

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
 :
Eritrean Cultural Center :
t/a Eritrean Cultural Center :
600 L Street, NW : Show Cause
Retailer Class CX : Hearing
Multipurpose Facility : (Status)
License No. 15698 :
Case No. 11-CMP-00377 :
ANC 2C :
Operating After Hours :
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FEBRUARY 15, 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
- JEANNETTE MOBLEY, Member
- CALVIN NOPHLIN, Member
- MIKE SILVERSTEIN, Member

ALSO PRESENT

- FERNANDO RIVERO, OIG

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

9:54 a.m.

CHAIRPERSON MILLER: The next show cause status hearing, please, is No. 11-CMP-00377, Eritrean Cultural Center located at 600 L Street, N.W., License No. 15698 in ANC 2C.

MR. RIVERO: Good morning, Board members. Fernando Rivero for the District of Columbia standing in for Louise Phillips.

CHAIRPERSON MILLER: Okay. When you're ready, if you could introduce yourselves.

MS. TEFLE: Aster Tefle. I'm a board member of ECCC, Eritrean Cultural Civic Center.

CHAIRPERSON MILLER: I'm sorry, could you do that more slowly, please?

MS. TEFLE: Aster Tefle. I'm the board member.

CHAIRPERSON MILLER: You're a board member?

MS. TEFLE: Yes, ma'am.

1 CHAIRPERSON MILLER: Oh, okay.

2 And, sir?

3 MR. SELASSIE: Amdemichael

4 Selassie.

5 CHAIRPERSON MILLER: Yes.

6 MR. SELASSIE: Manager of ECC.

7 CHAIRPERSON MILLER: And are you
8 authorized to represent the Cultural Center in
9 a settlement?

10 MS. TEFLE: Yes, ma'am.

11 CHAIRPERSON MILLER: And how do I
12 know that?

13 MS. TEFLE: Yes, ma'am.

14 CHAIRPERSON MILLER: Yes, how do
15 we know that? How do we know that? Your a
16 board member? You're not the chair or vice-
17 chair or --

18 MS. TEFLE: I am the treasurer.

19 CHAIRPERSON MILLER: You're the
20 treasurer?

21 MS. TEFLE: Yes, ma'am.

22 CHAIRPERSON MILLER: Oh, the

1 treasurer.

2 MS. TEFLE: I'm sorry.

3 CHAIRPERSON MILLER: Okay.

4 MS. TEFLE: A board member and I'm
5 the treasurer.

6 CHAIRPERSON MILLER: Okay.

7 MS. TEFLE: Yes, ma'am.

8 CHAIRPERSON MILLER: Okay. Do we
9 have any preliminary matters in this case?

10 MR. RIVERO: I believe we might
11 want to make clear that the Licensee has
12 received the notice and understood.

13 CHAIRPERSON MILLER: Oh, I might
14 want to do that. Okay. Thank you.

15 MR. RIVERO: Just to make sure
16 that we're clear on that.

17 CHAIRPERSON MILLER: That's right.
18 Did you receive notice of the show cause
19 hearing?

20 MS. TEFLE: Yes, ma'am.

21 CHAIRPERSON MILLER: And did you
22 read it?

1 MS. TEFLE: Yes, ma'am.

2 CHAIRPERSON MILLER: And do you
3 understand it?

4 MS. TEFLE: Yes, ma'am.

5 CHAIRPERSON MILLER: And the last
6 question is do you waive my reading that
7 notice into the record?

8 MS. TEFLE: Yes, ma'am.

9 CHAIRPERSON MILLER: Okay. Thank
10 you. Okay?

11 MR. RIVERO: Board members, the
12 parties do have an Offer in Compromise to
13 present to the Board at this time, and that
14 offer consists of a fine of \$2,500 payable in
15 two weeks, although I understand that they
16 have the check today. They have come prepared
17 today.

18 CHAIRPERSON MILLER: Okay.

19 MR. RIVERO: But the term was two
20 weeks.

21 CHAIRPERSON MILLER: Okay.

22 MR. RIVERO: And service of a date

1 of suspension that was stayed from a prior
2 case. That one day would be served on
3 February 21st, 2012. They initially wanted
4 that Monday, but it's a holiday, so it's
5 Tuesday that they're serving.

