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2 BOARD MEMBERS PRESENT

3 NICK ALBERTI, BOARD MEMBER

4 RUTHANNE MILLER, BOARD MEMBER

5 JAMES SHORT, BOARD MEMBER

6 MIKE SILVERSTEIN, BOARD MEMBER

7

8 ALSO PRESENT:

9 ZACHARY SHAPIRO

10 DANIEL TESHAYE

11 KIFLOM MELES

12

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

2 SHOW CAUSE HEARING (STATUS)

3 CHAIRPERSON ANDERSON: All right the next
4 case on our Show Cause Hearing (Status) is Case
5 #16-CC-00007, Lee's Liquor, license #95751. Will
6 the parties please approach and identify
7 themselves for the record?

8 MR. SHAPIRO: Good morning, Zachary Shapiro
9 on behalf of the District.

10 CHAIRPERSON ANDERSON: Good morning, Mr.
11 Shapiro.

12 MR. TESFAYE: Daniel Tesfaye on behalf of the
13 licensee.

14 CHAIRPERSON ANDERSON: I'm sorry, Mr. Rivero
15 I thought this was your case. I wasn't trying to
16 chase you away, so I do apologize. I'm sorry,
17 your name, sir?

18 MR. TESFAYE: Okay, my name is Daniel
19 Tesfaye, Lee's Liquors co-owner.

20 CHAIRPERSON ANDERSON: There's a sign-in
21 sheet that I would like you folks to sign in and
22 please spell your name for the record, both the

1 attorney and the representative, spell your name
2 for the record, please.

3 MR. TESFAYE: D-A-N-I-E-L, last name is T-E-
4 S-F-A-Y-E. First name Daniel, last name
5 Tesfaye.

6 MR. MELE: Kiflom, K-I-F-L-O-M, last name is
7 Meles, M-E-L-E-S.

8 CHAIRPERSON ANDERSON: Mr. Shapiro, are there
9 any preliminary matters in this case?

10 MR. SHAPIRO: Yes, there is an offer in
11 compromise .

12 CHAIRPERSON ANDERSON: And, what is that
13 offer in compromise, sir?

14 MR. SHAPIRO: The offer in compromise is a
15 \$4000 fine, payable in 60 days, as well as 10
16 suspension days, staid, and the breakdown for
17 that is that for charge 1 there is a \$3000 fine
18 with five days staid, and charge 2 is a \$1000
19 fine with five days staid as well, and to provide
20 a little context as to why the fines are where
21 they are, is the establishment has a prior
22 history of a similar offense and there are no

1 actual suspension days served, all the suspension
2 days were staid.

3 CHAIRPERSON ANDERSON: All right, Mr. Meles,
4 it's my understanding from Mr. Shapiro that there
5 is an offer in compromise of a total fine of a
6 \$4000 fine, payable in 60 days for charge 1,
7 there is a \$3000 fine with five days staid and
8 for charge 2 it's a \$1000 fine with one days
9 staid. Mr. Shapiro, did you mention that there
10 was going to be some alcohol awareness training?
11 Was that a part of the --?

12 MR. SHAPIRO: I believe they've already had
13 alcohol awareness training.

14 CHAIRPERSON ANDERSON: They've already had
15 that? All right.

16 MR. ALBERTI: With the previous --

17 MR. SHAPIRO: With the previous case, I
18 believe.

19 MR. SILVERSTEIN: Mr. Chairman, obviously --

20 CHAIRPERSON ANDERSON: Hold on -- hold on one
21 minute, please, hold on. Just hold on one
22 minute. So that's not part of it, it's just,

1 it's \$3000 five days staid for charge 1 and \$1000
2 and five days staid for charge 2, that's payable
3 in 60 days, if it's not payable in 60 days then
4 the license will be suspended. That's the offer
5 in compromise.

