

Capital Reporting Company  
In the Matter of: A.B.R.A. Agenda 08-08-2012

DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

-----x  
: IN THE MATTER OF: :  
: :  
: A.B.R.A. AGENDA :  
: :  
-----x

August 8, 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.

PRESENT

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HERMAN JONES, Member  
CALVIN NOPHLIN, Member

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<p style="text-align: right;">2</p> <p>1           P R O C E E D I N G S</p> <p>2                               9:00 p.m.</p> <p>3           CHAIRPERSON MILLER: Okay, I'm going to</p> <p>4 start. We have a quorum. Okay. Yeah. Okay, we're back</p> <p>5 on the record for the meeting agenda for August 8,</p> <p>6 2012.</p> <p>7           First item on the agenda is a review of</p> <p>8 change of hours application to change the hours of</p> <p>9 operation and hours of alcoholic beverage service sales</p> <p>10 for the Premises and Summer Garden.</p> <p>11           Current hours of operation for the Premises</p> <p>12 and Summer Garden are Sunday through Thursday, 7:00</p> <p>13 a.m. to 1:00 a.m., and Friday and Saturday, 7:00 a.m.</p> <p>14 to 2:00 a.m.</p> <p>15           Proposed hours of operation for the Premises</p> <p>16 and Summer Garden are Sunday through Thursday, 7:00</p> <p>17 a.m. to 2:00 a.m., Friday and Saturday, 7:00 a.m. to</p> <p>18 3:00 a.m.</p> <p>19           The current hours of alcoholic beverage</p> <p>20 service sales for the in Summer Garden are Sunday,</p> <p>21 10:00 a.m. to 1:00 a.m., Monday through Thursday, 11:00</p> <p>22 a.m. to 1:00 a.m., Friday, 11:00 a.m. to 2:00 a.m. and</p>	<p style="text-align: right;">4</p> <p>1           CHAIRPERSON MILLER: That's four, to one, to</p> <p>2 zero then. The motion passes. Okay. And it's limited</p> <p>3 -- Summer Garden limited to below ground. Okay. Mr.</p> <p>4 Alberti. Okay.</p> <p>5           Number two is a sidewalk cafapplication for</p> <p>6 22 seats. Proposed hours of operation, Sunday through</p> <p>7 Thursday, 9:00 a.m. to 11:00 p.m., Friday and Saturday,</p> <p>8 9:00 a.m. to 12:00 a.m. Proposed hours of alcohol</p> <p>9 beverages service sales are Sunday through Thursday,</p> <p>10 11:00 a.m. to 11:00 p.m., Friday and Saturday, 11:00</p> <p>11 a.m. to 12:00 a.m.</p> <p>12           And there are no pending investigative</p> <p>13 matters. No outstanding citations or fines. No</p> <p>14 conflict with the voluntary agreement.</p> <p>15           This is in ANC 1A and it's Room 11, 3234 11th</p> <p>16 Street Northwest. This is the caf-- 22-seat sidewalk</p> <p>17 caf I thought we approved, when she says placard. Do</p> <p>18 you have the memo?</p> <p>19           MR. ALBERTI: I think we were tied.</p> <p>20           CHAIRPERSON MILLER: Huh?</p> <p>21           MR. ALBERTI: I thought we were tied.</p> <p>22           CHAIRPERSON MILLER: Oh, tied? Okay. Then -</p>
<p style="text-align: right;">3</p> <p>1 Saturday, 9:00 a.m. to 2:00 a.m.</p> <p>2           Proposed hours of alcoholic beverage service</p> <p>3 sales for the Premises and Summer Garden are Sunday,</p> <p>4 10:00 a.m. to 2:00 a.m., Monday through Thursday, 11:00</p> <p>5 a.m. to 2:00 a.m., Friday. 11:00 a.m. to 3:00 a.m. and</p> <p>6 Saturday, 9:00 a.m. to 3:00 a.m.</p> <p>7           Okay. There's no conflict with the voluntary</p> <p>8 agreement or investigative matters, or fines</p> <p>9 outstanding. It's ANC 3B.</p> <p>10           The establishment Breadsoda, 2233 Wisconsin</p> <p>11 Avenue Northwest, License Number 78085. I would move</p> <p>12 that we approve this request, but note that the Summer</p> <p>13 Garden change in hours would apply only to that below</p> <p>14 ground Summer Garden. Do I have a second?</p> <p>15           MR. ALBERTI: Second.</p> <p>16           CHAIRPERSON MILLER: And any comments,</p> <p>17 questions? Okay. All those in favor of the motion,</p> <p>18 say aye.</p> <p>19           (Chorus of ayes.)</p> <p>20           MR. ALBERTI: I dissent.</p> <p>21           CHAIRPERSON MILLER: Okay.</p> <p>22           MR. ALBERTI: Mr. Alberti dissents.</p>	<p style="text-align: right;">5</p> <p>1 -</p> <p>2           MR. ALBERTI: How do you -- why don't you</p> <p>3 just go ahead and make a motion and we'll where it</p> <p>4 comes out.</p> <p>5           CHAIRPERSON MILLER: Okay.</p> <p>6           MR. ALBERTI: Just go ahead and make a</p> <p>7 motion.</p> <p>8           CHAIRPERSON MILLER: I would move that we</p> <p>9 approve the application. Do I have a second?</p> <p>10           BOARD MEMBER: Second.</p> <p>11           CHAIRPERSON MILLER: Okay. Any comments?</p> <p>12           MALE VOICE: I ask that we take a roll call</p> <p>13 on this one.</p> <p>14           CHAIRPERSON MILLER: Yeah. I will. Okay.</p> <p>15 All those in favor of approving the -- oh, no. I'm</p> <p>16 sorry.</p> <p>17           Mr. Nophlin, how do you vote on the motion to</p> <p>18 approve?</p> <p>19           MR. NOPHLIN: Which one is it?</p> <p>20           CHAIRPERSON MILLER: Number two.</p> <p>21           MR. ALBERTI: This is Room 11. It's an</p> <p>22 outdoor cafand I think we were looking at the voluntary</p>

