

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.

Capital Reporting Company
ABRA - Agenda 11-07-2012

1 PRESENT

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3 RUTHANNE MILLER, Chairperson

4 NICK ALBERTI, Member

5 DONALD BROOKS, Member

6 HERMAN JONES, Member

7 CALVIN NOPHLIN, Member

8 MIKE SILVERSTEIN, Member

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Capital Reporting Company
ABRA - Agenda 11-07-2012

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

2 6:07 p.m.

3 CHAIRPERSON MILLER: -- calendar now for the
4 meeting's supplemental agenda, which is pretty short.

5 No. 1 is a letter from Candace M. Fitch on
6 behalf of the Licensee requesting approval of an
7 increase of two people for the total load based on the
8 newly issued certificate of occupancy with a total
9 occupancy load of 150. This Licensee was previously
10 placarded for a total of 148 seats. The application
11 was approved by the Board but not yet issued.

12 It's for Satellite Room, 2047 9th Street,
13 N.W., License No. 87296. I move that we approve this
14 addition of two seats.

15 MR. ALBERTI: Second.

16 CHAIRPERSON MILLER: Comments?

17 (No audible response.)

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

20 (Chorus of ayes.)

21 CHAIRPERSON MILLER: All those opposed?

22 (No audible response.)

Capital Reporting Company
ABRA - Agenda 11-07-2012

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1 CHAIRPERSON MILLER: All those abstaining?

2 (No audible response.)

3 CHAIRPERSON MILLER: The motion to approve

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

5 No. 2 is a letter dated November 2, 2012 from

6 Andrew Kline indicating that no bill of sale for Radius

7 exists in order to complete the license transfer. A

8 release of liens as executed by the Office of Tax and

9 Revenue have been provided in lieu of the bill of sale.

10 This is for Radius, located at 3155 Mount Pleasant

11 Street, N.W., License No. 81818. I move that we refer

12 this to Licensing to make certain corrections in the

13 transfer form. Do I have --

14 MR. ALBERTI: Second.

15 CHAIRPERSON MILLER: -- a second? Mr.

16 Alberti has seconded the motion. All those in favor,

17 say aye?

18 (Chorus of ayes.)

19 CHAIRPERSON MILLER: All those opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those abstaining?

22 (No audible response.)

Capital Reporting Company
ABRA - Agenda 11-07-2012

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1 CHAIRPERSON MILLER: The vote is 5-0-0.

2 No. 3 is a request for a stipulated license
3 dated October 31, 2012 and letter of support from ANC
4 6D. The establishment is Krupa, located at 301 Tingey
5 Street, S.E., License No. 90630. I move that we
6 postpone this for another week to get more information
7 on this application -- on this request.

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 by a
17 vote of 5-0-0.

18 No. 4 is a request from Stephen O'Brien
19 seeking conditional approval of a stipulated license
20 for use of the expansion portion of the premises
21 pending receipt of ANC 2C approval letter. The ANC is
22 meeting this evening, November 7th, 2012. No pending

Capital Reporting Company
ABRA - Agenda 11-07-2012

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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.

Capital Reporting Company
ABRA - Agenda 11-07-2012

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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

Capital Reporting Company
ABRA - Agenda 11-07-2012

8

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

Capital Reporting Company
ABRA - Agenda 11-07-2012

9

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

Capital Reporting Company
ABRA - Agenda 11-07-2012

10

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.)

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Capital Reporting Company
ABRA - Agenda 11-07-2012

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1 CERTIFICATE OF REPORTER

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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.

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ERICK MCNAIR
Court Reporter

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Capital Reporting Company
ABRA - Agenda 11-07-2012

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CERTIFICATE OF TRANSCRIPTION

I, MIRANDA PENNACHI, hereby certify that I am not the Court Reporter who reported the following proceeding and that I have typed the transcript of this proceeding using the Court Reporter's notes and recordings. The foregoing/attached transcript is a true, correct and complete transcription of said proceeding.

