DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :

EZRA S, Inc., :
t/a Dix Market :
6221 Dix Street NE : Protest
Retailer A - ANC 7C : Hearing
License No. 116408 :
Case #21-PRO-00081 :

(Application for License :
Renewal)

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Wednesday
February 16, 2022

The Alcoholic Beverage Control Board
met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:
DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

GINA BULETT, Protestant
CHRISSIE CHANG, Applicant's Counsel
SARAH FASBAUGH, DC ABRA Staff
MARY GAFFNEY, ANC 7C
DAWIT GERORIAS, Applicant
INVESTIGATOR VANESSA PLEITEZ, DC ABRA
FASEKA SHEFERAW, Witness
P-R-O-C-E-E-D-I-N-G-S
(1:51 p.m.)

CHAIRPERSON ANDERSON: All right, so now let's move -- let's all move now to our calendar -- afternoon calendar. The first case in our afternoon calendar is a protest hearing, Case No. 21-PRO-00081, Dix Market, License No. 116408. Ms. Fashbaugh, can you please elevate the rights of the parties in this case please?

MS. FASHBAUGH: Sure thing. Please stand by. Chrissie Chang, your rights have been elevated. The Licensee is not present. Mary Gaffney, your rights have been elevated. I'm not seeing Antoine Holmes. Vanessa Pleitez, your rights have been elevated. That is all, Mr. Chair.

CHAIRPERSON ANDERSON: All right. Mr. Holmes is one of the protestors, so we need to find Mr. Holmes unless there is someone else representing the ANC. Ms. Chang, have you had any conversations with Mr. Holmes today regarding his appearance at the -- at this roll call hearing?

MS. FASHBAUGH: Chairperson --

CHAIRPERSON ANDERSON: I'm sorry.
MS. FASHBAUGH: -- I see that Gina Bulett has her hand raised.

CHAIRPERSON ANDERSON: All right.

MS. FASHBAUGH: Gina, I unmuted you.

MS. BULETT: Yes. Mr. Holmes is not here today, but I am here today on behalf of Northeast Boundary Civic Association. And our Civic Association President, Dr. Gaffney as well. She is also an ANC leader within 7C. She is here today.

CHAIRPERSON ANDERSON: Who's representing the -- Who is representing the ANC today?

MS. BULETT: Dr. Gaffney -- Mary Gaffney.

CHAIRPERSON ANDERSON: Why doesn't Dr. Gaffney say something? She's on the -- She's on --

MS. BULETT: Well probably because she can't unmute.

CHAIRPERSON ANDERSON: Her rights were elevated, so that's why she's -- that's why she's on my screen. Ms. Fashbaugh, have you unmuted Dr. Gaffney?

MS. FASHBAUGH: Her rights have been
elevated and I just manually unmuted.

    MS. GAFFNEY:  Dr. Gaffney's unmuted now.

    CHAIRPERSON ANDERSON:  All right,
    thank you.  Good afternoon, everyone.  All right,
    this is a protest hearing, case for Dix Street
    Liquor. Let me have the parties introduce
    themself for the record. Let's start with the
    Licensee.

    MS. CHANG:  Hi. My name is Chrissie
    Chang. I'm the author and agent for the owners,
    EZRA S. Inc and sole owner, Mr. Dawit Ggiorgis
    right now is joining the hearing. And yeah, so I
    represent the Applicant. Thank you.

    CHAIRPERSON ANDERSON:  Is that person
    -- Is that person -- Hold on, Ms. Chang. For
    some reason, I'm hearing -- I'm not hearing you
    well. So is there someone else in the same
    location as you who's also online?

    MS. GAFFNEY:  Okay --

    CHAIRPERSON ANDERSON:  All right. Dr.
    Gaffney, can you please mute your phone --
    please, ma'am? I need everyone to mute their
    phone. The only person -- all the phones need to
    be muted. And when I call on you to introduce
yourself, then you can unmute yourself. So let's start again. All right Ms. Chang, who is your client? And is that person -- has that person been unmuted? Are they online?

MS. CHANG: Okay. Yeah, they are on the phone -- Mr. Chair, (audio interference) is on the phone. That's what I understand.

