER: Mr. Jones? 10 MR. JONES: I agree. 11 CHAIRPERSON MILLER: The motion passes by a 12 vote of 5-0-0. I hereby give notice that the ABC Board 13 will hold this aforementioned closed meeting. Pursuant 14 to the Open Meetings Amendment Act of 2010, notice will 15 also be posted on the ABC Board hearing room bulletin 16 board, placed on the electronic calendar on ABRA's 17 website and published in the DC Register in as timely a 18 manner as practical. 19 As Chairperson of the Alcoholic Beverage 20 Control Board for the District of Columbia and in 21 accordance with Section 405 of the Open Meetings 22 Amendment Act of 2010, I move that the ABC Board hold a</p>
<p style="text-align: right;">7</p> <p>1 CHAIRPERSON MILLER: Mr. Silverstein has 2 seconded the motion. All those in favor, say aye? 3 (Chorus of ayes.) 4 CHAIRPERSON MILLER: All those opposed? 5 (No audible response.) 6 CHAIRPERSON MILLER: All those abstaining? 7 (No audible response.) 8 CHAIRPERSON MILLER: The vote is 5-0-0 to 9 approve the motion. That completes our meeting of the 10 supplemental agenda. And all that is left is now my 11 reading of the provisions under the Open Meetings Act. 12 As Chairperson of the Alcoholic Beverage 13 Control Board for the District of Columbia and in 14 accordance with Section 405 of the Open Meetings 15 Amendment Act of 2010, I move that the ABC Board hold a 16 closed meeting on November 14 for the purpose of 17 seeking legal advice from our counsel on the matters 18 identified on the Board's agenda for November 14, as 19 published in the DC Register on November 9, 2012. 20 Is there a second? 21 MR. SILVERSTEIN: Second. 22 CHAIRPERSON MILLER: I'll take a roll call</p>	<p style="text-align: right;">9</p> <p>1 closed meeting on November 14th, 2012 for the purpose 2 of discussing and hearing reports concerning ongoing or 3 planned investigations of alleged criminal or civil 4 misconduct or violations of law or regulations and 5 seeking legal advice from our counsel on the Board's 6 investigative agenda for November 14, 2012, as 7 published in the DC Register on November 9th, 2012. 8 Is there a second? 9 MR. ALBERTI: Second. 10 CHAIRPERSON MILLER: Mr. Alberti has seconded 11 the motion. I will now take a roll call vote. Mr. 12 Brooks? 13 MR. BROOKS: I agree. 14 CHAIRPERSON MILLER: Mr. Alberti? 15 MR. ALBERTI: I agree. 16 CHAIRPERSON MILLER: Ms. Miller agrees. Mr. 17 Silverstein? 18 MR. SILVERSTEIN: I agree. 19 CHAIRPERSON MILLER: Mr. Jones? 20 MR. JONES: I agree. 21 CHAIRPERSON MILLER: As it appears the motion 22 has passed by a 5-0-0 vote, I hereby give notice that</p>

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<p style="text-align: right;">10</p> <p>1 the ABC Board will hold this aforementioned closed 2 meeting. Pursuant to the Open Meetings Amendment Act 3 of 2010, notice will also be posted on the ABC Board 4 hearing room bulletin board, placed on the electronic 5 calendar on ABRA's website and published in the DC 6 Register in as timely a manner as practical. 7 And that completes the matter before the ABC 8 Board for November 7th, 2012 and we are adjourned. 9 (WHEREUPON, at 6:13 p.m., the hearing was 10 concluded.) 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p style="text-align: right;">12</p> <p style="text-align: center;">1 CERTIFICATE OF TRANSCRIPTION 2 3 I, MIRANDA PENNACHI, hereby certify that I am not 4 the Court Reporter who reported the following 5 proceeding and that I have typed the transcript of this 6 proceeding using the Court Reporter's notes and 7 recordings. The foregoing/attached transcript is a 8 true, correct and complete transcription of said 9 proceeding. 10 11 12 13 _____ Date MIRANDA PENNACHI 14 Transcriptionist 15 16 17 18 19 20 21 22</p>
<p style="text-align: right;">11</p> <p style="text-align: center;">1 CERTIFICATE OF REPORTER 2 3 I, ERICK MCNAIR, the officer before whom the 4 foregoing hearing was taken, do hereby certify that 5 the testimony appearing in the foregoing pages was 6 recorded by me and thereafter reduced to typewriting 7 under my direction; that said transcription is a true 8 record of the testimony given by said parties; that I 9 am neither counsel for, related to, nor employed by 10 any of the parties to the action in which this hearing 11 was taken; and, further, that I am not a relative or 12 employee of any counsel or attorney employed by the 13 parties hereto, nor financially or otherwise 14 interested in the outcome of this action. 15 16 17 18 19 ERICK MCNAIR Court Reporter 20 21 22</p>	

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