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6	<p>1 agreement. The latest voluntary agreement has in it 2 the hours that are on the agenda. 3 So the latest voluntary agreement says that 4 the outdoor cafcan be open during the week until 11:00 5 p.m. 6 and open on Friday and Saturdays until 12:00 7 a.m. I believe that's what the latest voluntary 8 agreement says when I read it. That's the stipulation 9 in the latest voluntary agreement. 10 I'm going to dissent. I think that it -- 11 given where this is, I'd like the opportunity for other 12 community members to have a chance to tell us whether 13 they have any concerns with this new outdoor caf 14 CHAIRPERSON MILLER: The voluntary agreement 15 is between the -- is it between the ANC and Wilbur Park 16 (ph) FNB -- 17 MR. ALBERTI: It's between -- 18 CHAIRPERSON MILLER: -- and the 19 establishment? 20 MR. ALBERTI: It's between ANC 1A and the 21 establishment. 22 CHAIRPERSON MILLER: Oh, ANC 1A? Oh, I'm</p>	8
7	<p>1 sorry. I'm looking at the wrong one. 2 MR. ALBERTI: Yes. 3 CHAIRPERSON MILLER: Okay. Thank you. And 4 you would like who to have more time to look at this? 5 MR. ALBERTI: The surrounding community. 6 CHAIRPERSON MILLER: The community. 7 MR. ALBERTI: There are homes just up the 8 street from this establishment. In fact, right across 9 the street from this establishment there are homes and 10 so I would like to make sure that the entire -- 11 CHAIRPERSON MILLER: Okay. 12 MR. ALBERTI: I don't know the process that 13 the ANC with through, and I just think given the 14 proximity to residents, I would like -- I'm going to 15 err on the side of caution and allow the -- I would 16 like to allow the opportunity for the community to 17 weigh in if they have concerns. 18 CHAIRPERSON MILLER: Okay. I'll withdraw my 19 motion after hearing what you have to say. So if you 20 would like to make a motion -- 21 MR. ALBERTI: I make a motion that we placard 22 this application.</p>	9
6	<p>1 CHAIRPERSON MILLER: Okay. Is there a 2 second? 3 BOARD MEMBER: Second. 4 CHAIRPERSON MILLER: Okay. All those in 5 favor say aye. 6 (Chorus of ayes.) 7 CHAIRPERSON MILLER: All those opposed? 8 MR. JONES: Oppose. 9 CHAIRPERSON MILLER: Okay then the vote is 10 four, to one, to zero. 11 MR. ALBERTI: With Mr. Jones -- 12 CHAIRPERSON MILLER: Jones is the one. 13 MR. JONES: -- dissenting. 14 MR. ALBERTI: -- dissenting. 15 CHAIRPERSON MILLER: Okay. Next is review of 16 application for the license class change. Change of a 17 Class C Restaurant License to a Class C Tavern License. 18 This is an ANC 1CB Salina Restaurant, 1936 19 9th Street Northwest, License Number 82969. No 20 conflict with voluntary agreement and no investigative 21 matters or outstanding citations. 22 I would move that we placard this</p>	8
7	<p>1 application. Do I have a second? 2 BOARD MEMBER: Second. 3 CHAIRPERSON MILLER: Any comments? 4 (No audible response.) 5 CHAIRPERSON MILLER: All those in favor, say 6 aye. 7 (Chorus of ayes.) 8 CHAIRPERSON MILLER: All those opposed? 9 (No audible response.) 10 CHAIRPERSON MILLER: All those abstaining? 11 (No audible response.) 12 CHAIRPERSON MILLER: And the vote is five, 13 zero, zero to placard. 14 Number four is a review of the letter dated 15 July 19, 2012 from Kris Ramson requesting permission to 16 store invoices offsite at a satellite office located in 17 the District. It's Bar 7 located at 1015 7th Street 18 Northwest, License Number 82350. 19 I move that we approve this request. Do I 20 have a second? 21 BOARD MEMBER: Second. 22 CHAIRPERSON MILLER: All those in favor, say</p>	9

