

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
 :  
Case #12-CMP-00051 :  
Green Island Caf, /Heaven & :  
Hell, Inc. :  
t/a Green Island Caf, Heaven :Show  
& Hell :Cause  
2327 18th Street, N.W. :Hearing  
License # 74503 :  
Retailer CT :  
ANC 1C :  
Violation of Voluntary :  
Agreement :  
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FEBRUARY 6, 2013

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., 4th Floor, Washington, D.C.

20009, Chairperson Miller, presiding.

PRESENT

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member

MICHAEL SILVERSTEIN, Member

ALSO PRESENT

WALTER ADAMS, OAG

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

10:13 a.m.

CHAIRPERSON MILLER: Case Number  
12-CMP-0051, Green Island Caf, /Heaven & Hell  
located at 2327 18th Street, N.W., License  
Number 74503 in ANC 1C and this is a show  
cause hearing.

And when the parties are ready,  
would you introduce yourself for the record?

MR. ADAMS: Good morning, Madam  
Chair, Members of the Board. Walter Adams  
representing the District.

CHAIRPERSON MILLER: Good morning,  
Mr. Adams.

MR. ADAMS: Good morning.

MR. WOLDEMARIAM: Good morning.  
My name is Mehari Woldemariam, Green Island  
Caf, Heaven & Hell, president of the company.

MS. BEREKET: Good morning. My  
name is Roma Bereket, Green Island Caf, Heaven  
& Hell, Inc.

CHAIRPERSON MILLER: I'm sorry.

1 You don't have to stand, but let's see. Mr.  
2 Woldemariam, you're the owner.

3 MR. WOLDEMARIAM: Yes.

4 CHAIRPERSON MILLER: And I'm  
5 sorry. I'm not sure who you are.

6 MR. WOLDEMARIAM: That's my wife.

7 CHAIRPERSON MILLER: Your wife.

8 Okay. Same last name or different?

9 MR. WOLDEMARIAM: No.

10 CHAIRPERSON MILLER: What's your  
11 last name?

12 MR. WOLDEMARIAM: Yes.

13 CHAIRPERSON MILLER: Same. Okay.

14 Welcome. All right.

15 Are there any preliminary matters,  
16 Mr. Adams?

17 MR. ADAMS: Yes, there are, Madam  
18 Chair.

19 CHAIRPERSON MILLER: Okay.

20 MR. ADAMS: There is a -- in this  
21 case, the parties have an offer in compromise  
22 proposed in this case here. There's three

1 charges in this case regarding violations of  
2 the voluntary agreement by the establishment.

3 To resolve this case, the District  
4 proposes to dismiss charge two and for the  
5 remaining charges, the resolution would be a  
6 \$6,000 fine to be paid within a period of 120  
7 days and a two-day suspension with all days  
8 stayed for a period of one year upon the  
9 condition that the establishment complies all  
10 ABC or all D.C. rules and ABC rules for a  
11 period of one year.

12 And if the Board would like a  
13 breakdown, that would be \$3,000 for each  
14 charge, charge one and charge three and I  
15 guess that would be one suspension for each  
16 charge of the main offense.

17 CHAIRPERSON MILLER: Okay. Mr.  
18 Woldemariam.

19 MR. WOLDEMARIAM: Yes.

20 CHAIRPERSON MILLER: I want to  
21 make sure that you agree to this offer in  
22 compromise which is a fine of \$6,000 to be

1       paid within 120 days. Your license suspended  
2       for two days, but that will be stayed pending  
3       no violation of the ABC regulations within a  
4       year and charge two will be dismissed.

5                   MR. WOLDEMARIAM: I do.

6                   CHAIRPERSON MILLER: And do you  
7       understand you waive your right to a hearing?

8                   MR. WOLDEMARIAM: I can't hear.

9                   CHAIRPERSON MILLER: Do you  
10      understand --

11                  MR. WOLDEMARIAM: I do understand.

12                  CHAIRPERSON MILLER: Okay. But,  
13      yes, this next thing is you waive your right  
14      to a hearing by accepting an offer in  
15      compromise.

16                  MR. WOLDEMARIAM: Yes.

17                  CHAIRPERSON MILLER: Okay. Are  
18      there any questions of Board Members? Okay.

19                  MEMBER ALBERTI: Just for  
20      clarification and maybe you said it, but I  
21      missed it. Charge two, the one that's being  
22      dismissed, what is that charge?

1 MR. ADAMS: Charge two -- they all  
2 result from the same -- they all came on the  
3 same day on January 1st, 2012. They are all  
4 -- all the charges are based upon violations  
5 of the voluntary agreement and specifically,  
6 charge two is the idea that the -- is that the  
7 establishment was operating a sidewalk caf,  
8 outside of its rental period which was April  
9 1st through October 31st. That is what we  
10 were --

11 MEMBER ALBERTI: Okay. I just  
12 wanted -- I didn't have the charging document  
13 in front of me.

14 MR. ADAMS: Sure.

15 MEMBER ALBERTI: And I just wanted  
16 to have that for my --

17 MR. ADAMS: Sure. No problem.

18 MEMBER ALBERTI: Thank you.

19 CHAIRPERSON MILLER: I'm just  
20 curious. The rental period, who was that  
21 arranged by? Is that -- you know, is that a  
22 regulation of DCRA or is it a -- what is it?