CHAIRPERSON ANDERSON: All right. Can you put the person's phone number in the chat so Ms. Fashbaugh can elevate their rights? Because I don't know how many people are -- I don't know how many people are online on the phone.

MS. CHANG: (audio interference), can you please unmute?

CHAIRPERSON ANDERSON: Who's speaking?

MS. CHANG: I'm sorry. My name -- This is Chrissie Chang on behalf of the owners, the renewal applicant. And could you please unmute the Applicant, Dawit Ggiorgis please?

CHAIRPERSON ANDERSON: What's the last four digits on their phone number?

MS. CHANG: Okay. Phone number --

CHAIRPERSON ANDERSON: The last four digits of their phone number.

MS. CHANG: 1705.
CHAIRPERSON ANDERSON: Ms. Fashbaugh, do you see a 1705 to unmute please?

MS. FASHBAUGH: I do not. Does he have a different name?

CHAIRPERSON ANDERSON: I think they're on the phone -- they're on the phone.

MS. CHANG: Yeah, the owner's wife --

owner's wife, (audio interference), the 0961 please.

MS. FASHBAUGH: I've elevated Faseka Sheferaw.

MS. CHANG: Yes, she is owner's wife.

CHAIRPERSON ANDERSON: All right. There's still an issue, Ms. Chang with your --

with your volume. I'm not sure. I'm hearing -- I'm not hearing you well. And I don't know -- I thought it was because someone else was logged in. Is there someone else in your office who is also logged in on this call?

MS. CHANG: No, it is just me. It is just me.

CHAIRPERSON ANDERSON: All right.

MS. CHANG: Let me (audio interference). It is actually pretty -- What about -- How about now?
CHAIRPERSON ANDERSON: Maybe if you
turn your volume down a little bit please. Turn
your volume down a little bit and let me see.

MS. CHANG: Oh, okay.

CHAIRPERSON ANDERSON: Turn your
volume down some and speak again.

MS. CHANG: Hi. Yeah, how about now?
Can you hear me please?

CHAIRPERSON ANDERSON: I can hear you.
Let me see something. I can hear you, but you're
-- All right. Let's start it again. All right,
so the -- All right. All right. Can you please
spell and state your name for the record again,
Ms. Chang?

MS. CHANG: Sure. Chrissie Chang, C-
H-R-I-S-S-I-E. My last name is C-H-A-N-G.

CHAIRPERSON ANDERSON: And what's your
role in this -- in this matter today please?
What's your role in this hearing, Ms. Chang?

MS. CHANG: I am an authorized
representative of the owner, EZRA S. Inc, renewal
applicant. The sole owner is Mr. Dawit.

CHAIRPERSON ANDERSON: All right. Is
he on the phone? Can he please spell and state
his name for the record -- the owner of the
establishment, please spell and state your name
for the record please.

MS. CHANG: Can I say his name? Can I say his name?

CHAIRPERSON ANDERSON: You can call
his name.

MS. CHANG: Mr. Dawit Ggiorgis.

CHAIRPERSON ANDERSON: Is he there?
I need him to state and spell his name.

MS. CHANG: Could you please unmute Faseka Sheferaw please. She keeps texting me that, you know, that (audio interference) didn't unmute me.

CHAIRPERSON ANDERSON: All right. Ms. Fashbaugh, can you please unmute Ms. Sheferaw please -- S-H-E-R --

(simultaneous speaking)

MS. FASHBAUGH: She's been elevated, but I unmuted her as well.

CHAIRPERSON ANDERSON: Ms. Sheferaw, are you -- are you there?

MS. SHEFERAW: Yes, sir. I'm here. Can you hear me?

CHAIRPERSON ANDERSON: Yes, I can hear you.
MS. SHEFERAW: Great, yes.

CHAIRPERSON ANDERSON: Are you the owner or are you the owner's wife?

MS. SHEFERAW: I'm the owner's wife.

CHAIRPERSON ANDERSON: So is the owner there? He was on and all of the sudden the system failed, so he's trying to call in. We've been online since 1 o'clock.

CHAIRPERSON ANDERSON: Well, this hearing started at 1:30.

MS. SHEFERAW: Right.