6 CHAIRPERSON MILLER: Okay. So was
7 that the --

8 MR. RIVERO: That is the Offer in
9 Compromise.

10 CHAIRPERSON MILLER: Okay. So I'm
11 going to repeat it and then you can tell me if
12 you agree to that.

13 MS. TEFLE: Yes, ma'am.

14 CHAIRPERSON MILLER: It's a fine
15 of \$2,500 payable in two weeks and there's the
16 service of one day from --

17 MS. TEFLE: Yes, ma'am.

18 CHAIRPERSON MILLER: Okay. And
19 you're going to serve that day. The
20 suspension will be on February 21st, 2012.

21 MS. TEFLE: Yes, ma'am.

22 CHAIRPERSON MILLER: Okay.

1 MEMBER NOPHLIN: Madam Chair?

2 CHAIRPERSON MILLER: Yes?

3 MEMBER NOPHLIN: You said that
4 they're going to pay today?

5 MR. RIVERO: Yes.

6 MEMBER NOPHLIN: So that's the
7 whole payment?

8 MR. RIVERO: Correct.

9 MS. TEFLE: Yes.

10 MEMBER NOPHLIN: Okay. So you may
11 reflect in your discussion.

12 CHAIRPERSON MILLER: Yes, okay.
13 That's what's a little tricky here. It's not
14 part of the term, or are we making it a part
15 of the term that this will be payable today?

16 MR. RIVERO: We can make it part
17 of the term. Since I did not negotiate this
18 case --

19 CHAIRPERSON MILLER: Oh, okay.

20 MR. RIVERO: -- Assistant Attorney
21 General Phillips did. But certainly we can
22 indicate that it's payable today since they

1 have the check.

2 CHAIRPERSON MILLER: All right.
3 Let's take the two -- instead of two weeks, it
4 will be payable today.

5 MR. RIVERO: Yes, ma'am.

6 CHAIRPERSON MILLER: Okay. Okay.
7 Do the Board members have any other questions?

8 MEMBER MOBLEY: No.

9 CHAIRPERSON MILLER: Okay. I'm
10 going to repeat it for the vote. I would move
11 that we accept this Offer in Compromise of a
12 \$2,500 fine payable today and service of one
13 of the stayed days triggered. That day would
14 be February 21st, 2012.

15 Okay. Do I have a second?

16 MEMBER NOPHLIN: Second.

17 CHAIRPERSON MILLER: All those in
18 favor, say aye? Aye.

19 MEMBER ALBERTI: Aye.

20 MEMBER BROOKS: Aye.

21 MEMBER MOBLEY: Aye.

22 MEMBER NOPHLIN: Aye.

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MEMBER SILVERSTEIN: Aye.

CHAIRPERSON MILLER: All those
opposed?

MEMBER JONES: Nay.

CHAIRPERSON MILLER: And all those
abstaining?

(No audible response.)

CHAIRPERSON MILLER: Then the vote
is 6-1-0 to accept the Offer in Compromise.
Thank you.

MS. TEFLE: Thank you so much.

(Whereupon, the hearing was
concluded at 9:59 a.m.)