1 MR. ADAMS: No, this is  
2 specifically a provision within the voluntary  
3 agreement that the establishment has with --  
4 well, obviously with the Board, but with the  
5 protestants the last time Mr. Woldemariam  
6 applied for a license or for --

7 CHAIRPERSON MILLER: Oh, I see.  
8 Right. That makes sense. Okay. Any other  
9 questions?

10 All right. Then I would move to  
11 accept this offer in compromise of \$6,000 to  
12 be paid within 120 days for charges one and  
13 three with two days license suspended, but the  
14 suspension will be stayed for one year pending  
15 no violations of the ABC regulations during  
16 that period and charge two will be dismissed.

17 Do I have a second?

18 MEMBER BROOKS: Second.

19 MEMBER ALBERTI: Can I ask one  
20 question before we continue?

21 CHAIRPERSON MILLER: Okay.

22 MEMBER ALBERTI: Mr. Woldemariam,

1 are you current on all your past fines? On  
2 fines for past violations, have you paid all  
3 of those fines and are you current today?

4 MR. WOLDEMARIAM: I'm current.

5 MEMBER ALBERTI: Okay. Great.

6 Thank you. Just wanted to --

7 MR. WOLDEMARIAM: In all respect  
8 though, I just want to get out from this  
9 business as soon as possible. Plain.

10 MEMBER ALBERTI: Okay. Okay.

11 Thank you. I just wanted --

12 MR. WOLDEMARIAM: I can't win  
13 here.

14 MEMBER ALBERTI: We appreciate  
15 that. Thank you.

16 MR. WOLDEMARIAM: Thank you.

17 CHAIRPERSON MILLER: Okay.

18 There's been a motion that's been seconded.

19 All those in favor say aye.

20 (Ayes.)

21 CHAIRPERSON MILLER: All those

22 opposed? Those abstaining? Motion passes by

1 a vote of 4-0-0 to accept the offer in  
2 compromise.

3 Thank you.

4 Our next case on the calendar is  
5 scheduled for 11:00 is my understanding. So,  
6 at this point, then the Board will recess and  
7 return at 11:00.

8 (Whereupon, at 10:19 a.m., the  
9 hearing was adjourned.)

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<b>A</b>	<b>Chairperson</b> 1:16 1:18 2:3,13,22 3:4 3:7,10,13,19 4:17 4:20 5:6,9,12,17 6:19 7:7,21 8:17 8:21	<b>fine</b> 4:6,22 <b>fines</b> 8:1,2,3 <b>Floor</b> 1:15 <b>front</b> 6:13	6:18 7:18,19,22 8:5,10,14 <b>Members</b> 2:11 5:18 <b>met</b> 1:14 <b>MICHAEL</b> 1:20 <b>Miller</b> 1:16,18 2:3 2:13,22 3:4,7,10 3:13,19 4:17,20 5:6,9,12,17 6:19 7:7,21 8:17,21 <b>missed</b> 5:21 <b>morning</b> 2:10,13 2:15,16,19 <b>motion</b> 8:18,22 <b>move</b> 7:10	<b>Plain</b> 8:9 <b>point</b> 9:6 <b>possible</b> 8:9 <b>preliminary</b> 3:15 <b>PRESENT</b> 1:17,22 <b>president</b> 2:18 <b>presiding</b> 1:16 <b>problem</b> 6:17 <b>proposed</b> 3:22 <b>proposes</b> 4:4 <b>protestants</b> 7:5 <b>provision</b> 7:2 <b>P-R-O-C-E-E-D-...</b> 2:1	
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<p>see 3:1 7:7  sense 7:8  show 1:7 2:6  sidewalk 6:7  <b>SILVERSTEIN</b>  1:20  soon 8:9  sorry 2:22 3:5  specifically 6:5 7:2  stand 3:1  stayed 4:8 5:2 7:14  Street 1:8,15 2:5  sure 3:5 4:21 6:14  6:17  suspended 5:1 7:13  suspension 4:7,15  7:14</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p>Thank 6:18 8:6,11  8:15,16 9:3  thing 5:13  three 3:22 4:14  7:13  time 7:5  today 8:3  two 4:4 5:2,4,21 6:1  6:6 7:13,16  two-day 4:7  t/a 1:7</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p>understand 5:7,10  5:11  understanding 9:5</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p>violation 1:10 5:3  violations 4:1 6:4  7:15 8:2  voluntary 1:10 4:2  6:5 7:2  vote 9:1</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p>waive 5:7,13  Walter 1:23 2:11  want 4:20 8:8</p>	<p>wanted 6:12,15 8:6  8:11  Washington 1:15  Welcome 3:14  wife 3:6,7  win 8:12  Woldemariam  2:16,17 3:2,3,6,9  3:12 4:18,19 5:5,8  5:11,16 7:5,22 8:4  8:7,12,16</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p>year 4:8,11 5:4  7:14</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p>p 1:4,12</p> <hr/> <p style="text-align: center;"><b>\$</b></p> <hr/> <p>\$3,000 4:13  \$6,000 4:6,22 7:11</p> <hr/> <p style="text-align: center;"><b>#</b></p> <hr/> <p>#12-CMP-00051  1:5</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p>1C 1:10 2:6  1st 6:3,9  10:13 2:2  10:19 9:8  11:00 9:5,7  12-CMP-0051 2:4  120 4:6 5:1 7:12  14th 1:15  18th 1:8 2:5</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p>2000 1:15  20009 1:16  2012 6:3  2013 1:13  2327 1:8 2:5</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p>31st 6:9</p> <hr/> <p style="text-align: center;"><b>4</b></p>	<p>4th 1:15  4-0-0 9:1</p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p>6 1:13</p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p>74503 1:9 2:6</p>		
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