CHAIRPERSON ANDERSON: It started at 1:30. I came on at 1:43. So has he been able to -- Is he calling in or is he -- or does he -- Is he going to be on the telephone or is he going to be --

MS. SHEFERAW: He's trying to use the phone to call in because the website didn't work now.

CHAIRPERSON ANDERSON: But it works for you. Why doesn't it work for him?

MS. SHEFERAW: We're not in the same location. Sorry.

CHAIRPERSON ANDERSON: Can you find out when he has called in?
MS. SHEFERAW: Yes, sir.

CHAIRPERSON ANDERSON: And then give me the last four -- What's the last four digits of his phone number?

MS. SHEFERAW: 1705.

CHAIRPERSON ANDERSON: All right. So Ms. Fashbaugh, can you please look for 1705 --

MS. SHEFERAW: Let me call.

CHAIRPERSON ANDERSON: -- to see when that number has shown up please.

MS. FASHBAUGH: I have unmuted a caller user with a number starting with a 5. I cannot see the last four digits. But you're unmuted if you are the business owner potentially.

CHAIRPERSON ANDERSON: I'm sorry.

(audio interference)

MR. GGIORGIS: Hello?

CHAIRPERSON ANDERSON: Can you identify yourself please? Hello. Can you identify yourself please?

MR. GGIORGIS: Hello?

CHAIRPERSON ANDERSON: Can you please identify yourself?

(audio interference)
MR. GGIORGIS: Hello?

CHAIRPERSON ANDERSON: Can you please identify yourself, sir?

MR. GGIORGIS: Dawit, last name Gerorias, Dix Market.

CHAIRPERSON ANDERSON: Can you spell your first name, sir, and your last name, sir?

MR. GGIORGIS: My name is Dawit, last name Ggiorgis, G-G-I-O-R-G-I-S.

CHAIRPERSON ANDERSON: Sir, can you please spell your first name again please?

MR. GGIORGIS: Dawit, D-A-W-I-T.

CHAIRPERSON ANDERSON: And your last name again please, sir? Spell your last name again please, sir.

MR. GGIORGIS: G-G-R-I-O-R-G-I-S.

CHAIRPERSON ANDERSON: And you're the owner of Dix -- you're the owner of Dix Market?

MR. GERORIAS: Yeah, I'm owner of Dix Market.

CHAIRPERSON ANDERSON: Thank you. All right, Ms. Sheferaw.

MR. GERORIA: I'm almost (audio interference)

CHAIRPERSON ANDERSON: I'm sorry, sir?
MR. GGIORGIS: Almost half an hour here. I don't know if -- (audio interference)

CHAIRPERSON ANDERSON: Sir, this hearing was scheduled to start at 1:30.

MR. GGIORGIS: I'm sorry.

CHAIRPERSON ANDERSON: -- at 1:30. I called the case at 1:45. I don't want anyone to be complaining that they've been here for a half an hour waiting. Okay?

MR. GGIORGIS: Okay.

CHAIRPERSON ANDERSON: We have a schedule and we're trying to comply as closely as possible to the schedule, sir. Okay? One of the beauties of doing this remotely -- virtually, at least you didn't have to be sitting in our -- if we were doing this in-person, you would have been sitting in the hearing room for all this period of time. But at least you can be either in your office -- in your business or you can be out doing other things and make yourself available for this hearing. So I am trying to keep this on a schedule and try to be accommodating for everyone's time. Okay? Thank you.

All right. Ms. Faseka, can you please spell and state your -- spell your first and your
last name for the record and your relationship to this business, ma'am? Ms. Faseka, are you there?

MS. SHEFERAW: Ms. Faskea is my wife.

CHAIRPERSON ANDERSON: I'm asking her to speak, sir. Is she on the line? All right.

MS. CHANG: She said she is muted right now.

CHAIRPERSON ANDERSON: Ms. Fashbaugh, can you please -- if she is muted --

MS. SHEFERAW: There you go.

CHAIRPERSON ANDERSON: -- then unmute her please. Ms. Faseka?

MS. SHEFERAW: Okay, I am unmuted.

CHAIRPERSON ANDERSON: Can you please --

MS. SHEFERAW: Faseka, sorry.