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10	<p>1 aye. 2 (Chorus of ayes.) 3 CHAIRPERSON MILLER: All those opposed? 4 (No audible response.) 5 CHAIRPERSON MILLERS: All those abstaining? 6 (No audible response.) 7 CHAIRPERSON MILLER: The vote is where are 8 we, five, zero, zero to grant the request. 9 Number five is a letter from Michael Fonseca 10 dated July 27, 2012 requesting permission to store 11 invoices offsite at another location in the District. 12 The establishment is Estadio, 1520 14th Street 13 Northwest, License Number 83263. 14 I move that we approve this request. Do I 15 have a second? 16 MR. NOPHLIN: Second. 17 CHAIRPERSON MILLER: Mr. Nophlin seconded. 18 All those in favor say aye. 19 (Chorus of ayes.) 20 CHAIRPERSON MILLER: All those opposed? 21 (No audible response.) 22 CHAIRPERSON MILLER: Those abstaining?</p>	12
11	<p>1 (No audible response.) 2 CHAIRPERSON MILLER: The vote is five, zero, 3 zero. 4 Number six is another letter from Michael 5 Fonseca dated July 27, 2012, also requesting permission 6 to store invoices offsite at another location in the 7 District. The establishment's Proof, 775 G Street 8 Northwest, License Number 75357. 9 I move that we approve this request. Do I 10 have a second? 11 MR. NOPHLIN: Second. 12 CHAIRPERSON MILLER: Mr. Nophlin seconded. 13 All those in favor, say aye. 14 (Chorus of ayes.) 15 CHAIRPERSON MILLER: All those opposed? 16 (No audible response.) 17 CHAIRPERSON MILLER: All those abstaining? 18 (No audible response.) 19 CHAIRPERSON MILLER: The vote is five, zero, 20 zero. 21 Number seven is a letter dated July 25, 2012 22 from Jose Tovar. Requesting permission to extend the</p>	13
10	<p>1 safekeeping of the license deemed abandoned by Board 2 Order Number 2012-308, Margarita's Mexican Caf located 3 at 2317 Wisconsin Avenue Northwest, License Number 4 16488. 5 I would move that we deny this request. Do I 6 have a second? 7 MR. NOPHLIN: Second. 8 CHAIRPERSON MILLER: Any comments? 9 (No audible response.) 10 CHAIRPERSON MILLER: All those in favor, say 11 aye. 12 (Chorus of ayes.) 13 CHAIRPERSON MILLER: All those opposed? 14 (No audible response.) 15 CHAIRPERSON MILLER: Vote is five, zero, zero 16 to deny the request. The effect of this denial is the 17 license will be canceled. 18 Number eight is a correspondence dated July 19 26, 2012 from Elliot Moulton requesting that Hotel 20 Monticello be re-placarded with new dates, because the 21 applicant did not make it's placards visible to the 22 public. And the applicant responded.</p>	12
11	<p>1 The establishment is Hotel Monticello, 1075 2 Thomas Jefferson Street Northwest, License Number 896 - 3 - I'm sorry, 89867. 4 I would move to deny the request to re- 5 placard. Do I have a second? 6 BOARD MEMBER: Second. 7 CHAIRPERSON MILLER: Comments? 8 (No audible response.) 9 CHAIRPERSON MILLER: All those in favor of 10 the motion to deny, say aye. 11 (Chorus of ayes.) 12 CHAIRPERSON MILLER: Those opposed and 13 abstaining? 14 (No audible response.) 15 CHAIRPERSON MILLER: The motion passes, five, 16 zero, zero. 17 Number nine is a letter dated July 24, 2012 18 from Paul Pascal requesting that the Kalorama Citizens 19 Association produce its Articles of Incorporation or 20 bylaws and a copy of the required notice of the meeting 21 held for the purpose of filing a protest, the Kalorama 22 Citizens Association's response is included, for the</p>	13