Date

MIRANDA PENNACHI
Transcriptionist

Capital Reporting Company

ABRA - Agenda 11-07-2012

Page 1

<p><u>1</u> 1 3:5 14 7:16,18 9:6 148 3:10 14th 1:15 9:1 150 3:9 1840 6:4</p> <hr/> <p><u>2</u> 2 4:5 2000 1:15 2010 7:15 8:14,22 10:3 2012 1:11 4:5 5:3,22 6:19 7:19 9:1,6,7 10:8 2047 3:12 2C 5:21 6:4</p> <hr/> <p><u>3</u> 3 5:2 301 5:4 31 5:3 6:19 3155 4:10</p> <hr/> <p><u>4</u> 4 5:18 4-0-0 4:4 405 7:14 8:21</p> <hr/> <p><u>5</u> 5 6:17 5-0-0 5:1,17 6:16 7:8 8:12 9:22</p> <hr/> <p><u>6</u> 6:07 3:2</p>	<p>6:13 10:9 6D 5:4 6th 6:4</p> <hr/> <p><u>7</u> 7 1:11 7th 5:22 10:8</p> <hr/> <p><u>8</u> 81818 4:11 86825 6:4 87296 3:13</p> <hr/> <p><u>9</u> 9 7:19 90630 5:5 9th 3:12 9:7</p> <hr/> <p><u>A</u> A.B.R.A 1:7 ABC 7:15 8:12,15,22 10:1,3,7 ABRA's 8:16 10:5 abstaining 4:1,21 5:14 6:14 7:6 accordance 7:14 8:21 Act 7:11,15 8:14,22 10:2 action 11:10,14 addition 3:14 adjourned 10:8 advice 7:17 9:5 aforementioned 8:13 10:1 agenda 1:7 3:4</p>	<p>7:10,18 9:6 agreement 6:2 Alberti 2:4 3:15 4:14,16 5:8,9 6:8,9 8:4,5 9:9,10,14,15 Alcoholic 1:2,13,14 7:12 8:19 alleged 9:3 am 11:9,11 12:3 Amendment 7:15 8:14,22 10:2 ANC 5:3,21 6:4,5 Andrew 4:6 appearing 11:5 appears 9:21 application 3:10 5:7 approval 3:6 5:19,21 6:5,17 approve 3:13 4:3 6:5,19 7:9 approved 3:11 attorney 11:12 audible 3:17,22 4:2,20,22 5:13,15 6:13,15 7:5,7 aye 3:19 4:17 5:10 6:10 7:2 ayes 3:20 4:18 5:11 6:11 7:3</p> <hr/> <p><u>B</u> based 3:7 behalf 3:6</p>	<p>Beverage 1:2,13,14 7:12 8:19 bill 4:6,9 Bistro 6:3 board 1:2,13 3:11 7:13,15 8:12,15,16,20,22 10:1,3,4,8 Board's 7:18 9:5 Bohem 6:3 Brooks 2:5 8:2,3 9:12,13 Building 1:15 bulletin 8:15 10:4</p> <hr/> <p><u>C</u> calendar 3:3 8:16 10:5 CALVIN 2:7 Candace 3:5 certain 4:12 certificate 3:8 11:1 12:1 certify 11:4 12:3 Chairperson 1:16 2:3 3:3,16,18,21 4:1,3,15,19,21 5:1,9,12,14,16 6:9,12,14,16 7:1,4,6,8,12,22 8:4,6,9,11,19 9:10,14,16,19,21 Chorus 3:20 4:18 5:11 6:11 7:3 citations 6:2 civil 9:3 closed 7:16 8:13</p>
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Capital Reporting Company
 ABRA - Agenda 11-07-2012
 Page 2

<p>9:1 10:1 Columbia 1:1 7:13 8:20 Comments 3:16 complete 4:7 12:8 completes 7:9 10:7 concerning 9:2 concluded 10:10 conditional 5:19 conditioned 6:5 Control 1:2,13,14 7:13 8:20 correct 12:8 corrections 4:12 counsel 7:17 9:5 11:9,12 Court 11:19 12:4,6 criminal 9:3</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:15 Date 12:13 dated 4:5 5:3 DC 7:19 8:17 9:7 10:5 determine 6:18 direction 11:7 discussing 9:2 District 1:1 7:13 8:20 DONALD 2:5</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>electronic 8:16 10:4 employed 11:9,12</p>	<p>employee 11:12 ERICK 11:3,18 establishment 5:4 6:3 evening 5:22 6:6 executed 4:8 exists 4:7 expansion 5:20</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>favor 3:18 4:16 5:10 6:10 7:2 financially 11:13 fines 6:1 Fitch 3:5 foregoing 11:4,5 foregoing/ attached 12:7 form 4:13</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>given 11:8</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hearing 1:14 8:15 9:2 10:4,9 11:4,10 hereby 8:12 9:22 11:4 12:3 hereto 11:13 HERMAN 2:6 hold 7:15 8:13,22 10:1</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>identified 7:18 I'll 7:22</p>	<p>increase 3:7 indicating 4:6 information 5:6 interested 11:14 investigations 9:3 investigative 6:1 9:6 issued 3:8,11 it's 3:12 8:1</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Jones 2:6 8:9,10 9:19,20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kline 4:6 Krupa 5:4</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>law 9:4 legal 7:17 9:5 letter 3:5 4:5 5:3,21 license 3:13 4:7,11 5:2,5,19 6:4 Licensee 3:6,9 Licensing 4:12 liens 4:8 lieu 4:9 load 3:7,9 located 4:10 5:4 6:3</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>manner 8:18 10:6 matter 1:6 10:7</p>	<p>matters 6:1 7:17 MCNAIR 11:3,18 meeting 1:3 5:22 7:9,16 8:13 9:1 10:2 meeting's 3:4 Meetings 7:11,14 8:14,21 10:2 Member 2:4,5,6,7,8 met 1:13 MIKE 2:8 Miller 1:16 2:3 3:3,16,18,21 4:1,3,15,19,21 5:1,9,12,14,16 6:9,12,14,16 7:1,4,6,8,22 8:4,6,9,11 9:10,14,16,19,21 MIRANDA 12:3,13 misconduct 9:4 motion 4:3,16 5:10,16 6:10,16 7:2,9 8:1,11 9:11,21 Mount 4:10 move 3:13 4:11 5:5 6:5,19 7:15 8:22</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:15 3:13 4:11 6:4 neither 11:9 newly 3:8 NICK 2:4 NOPHLIN 2:7</p>
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Capital Reporting Company