CHAIRPERSON ANDERSON: Ms. Faseka, can you spell and state -- spell your first name and your last name and your relationship to this establishment?


CHAIRPERSON ANDERSON: Thank you,
ma'am. Dr. Gaffney, can you please spell and state your name for the record and your relationship? And explain to us who do you represent in this matter.

MS. GAFFNEY: Mary Gaffney, M-A-R-Y G-A-F-F-N-E-Y. I represent the ANC.

CHAIRPERSON ANDERSON: Thank you, ma'am. Ms. Bulett, can you please spell and state your name for the record? And who do you represent, ma'am?


CHAIRPERSON ANDERSON: Thank you.

MEMBER SHORT: Mr. Chairman, if I might.

CHAIRPERSON ANDERSON: Yes, Mr. Short.

MEMBER SHORT: I'd just like to go on the record as knowing -- I do know and have worked with for many years, Dr. Mary Gaffney through the ***2:07:04 Community Development Organization. But that would have no bearing on what takes place in this hearing today. I just wanted to acknowledge that. Thank you.

CHAIRPERSON ANDERSON: Thank you, Mr. Short. Ms. Pleitez, can you please spell and
state your name for the record please?

INVESTIGATOR PLEITEZ: Vanessa Pleitez, V-A-N-E-S-S-A. Last name is P-L-E-I-T-E-Z. Investigator for ABRA.

CHAIRPERSON ANDERSON: Thank you. Is there anyone else from either side that I have not recognized before we -- we move on? Have I recognized all the participants in this case? Okay, all right.

All right then, this matter comes before the Board as a protest on the application to renew a license by EZRA, trade name Dix Street Market -- Dix Market, I'm sorry, Retailer's Class A, License No. ABRA-166408, located at 6221 Dix Street NE.

By way of background, the Board's record reflects the following: The license application was placard on August 20th, 2021. ANC 7C represented by Chairperson, Antoine Holmes filed a protest on October 25th, 2021. A second protest was filed by the Northeast Boundary Civic Association on October 25th, 2021, represented at that time by Dr. Mary Gaffney. Both protestant groups were granted standing at the roll call hearing held on November 15th, 2021.
Now things have been brought to the Board's attention that as a result of mediation and continued legal association, only one issue remains in dispute. And that is the hours of operation, specifically the closing time for the establishment. Is that correct?

INVESTIGATOR PLEITEZ: Correct.

CHAIRPERSON ANDERSON: Dr. Gaffney?

MS. GAFFNEY: I would yield to Gina.

CHAIRPERSON ANDERSON: And Ms. Bulett, is that correct?

MS. BULETT: Yes, it is.

CHAIRPERSON ANDERSON: All right. If so, the Board is inclined to propose the following format for today's hearing. Namely the parties can stipulate on the record to those issues where agreement is reached. And then for the one remaining issue in dispute, the Board is willing to take oral argument from each side as to why the establishment should close at the hour they're requesting. Are the parties agreeable to that format?

FEMALE PARTICIPANT: Yes.

CHAIRPERSON ANDERSON: Ms. Chang? Ms. Chang?
MS. CHANG: Yes.

CHAIRPERSON ANDERSON: All right

(audio interference)

CHAIRPERSON ANDERSON: Yes, Ms. Chang?

You were saying yes. That's all you're saying. You weren't actually asking a question?

MS. CHANG: Actually, sorry. (audio interference)represent. Could you please repeat that again?

CHAIRPERSON ANDERSON: I'm saying that, it's my understanding that the parties are in agreement in most -- in all issues with the exception of the hours of operation -- the closing time. Is that correct?

MS. CHANG: That's correct. Yes, sir.

CHAIRPERSON ANDERSON: All right. And so what I'm asking is that I would be -- if that's the case, the Board would be inclined for the parties to stipulate on the issues that -- could stipulate on the record the issues that they are in agreement to. And that we would then just hear testimony on the one remaining issue, which is the closing hour where the Applicant would tell the Board why it believes that it should close at a specific time. And the ANC and
the Civic Association would give testimony on why
they believe that they want a shorter hour.

And so what I'm saying, would the
parties do that? I would then ask that the
issues that are agreed to, that you would put
that on the record and we would -- this would be
the Board order -- this would be a part of the
Board order. And then the Board would just
listen to testimony on both sides on the hours --
the closing hours.