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14	<p>1 establishment Duchess and The Queen, 2102 18th Street 2 Northwest, License Number 89545. 3 Our records reflect that Kalorama Citizens 4 Association has produced the documents as a result of 5 this request. So I would suggest that no action is 6 required on this. 7 Number ten is a motion for reinstatement 8 dated July 24, 2012 from ANC 7C, whose protest was 9 dismissed on July 18, 2012 for failure to appear, the 10 protest status hearing in Uncle Lee's Seafood, 1102 11 Eastern Avenue Northeast, License Number 85918. 12 And I would note that a similar request is in 13 number 11, motion for reinstatement dated July 19, 2012 14 from Eun Sun Kim, whose application was dismissed on 15 July 18, 2012, failure to appear at protest status 16 hearing for Uncle Lee's Seafood. 17 In this case, I believe there was a mistake 18 in communication, if I can characterize it that way, by 19 Ms. Fletcher at roll call and so the failure to appear 20 was not the fault of the parties. So I would move that 21 we reinstate both these parties referenced in number 10 22 and number 11. Do I have a second?</p>	16	<p>1 untimely. 2 CHAIRPERSON MILLER: Correct. Right. Thank 3 you. Right. And that's what was stated in the order 4 and the motion for reconsideration -- 5 MR. ALBERTI: Right. Right. 6 CHAIRPERSON MILLER: -- when we addressed 7 that. 8 MR. ALBERTI: So there's nothing in the 9 motion that refutes our original facts. 10 CHAIRPERSON MILLER: Okay. Do I have a 11 second? 12 MR. NOPHLIN: Second. 13 CHAIRPERSON MILLER: Mr. Nophlin seconded. 14 All those in favor of denying the motion for 15 reconsideration, say aye. 16 (Chorus of ayes.) 17 CHAIRPERSON MILLER: All those opposed? 18 (No audible response.) 19 CHAIRPERSON MILLER: Okay, the motion to deny 20 passes by a vote of five, zero, zero. 21 Number 13 is a voluntary agreement dated July 22 23, 2012, between HGH LLC and Group of Five or More</p>
15	<p>1 MR. NOPHLIN: Second. 2 CHAIRPERSON MILLER: All those in -- second, 3 Mr. Nophlin seconded. All those in favor, say aye. 4 (Chorus of ayes.) 5 CHAIRPERSON MILLER: All those opposed? 6 (No audible response.) 7 CHAIRPERSON MILLER: All those abstaining? 8 (No audible response.) 9 CHAIRPERSON MILLER: The motion's to 10 reinstate are approved, set forth in 10 and 11. 11 Number 12 is a motion for reconsideration 12 dated July 27, 2012 from Don Padou regarding Board 13 Order 2012- 2326 -- 2012-326, Hush Restaurant and 14 Lounge located at 2121 New York Avenue Northeast, 15 License Number 89332. 16 I would move that we deny this motion for 17 reconsideration because it was dismissed. The protest 18 was dismissed because it was untimely filed. I think - 19 - do I have a second? Yeah. 20 MR. ALBERTI: And the motion -- I would add, 21 Madam Chair, that the motion for reconsideration does 22 not refute the fact that the original protest was filed</p>	17	<p>1 Protestants. The establishment is to be determined. 2 Brand HGH 1610 LLC, in paren, 1610 14th Street 3 Northwest, License Number 88785. 4 I move that we approve this voluntary 5 agreement with -- 6 MR. ALBERTI: Madam Chair, I -- 7 CHAIRPERSON MILLER: Go ahead. Would you 8 like to say? 9 MR. ALBERTI: Yes, I move that we approve 10 this voluntary agreement with the stipulation that the 11 definition of a DJ that's included in the voluntary 12 agreement only applies to this voluntary agreement and 13 does not apply to other matters before the Board. This 14 -- Madam Chair -- 15 CHAIRPERSON MILLER: Yes, I understand that. 16 I know. 17 MR. ALBERTI: I'll speak to -- can I speak to 18 this? 19 CHAIRPERSON MILLER: Sure. Yeah. Right. 20 MR. ALBERTI: This is the one where the 21 voluntary agreement includes the definition of a DJ. 22 That is okay for this voluntary agreement. The Board</p>