6 MR. SHAPIRO: Correct.

7 CHAIRPERSON ANDERSON: Yes. Yes, Mr.
8 Silverstein.

9 MR. SILVERSTEIN: I just wanted to make sure,
10 is the \$3000 with five staid for charge 1 --

11 MR. SHAPIRO: Yes.

12 MR. SILVERSTEIN: -- and \$1000 with five
13 staid for charge 2?

14 MR. SHAPIRO: Yes.

15 CHAIRPERSON ANDERSON: All right. Mr. Meles,
16 this is on behalf of your client and we also need
17 your client to acknowledge that the offer in
18 compromise is a \$3000 fine for charge 1 with five
19 days staid, a \$1000 fine for charge 2 with five
20 days staid, and that if the fine is not payable
21 within 60 days the license will be suspended
22 until they have been in compliance. Is this your

1 understanding, sir, of the offer in compromise?

2 MR. MELES: That is correct, Mr. Chairman.

3 CHAIRPERSON ANDERSON: Yes?

4 MR. MELES: Yes.

5 CHAIRPERSON ANDERSON: Do you have any
6 questions? Mr. Alberti.

7 MR. ALBERTI: Yes, Mr. Shapiro, back to the
8 alcohol awareness training, and I'm okay with
9 waiving it but I just want to point out normally
10 it is part of -- it's been our policy to require
11 it whenever we accept --

12 MR. SHAPIRO: Okay.

13 MR. ALBERTI: -- this charge. However, I
14 understand, I just want to put on the record that
15 we understand in this case that it was within the
16 last six months, in the last year, that the
17 licensee had alcohol awareness training and so I
18 assume that that's why you're suggesting that
19 it's not required here.

20 MR. SHAPIRO: Correct.

21 MR. ALBERTI: I just make that point. I
22 mean, if it was two years ago I wouldn't be okay

1 with this.

2 MR. SHAPIRO: Okay.

3 MR. ALBERTI: I wouldn't be agreeable, but I
4 am since it was such a recent -- so recent that
5 they received training. Unfortunately, I don't
6 think it helped but, all right. Thank you.

7 MR. SHAPIRO: Thanks, Mr. Alberti.

8 CHAIRPERSON ANDERSON: Do we have any other
9 questions by any of the Board members? Hearing
10 none, then I make a motion that the offer in
11 compromise be accepted. The first charge is a
12 fine of \$3000 payable in five days, the second
13 charge is \$5000 payable in five days for a total
14 fine, with five days staid, I'm sorry. It's a
15 total fine of \$4000 with ten days staid, payable
16 in 60 days. If it's not payable in 60 days the
17 matter will be -- the license will be suspended.
18 Before I vote, Mr. -- I'm sorry, your name again,
19 the owner?

20 MR. TESHAYE: Daniel Tesfaye.

21 CHAIRPERSON ANDERSON: Daniel? Are you aware
22 that by accepting an offer in compromise that

1 you're giving up your right to a hearing?

2 MR. TESFAYE: Yes.

3 CHAIRPERSON ANDERSON: And are you also aware
4 that also by accepting this offer in compromise
5 that you are giving up your right to appeal this
6 matter?

7 MR. TESFAYE: Yes.

8 CHAIRPERSON ANDERSON: Yes? All right.
9 Hearing none, I make a motion that this offer in
10 compromise of a \$4000 fine with ten days staid,
11 payable within 60 days, be accepted. If it's not
12 payable in 60 days the license will be suspended
13 until compliance. Is there a second?

14 MR. SHORT: Second.

15 CHAIRPERSON ANDERSON: Mr. Short has seconded
16 the motion. Those in favor say Aye. [Chorus of
17 ayes] Those opposed? [No audible response.]
18 The matter passed 5-zero-zero. We'll have you
19 sign some documents and thank you very much, sir.
20 The Board has accepted this offer but I think
21 that you have to be more careful, sir, in
22 complying with the law and ensuring that liquor

1 is not sold to underage folks, and it's just
2 something that I'm concerned about. This is a
3 neighborhood that I live in and I want to make
4 sure that you're complying with the law, sir.
5 All right. Thank you.

6 MR. SHAPIRO: Thank you, Mr. Chairman.

7 MR. MELES: Thank you, Mr. Chairman.

8 (Whereupon, the above-entitled matter was
9 concluded.)

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