MS. CHANG: Okay. Can I start the
reason of the -- Can I start (audio interference)

CHAIRPERSON ANDERSON: You're breaking
up.

MS. CHANG: Can I start the (audio
interference)

CHAIRPERSON ANDERSON: Ms. Chang, I
think it's your internet connection.

MS. CHANG: Okay. I would like to
test it, yes.

CHAIRPERSON ANDERSON: Ms. Chang, I
think the problem is it's your internet
connection because you are --

MS. CHANG: Yes.

CHAIRPERSON ANDERSON: -- every couple
of seconds, you're freezing.

    MS. CHANG: Okay. I am hearing well.

I'm seeing you very well. And I'm not sure this
is an internet connect problem in my location --

(simultaneous speaking)

    MS. CHANG: Do you want me to (audio
interference) some other place?

    CHAIRPERSON ANDERSON: Am I the only
one having problems hearing Ms. Chang? All
right. Ms. Chang, when I look at my screen --

    MS. CHANG: Sure.

    CHAIRPERSON ANDERSON: -- I see that
your screen in freezing. Okay? So that tells me
-- I've been doing this for two years, so I can
tell who is having internet -- (audio
interference). Your internet, ma'am, is not
stable. All right, for everyone, yours breaks
up. We can't hear you.

    MS. CHANG: I'm being moved now
downstairs.

    CHAIRPERSON ANDERSON: Yes, can you
move to --

(simultaneous speaking)

    MS. BARTH: Let me try.

    CHAIRPERSON ANDERSON: Yes, can you
move to another location where your --

MS. CHANG: Okay.

CHAIRPERSON ANDERSON: -- internet works better, ma'am?

(pause)

MS. CHANG: Sir, is this better?

CHAIRPERSON ANDERSON: Yes, Ms. Chang.

Much, much better.

MS. CHANG: Oh, okay. Thank you very much.

CHAIRPERSON ANDERSON: All right.

MS. CHANG: Sorry everybody about this problem and issues. Okay, so --

CHAIRPERSON ANDERSON: All right. So what I stated earlier is that it's my understanding that the parties through mitigation negotiation, they have agreed to almost all issue with the exception of the hours -- the closing hours. So what I'm -- what I'm proposing is that the parties would stipulate by putting on the record, what are the issues that were agreed to. So we'd offer that as a stipulation. We'd put in the Board order. And then we would just have testimony from the parties on why the Licensee is requesting the specific hour that they're
requesting for closure. And the ANC and/or the Neighborhood Civic Association would present evidence on why they want different hours. So what I'm saying, is this agreeable to both sides? Is that agreeable to you, Ms. Chang?

MS. CHANG: Yes.

CHAIRPERSON ANDERSON: And I believe that I -- I did hear from Ms. Bulett that, that was agreeable. Is that correct, ma'am?

MS. BULETT: Yes.

CHAIRPERSON ANDERSON: And so what I'm also asking, if that's so, will the parties -- are the parties willing to waive the examination of the Board's witness because there would be no need for the Board's witness to testify? Because she would just testify -- she would be testifying -- She's now qualified to testify on the appropriateness of hours. So she would just testify on what is it that she saw from her perspective. Is that agreeable?

MS. GAFFNEY: Yes.

MS. BULETT: Yes.

CHAIRPERSON ANDERSON: All right.

Thank you. Ms. Chang?

MS. CHANG: Yes, sir.
CHAIRPERSON ANDERSON: All right.

Thank you, Ms. Pleitez. You just did such a wonderful job that your testimony is no longer required today. You can watch -- You can watch the hearing if you so desire, but you're not -- you're not mandated to be there -- to be here.

All right, so prior to us -- So what I would ask is that -- I would ask you, Ms. Chang to provide the Board with the stipulation of the issues that you have agreed to. And we will memorialize this as part of our Board order. And then after that's done, then we'll have testimony from you and your client why that you're requesting the hours that you're requesting. And then the protestant will provide us with reasons why they are seeking shorter hours. Is that agreeable?

MS. CHANG: Yes, agreeable.