ABRA - Agenda 11-07-2012

Page 3

<p>nor 11:9,13 notes 12:6 notice 8:12,14 9:22 10:3 November 1:11 4:5 5:22 7:16,18,19 9:1,6,7 10:8</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O'Brien 5:18 occupancy 3:8,9 October 5:3 6:19 Office 4:8 officer 11:3 ongoing 9:2 Open 7:11,14 8:14,21 10:2 opposed 3:21 4:19 5:12 6:12 7:4 order 4:7 otherwise 11:13 outcome 11:14 outstanding 6:1</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m 3:2 10:9 pages 11:5 parties 11:8,10,13 passed 9:22 passes 4:4 5:16 6:16 8:11 pending 5:21,22 PENNACHI 12:3,13 people 3:7</p>	<p>placarded 3:10 placed 8:16 10:4 planned 9:3 plans 6:18 Pleasant 4:10 portion 5:20 posted 8:15 10:3 postpone 5:6 practical 8:18 10:6 premises 5:20 PRESENT 2:1 presiding 1:16 pretty 3:4 previously 3:9 proceeding 12:5,6,9 proposed 6:17,20 provided 4:9 provisions 7:11 published 6:18 7:19 8:17 9:7 10:5 purpose 7:16 9:1 Pursuant 8:13 10:2</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>Radius 4:6,10 reading 7:11 receipt 5:21 record 11:8 recorded 11:6 recordings 12:7 reduced 11:6</p>	<p>Reeves 1:14 refer 4:11 Register 7:19 8:17 9:7 10:6 regulations 9:4 related 11:9 relative 11:11 release 4:8 reported 12:4 Reporter 11:1,19 12:4 Reporter's 12:6 reports 9:2 request 5:2,7,18 requesting 3:6 requirements 6:18 response 3:17,22 4:2,20,22 5:13,15 6:13,15 7:5,7 Revenue 4:9 roll 7:22 9:11 room 1:14 3:12 8:15 10:4 rulemaking 6:17,20 Ruthanne 1:16 2:3</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>S.E 5:5 safety 6:18 sale 4:6,9 Satellite 3:12 seats 3:10,14 second 3:15 4:14,15 5:8</p>	<p>6:7,8,21,22 7:20,21 9:8,9 seconded 4:16 5:9 6:9 7:2 8:1 9:10 Section 7:14 8:21 seeking 5:19 7:17 9:5 short 3:4 Silverstein 2:8 6:22 7:1,21 8:2,7,8 9:17,18 Stephen 5:18 stipulated 5:2,19 Street 1:15 3:12 4:11 5:5 6:4 supplemental 3:4 7:10 support 5:3</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>Tax 4:8 testimony 11:5,8 thereafter 11:6 timely 8:17 10:6 Tingey 5:4 total 3:7,8,10 transcript 12:5,7 transcription 11:7 12:1,8 Transcriptionist 12:14 transfer 4:7,13 true 11:7 12:8 typed 12:5 typewriting 11:6</p>
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<p>U upon 6:5</p> <p>V violations 9:4 voluntary 6:2 vote 4:4 5:1,17 7:8 8:1,12 9:11,22</p> <p>W Washington 1:15 website 8:17 10:5 week 5:6 WHEREUPON 10:9 whom 11:3</p> <p>Y yet 3:11</p>			
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