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18	<p>1 is not signaling that that definition would be our -- 2 the definition we would use in other cases, but it is 3 appropriate for that to be the governing definition for 4 this VA. 5 CHAIRPERSON MILLER: Right. Right. I 6 understand that it states in the agreement itself on 7 Page 2, Paragraph 3, that the definition was for 8 purposes of this agreement and the Board is just 9 confirming that to be the case that this approval is 10 for this agreement that the parties agreed to. 11 MR. ALBERTI: Our order will state that. 12 CHAIRPERSON MILLER: Okay. All right, so, I 13 think I made a motion to that affect. 14 MR. ALBERTI: Well, yeah, I think -- yeah, I 15 made the motion. 16 CHAIRPERSON MILLER: Oh, you made the motion. 17 Go ahead. Mr. Alberti has made a motion to approve. 18 MR. ALBERTI: So, is there a second? 19 MR. NOPHLIN: Second. 20 CHAIRPERSON MILLER: Okay. Any other 21 comments? 22 (No audible response.)</p>	20	<p>1 second? 2 MR. NOPHLIN: Second. 3 CHAIRPERSON MILLER: Mr. Nophlin has 4 seconded. Any comments? 5 (No audible response.) 6 CHAIRPERSON MILLER: All those in favor, say 7 aye. 8 (Chorus of ayes.) 9 CHAIRPERSON MILLER: All those opposed? 10 (No audible response.) 11 CHAIRPERSON MILLER: All those abstaining? 12 (No audible response.) 13 CHAIRPERSON MILLER: Motion passes by a vote 14 of five, zero, zero. 15 Number two is a request for a stipulated 16 sidewalk cafendorsement dated July 15, 2012. There's a 17 letter of support from ANC 2B. It's for Fuel Pizza and 18 Wings 1606 K Street Northwest, License Number 88452. 19 I move that we approve this request. Do I 20 have a second? 21 MR. NOPHLIN: Second. 22 CHAIRPERSON MILLER: Mr. Nophlin has</p>
19	<p>1 CHAIRPERSON MILLER: All those in favor, say 2 aye. 3 (Chorus of ayes.) 4 CHAIRPERSON MILLER: All those opposed. 5 (No audible response.) 6 CHAIRPERSON MILLER: Those abstaining? 7 (No audible response.) 8 CHAIRPERSON MILLER: The motion passes by a 9 vote of five, zero, zero. 10 MR. ALBERTI: Thank you. 11 CHAIRPERSON MILLER: Number 14 is a review of 12 civil penalty rule making and this is going to be 13 postponed until next week. 14 That concludes our regular agenda. I believe 15 we have a few items on our supplemental agenda. 16 Number one is the review of a letter dated 17 July 31, 2012 from Stephen O'Brien requesting 18 permission to store inventory offsite to another 19 location in the District while the hotel undergoes 20 construction. It's for the Latham Hotel, 3000 M Street 21 Northwest, Number 78884. 22 I move to approve this request. Do I have a</p>	21	<p>1 seconded. All those in favor, say aye. 2 (Chorus of ayes.) 3 CHAIRPERSON MILLER: All those opposed? 4 (No audible response.) 5 CHAIRPERSON MILLER: Those abstaining? 6 (No audible response.) 7 CHAIRPERSON MILLER: The vote is five, zero, 8 zero. 9 Number three is a request for a stipulated 10 sidewalk cafendorsement dated July 15, 2012 and a 11 letter of support from ANC 2C for the same 12 establishment, Fuel Pizza and Wings, but this one is 13 located at 600 F Street Northwest and the License 14 Number is 88727. 15 I move that we approve this request. Do I 16 have a second? 17 MR. NOPHLIN: Second. 18 CHAIRPERSON MILLER: Mr. Nophlin has 19 seconded. All those in favor say aye. 20 (Chorus of ayes.) 21 CHAIRPERSON MILLER: All those opposed? 22 (No audible response.)</p>