CHAIRPERSON ANDERSON: Are there any -- Outside what I just stated, are there any other issues that we need to address prior to us starting?

MS. CHANG: There is no other issue, sir.

CHAIRPERSON ANDERSON: All right. Ms.
Bulett, any issues on your side for us to --

MS. BULETT: I would just like to say we do really appreciate Investigator Pleitez's followup in this process. It's been very refreshing.

CHAIRPERSON ANDERSON: Well thank you for that representation, Ms. Bulett. And it appears that I myself read the Board order -- I'm sorry, her case report and I see that she had attended meetings with both sides. So thank you for the representation that you made. And maybe that's one of the reasons why this case is not going to go to a full hearing. It's just going to go -- We're just going to have arguments on the hours. So thank you for the representation that you made on behalf of one of our employees. Thank you very much, ma'am. All right?

All right. So Ms. Chang, can you tell us what are -- what are the issues that the parties have agreed? What's the agreement -- What's the stipulation? So tell me what is it that the parties have agreed upon? And we will put this -- This will be memorialized as part of our Board order.

MS. CHANG: Sure. Right now, the
hours (audio interference) the Board is 12 -- you
know, the closing time is 12:00 a.m.

CHAIRPERSON ANDERSON: No. Hold on,
Ms. -- No. What are the issues that you guys
have agreed to? Tell me what is it that -- tell
me everything that the parties have agreed to.
And we'll put that -- That will be part of the
record.

MS. CHANG: Okay.

CHAIRPERSON ANDERSON: So here's what
I want from you -- What is it that --
(simultaneous speaking)

MS. CHANG: Okay. Everything that we
--
(simultaneous speaking)

CHAIRPERSON ANDERSON: Everything that
both sides have agreed to.

MS. CHANG: Okay.

CHAIRPERSON ANDERSON: This is a
stipulation --
(simultaneous speaking)

MS. CHANG: Yes. Both sides -- Okay.
We agreed with -- Because I came to downstairs,
so please let me go to upstairs. I'm very sorry.

CHAIRPERSON ANDERSON: We will wait.
We will wait, ma'am. Take your time. Take your time. Don't run up the stairs.

(pause)

MS. CHANG: Okay. I would like to start with the camera issue. We agreed with all the camera requirements. And then you know, I provided the work contract signed by the (audio interference) owner that the camera is going to be installed as required. And the window repair --

CHAIRPERSON ANDERSON: Hold on.

MS. CHANG: -- the Applicant wanted to wait for the city's help but decided to stop waiting for it. And that window repair is going to be all completed by February 25th.

CHAIRPERSON ANDERSON: Ms. Chang, can you hear me?

MS. CHANG: And all the proof as the signed contract was provided.

CHAIRPERSON ANDERSON: Ms. Chang?

MS. CHANG: And the (audio interference) Yes?

CHAIRPERSON ANDERSON: Can you hear me?

MS. CHANG: Yes.
CHAIRPERSON ANDERSON: All right. I need you to go --

MS. CHANG: I can hear you, but it's lots of like, you know --

CHAIRPERSON ANDERSON: Yeah. And the reason why --

MS. CHANG: -- this connection is still --

CHAIRPERSON ANDERSON: You're right.

MS. CHANG: -- you have a problem --

CHAIRPERSON ANDERSON: Right. When I don't speak it's because I see that you're having -- at least from the video perspective, that you're having some issues. So that's why --

(simultaneous speaking)

MS. CHANG: Oh, I can't hear you.

CHAIRPERSON ANDERSON: You can hear me?

MS. CHANG: Okay.

CHAIRPERSON ANDERSON: So when I don't speak, if you're addressing is because I don't speak, it is because something is going on with the camera.

MS. BULETT: I apologize to interject.

She might have some luck if she turns off her
camera. Sometimes with the internet issues like that, it helps.

CHAIRPERSON ANDERSON: Yeah. I was just about to suggest she do that. Thank you. Thank you, ma'am. But I'll wait for her to come back.

MS. FASHBAUGH: Call-in user with the number starting with 7, you are unmuted.

CHAIRPERSON ANDERSON: Ms. Chang, why don't you --

MS. CHANG: Yes, join by the phone.