<p style="text-align: center;">A</p> <p>abstaining 9:6 accept 8:11 9:9 agree 6:12 ALBERTI 1:19 8:19 Alcoholic 1:2,14,15 Amdemichael 3:3 ANC 1:10 2:6 Assistant 7:20 Aster 2:13,18 Attorney 7:20 audible 9:7 authorized 3:8 aye 8:18,18,19,20 8:21,22 9:1 a.m 2:2 9:13</p> <hr/> <p style="text-align: center;">B</p> <p>believe 4:10 Beverage 1:2,14,15 board 1:2,15 2:7,14 2:19,21 3:16 4:4 5:11,13 8:7 BROOKS 1:19 8:20 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>CALVIN 1:21 case 1:10 4:9 6:2 7:18 cause 1:8 2:4 4:18 Center 1:6,7 2:5,15 3:8 certainly 7:21 chair 3:16,17 7:1 Chairperson 1:17 1:18 2:3,10,16,20 3:1,5,7,11,14,19 3:22 4:3,6,8,13,17 4:21 5:2,5,9,18,21 6:6,10,14,18,22 7:2,12,19 8:2,6,9 8:17 9:2,5,8 check 5:16 8:1 Civic 2:14</p>	<p>Class 1:8 clear 4:11,16 Columbia 1:1 2:9 come 5:16 Compromise 5:12 6:9 8:11 9:9 concluded 9:13 consists 5:14 Control 1:2,14,15 Correct 7:8 Cultural 1:6,7 2:5 2:14 3:8 CX 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>date 5:22 day 6:2,16,19 8:13 days 8:13 discussion 7:11 District 1:1 2:8 DONALD 1:19 D.C 1:16</p> <hr/> <p style="text-align: center;">E</p> <p>ECC 3:6 ECCC 2:14 Eritrean 1:6,7 2:5 2:14</p> <hr/> <p style="text-align: center;">F</p> <p>Facility 1:9 favor 8:18 February 1:13 6:3 6:20 8:14 Fernando 1:23 2:8 fine 5:14 6:14 8:12</p> <hr/> <p style="text-align: center;">G</p> <p>General 7:21 going 6:11,19 7:4 8:10 Good 2:7</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:8,15 2:4 4:19 9:12 HERMAN 1:20 holiday 6:4</p>	<p>Hours 1:11</p> <hr/> <p style="text-align: center;">I</p> <p>indicate 7:22 initially 6:3 introduce 2:11</p> <hr/> <p style="text-align: center;">J</p> <p>JEANNETTE 1:21 JONES 1:20 9:4</p> <hr/> <p style="text-align: center;">K</p> <p>know 3:12,15,15</p> <hr/> <p style="text-align: center;">L</p> <p>L 1:8 2:6 Let's 8:3 License 1:9 2:6 Licensee 4:11 little 7:13 located 2:5 Louise 2:9</p> <hr/> <p style="text-align: center;">M</p> <p>Madam 7:1 making 7:14 Manager 3:6 MATTER 1:5 matters 4:9 ma'am 2:22 3:10 3:13,21 4:7,20 5:1 5:4,8 6:13,17,21 8:5 MEETING 1:3 member 1:19,19,20 1:21,21,22 2:14 2:19,21 3:16 4:4 7:1,3,6,10 8:8,16 8:19,20,21,22 9:1 9:4 members 2:8 5:11 8:7 met 1:15 MIKE 1:22 Miller 1:17,18 2:3 2:10,16,20 3:1,5,7 3:11,14,19,22 4:3 4:6,8,13,17,21 5:2</p>	<p>5:5,9,18,21 6:6,10 6:14,18,22 7:2,12 7:19 8:2,6,9,17 9:2,5,8 MOBLEY 1:21 8:8 8:21 Monday 6:4 morning 2:7 move 8:10 Multipurpose 1:9</p> <hr/> <p style="text-align: center;">N</p> <p>Nay 9:4 negotiate 7:17 NICK 1:19 NOPHLIN 1:21 7:1,3,6,10 8:16,22 notice 4:12,18 5:7 NW 1:8 N.W 1:16 2:6</p> <hr/> <p style="text-align: center;">O</p> <p>offer 5:12,14 6:8 8:11 9:9 Oh 3:1,22 4:13 7:19 OIG 1:23 okay 2:10 3:1 4:3,6 4:8,14 5:9,10,18 5:21 6:6,10,18,22 7:10,12,19 8:6,6,9 8:15 Operating 1:11 opposed 9:3</p> <hr/> <p style="text-align: center;">P</p> <p>part 7:14,14,16 parties 5:12 pay 7:4 payable 5:14 6:15 7:15,22 8:4,12 payment 7:7 Phillips 2:9 7:21 please 2:4,17 preliminary 4:9 prepared 5:16 present 1:18,23 5:13</p>	<p>presiding 1:17 prior 6:1 P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>question 5:6 questions 8:7</p> <hr/> <p style="text-align: center;">R</p> <p>read 4:22 reading 5:6 ready 2:11 receive 4:18 received 4:12 record 5:7 Reeves 1:15 reflect 7:11 repeat 6:11 8:10 represent 3:8 response 9:7 Retailer 1:8 right 4:17 8:2 Rivero 1:23 2:7,8 4:10,15 5:11,19 5:22 6:8 7:5,8,16 7:20 8:5 Room 1:15 Ruthanne 1:16,18</p> <hr/> <p style="text-align: center;">S</p> <p>second 8:15,16 Selassie 3:3,4,6 serve 6:19 served 6:2 service 5:22 6:16 8:12 serving 6:5 settlement 3:9 show 1:8 2:3 4:18 SILVERSTEIN 1:22 9:1 sir 3:2 slowly 2:17 sorry 2:16 4:2 standing 2:9 status 1:9 2:4 stayed 6:1 8:13</p>
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