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22	<p>1 CHAIRPERSON MILLER: All those abstaining? 2 (No audible response.) 3 CHAIRPERSON MILLER: The motion passes by a 4 vote of five, zero, zero. 5 Number four is a request for a stipulated 6 license for expansion dated August 6, 2012. There's a 7 letter of support from ANC 1B. It's for Sully's U 8 Street Tavern located at 1942 11th Street Northwest, 9 License Number 75811. 10 I move that we approve this request. Do I 11 have a second? 12 MR. NOPHLIN: Second. 13 CHAIRPERSON MILLER: Mr. Nophlin seconded. 14 All those in favor say aye. 15 (Chorus of ayes.) 16 CHAIRPERSON MILLER: All those opposed? 17 (No audible response.) 18 CHAIRPERSON MILLER: Those abstaining? 19 (No audible response.) 20 CHAIRPERSON MILLER: The vote pass -- the 21 motion passes by a vote of five, zero, zero. 22 And that concludes our agenda items for</p>	24	<p>1 Jones? 2 MR. JONES: I agree. 3 CHAIRPERSON MILLER: Vote is five, zero, 4 zero. The motion's passed. 5 I hereby give notice that the ABC Board will 6 hold this aforementioned closed meeting pursuant to the 7 Open Meetings Amendment Act of 2010. Notice will also 8 be posted in the ABC Board hearing room bulletin board, 9 placed on the electronic calendar, on ABRA's website, 10 and published in the DC register in as timely a manner 11 as practical. 12 As chairperson of the Alcoholic Beverage 13 Control Board for the District of Columbia, 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 August 15, 2012 for the purpose of 17 discussing and hearing reports concerning ongoing or 18 planned investigations of alleged criminal or civil 19 misconduct or violations of law or regulations in 20 seeking legal advice from our counsel on the Board's 21 investigative agenda for August 15, 2012, as published 22 in the DC register on August 10, 2012. Is there a</p>
23	<p>1 August 8, 2012 and all that remains is my reading of 2 the Open Meeting Act instructions. Thank you. 3 As chairperson of the Alcoholic Beverage 4 Control Board for the District of Columbia and in 5 accordance with Section 405 of the Open Meetings 6 Amendment Act of 2010, I move that the ABC Board hold a 7 closed meeting on August 15, 2012 for the purpose of 8 seeking legal advice from our counsel on the matters 9 identified on the Board's agenda for August 15, 2012, 10 as published in the DC Register on August 10, 2012. Is 11 there a second? 12 MR. NOPHLIN: Second. 13 CHAIRPERSON MILLER: Mr. Nophlin has 14 seconded. Take a roll call vote on the motion before 15 us, now that it's been seconded. 16 Mr. Nophlin? 17 MR. NOPHLIN: I agree. 18 CHAIRPERSON MILLER: Mr. Brooks? 19 MR. BROOKS: I agree. 20 CHAIRPERSON MILLER: Mr. Alberti? 21 MR. ALBERTI: I agree. 22 CHAIRPERSON MILLER: Ms. Miller agrees. Mr.</p>	25	<p>1 second? 2 MR. NOPHLIN: Second. 3 CHAIRPERSON MILLER: I'll take a roll call 4 vote on the motion before us, now that it's been 5 seconded. 6 Mr. Nophlin? 7 MR. NOPHLIN: I agree. 8 CHAIRPERSON MILLER: Mr. Brooks? 9 MR. BROOKS: I agree. 10 CHAIRPERSON MILLER: Mr. Alberti? 11 MR. ALBERTI: I agree. 12 CHAIRPERSON MILLER: Ms. Miller agrees. Mr. 13 Jones? 14 MR. JONES: I agree. 15 CHAIRPERSON MILLER: Motion passes by a vote 16 of five, zero, zero. 17 I hereby give notice that the ABC Board will 18 hold this aforementioned closed meeting pursuant to the 19 Open Meetings Amendment Act of 2010. Notice will also 20 be posted in the ABC Board hearing room bulletin board, 21 placed on the electronic calendar, on ABRA's website, 22 and published in the DC Register in as timely a manner</p>

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1 as practical.

2 And that concludes all of our matters for

3 August 8, 2012 and we're adjourned. Thank you.

4 (WHEREUPON, at 9:21 p.m., the hearing was  
5 concluded.)

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