CHAIRPERSON ANDERSON: Right. So yeah, all right. So just turn your camera off. Just turn your camera off please and I think you'll be fine.

MS. CHANG: Okay.

CHAIRPERSON ANDERSON: And we can hear you.

MS. CHANG: I think this way is (audio interference)

CHAIRPERSON ANDERSON: Yes, ma'am. So just turn your -- so just stay on the call-in and just log off the other one. Okay?

MS. CHANG: Let me leave (audio interference).
MS. SHEFERAW: Is it okay if I start it -- if I say it?

CHAIRPERSON ANDERSON: Yes. I can hear you perfectly. I'm sorry. Well I need -- but you see, I need both sides. Okay, I'll have you do it, but I need her -- I need both parties to -- I'm sorry, is that Ms. Bulett?

MS. SHEFERAW: No, this is Faseka.

CHAIRPERSON ANDERSON: All right, okay. Perfect. All right. I'll wait for -- When she comes back, then I'll have you -- if she has some issues, then I'll have you put it on. And then I'll make sure that as far as she's concerned that this is correct because she's the representative. And then I'll confirm that with the other side. Okay? So Ms. Faseka -- and forgive me for the -- How do you pronounce your last name for me one more time, ma'am?

MS. SHEFERAW: It's Sheferaw.

CHAIRPERSON ANDERSON: Sheferaw, yeah. Once she comes back -- Once I hear from Ms. Chang, then I'll have you -- I'll have you tell me the terms. Okay? What I want you to do is specifically tell me -- camera -- This is what we want to do for the camera or whatever it is say
this is the issue. This is the resolve -- this
is how we're going to resolve it. Okay?

MS. SHEFERAW: Yes, sir.

CHAIRPERSON ANDERSON: That's what I'm
requesting.

MS. BULETT: Mr. Anderson, would it
help if I -- This is Gina Bulett. Would it help
if I try to summarize everything and they can
agree or disagree with my summary?

CHAIRPERSON ANDERSON: Well normally
what -- normally what we would do is because the
Applicant is the one that -- it's the Applicant's
license, so therefore they're the ones who will
say to me that this is what I have agreed to. So
normally I would have the Applicant tell me what
it is. And then the Protestant would say yes.
But I need it to be from the Applicant's
perspective. But I also need Ms. Chang on the
line and she's not here.

So whoever's going -- whoever's going
to tell me what the concerns are, I need both
sides. So whoever can do a better job and put it
together. Ms. Bulett, if you have it, fine. But
I need Ms. Chang to be on the line because I need
to -- I need to make sure that what you're saying
as per the Licensee, that the Licensee agrees to what you're saying. So yes, I'll have you do that. But I'll wait for Ms. Chang to come back.

MS. BULETT: Faseka, is it okay if I summarize?

MS. SHEFERAW: It's okay with me.

MS. BULETT: Okay.

CHAIRPERSON ANDERSON: All right. But I need -- But I need Ms. Chang to come back because Ms. Chang has identified herself to us as the representative for the establishment. So I don't want to -- I do not want to move forward without her coming back online.

MS. GAFFNEY: Right.

CHAIRPERSON ANDERSON: So I don't know what -- Ms. Fashbaugh, is Ms. Chang connected to us because she was on the phone. I don't know what happened.

MS. FASHBAUGH: She is unmuted on the phone and I don't see her computer online.

CHAIRPERSON ANDERSON: Right. I think she left the computer, but is she -- is she unmuted on the phone because we were having issues? So she's unmuted on the phone?

MS. FASHBAUGH: She is, yes.
CHAIRPERSON ANDERSON: Ms. Chrissie Chang, can you please identify yourself please?

MS. GAFFNEY: She needs to press *6.

CHAIRPERSON ANDERSON: Ms. Bulett, let me ask you a question. Have you guys memorialized like a settlement agreement, but that has all the issues with the exception of the time? Do you guys have that?

MS. BULETT: And I --

(simultaneous speaking)

CHAIRPERSON ANDERSON: I'm sorry, who's speaking? Who's speaking?

MS. BULETT: This is me, Ms. Bulett.

CHAIRPERSON ANDERSON: Okay.

MS. BULETT: Chairman Anderson, so that was my intention yesterday to finalize the draft so we could get it signed. But unfortunately we couldn't come to an agreement on that. But I have all the issues pulled up. I can summarize to you what we have agreed on. What we agreed on in back and forth negotiations and where we still are.

CHAIRPERSON ANDERSON: All right. Ms. Chang, can you hear me? I can't hear you, Ms. Chang. Ms. Chang, I cannot hear you. I can't
hear you. I can't hear you, Ms. Chang.

   MS. BULETT: I think she's back on the
computer and she's muted.

   CHAIRPERSON ANDERSON: All right. But
she's unmuted on the phone, but I'm still not
hearing her on the phone. Because she has the
phone in her hand, so she's -- Ms. Chang, are you
-- Ms. Fashbaugh, can you please unmute her also
on the computer too?

   MS. FASHBAUGH: She's unmuted.
   CHAIRPERSON ANDERSON: Ms. Chang, can
you hear me?

   MS. CHANG: Yes. I can hear you well.
   CHAIRPERSON ANDERSON: All right.
This is what -- This is what we're going to do,
Ms. Chang. Okay?

   MS. CHANG: Yes.
   CHAIRPERSON ANDERSON: Ms. Bulett,
she's going to lay out what the issues are --
what the agreement is. I'm going to write them
down. Please listen to them. At the end of the
list when she's done, I'm going to ask you to
confirm that you -- that your client has agreed
to these. Is that okay with you?

   MS. CHANG: Yes. Yes, please do.
CHAIRPERSON ANDERSON: Go ahead, Ms. Bulett.

MS. BULETT: Okay. Let me just pull up our original document. Okay, so we agreed on the issues regarding public space cleanliness and maintenance. That was no issue. We also had no issue on the signage, loitering or illegal activity, how to handle that. And then we made some suggestions regarding fresh food and local product sales, that perhaps they could also enroll in DC Essential Kitchens -- Healthy Corners Program.

The one piece of that, that we did not agree on is the volume of gross receipts of alcohol sales. The above -- That was fine. And then just the general cooperation with ANC 7C and with these boundaries, that was fine. And then we had some issues to delve into regarding participation in the community. And then obviously no issues with notice and opportunity to cure.

So what we went back and forth in, in deliberations, let me pull that up. And I apologize, I am on the phone. So I am in-between email accounts as well. Okay, so in deliberation
and discussion, we came to the table (audio
interference) Northeast boundary as 7C because
Dix Market is struggling to address some of the
issues. Per the cameras, we had a meeting. We
met with Faseka and Dawit. I showed Faseka where
we need the camera. Basically on the front of
the store, we just need a full 180 view, so she
needs the direction. The window furthest to the
right when you're looking at the store, it just
needs to come out at an angle so it can give --
So with their other cameras that they've
installed that it can give a full 180 view. So
Faseka and Dawit are working on that.

Now the window repair, we're happy to
hear that they are able to make the investment to
repair the window. But we will still work with
them on pressing out District Government for the
facade improvement for that whole corner.
Because that may even better, you know, the outer
look of their store.

We did concede to the percentage
regarding the alcohol sales. That was the issue
that was in under the fresh foods and such. We
do understand that they're struggling to keep
their business afloat. We personally and still
consistently feel that alcohol was a bad choice for them because they entered into an already saturated market. And they had limitations regarding and constrictions because they do have a very small store.

However, our expectation is that they work with us over the next couple years to find something that they can be successful at, that can be of benefit and health to our community. So we are willing as a Civic Association ANC to try to help them figure out that nitch that can help their business thrive. And we fully believe that they can find something that is of greater benefit and well being to our community.

And then participation in the community, we understand because this is a husband and wife team, that they just don't have the capacity to attend all of the meetings that we have -- the ANC meetings, the Civic Association, the MPD safety meetings because we understand, some of us are on like three or four meetings a week. So we just expected the continued commitment from them to work on facade improvement and a business pivot.

Hopefully this pandemic is ending
soon. They're operating next door to a daycare, so we anticipate in the next year, that daycare is going to be booming. So we expect them just to work with us around issues on that corner to make sure that things are safe and presentable for children.

Faseka and Dawit and a lot of this issue in our community concern is that their business is located in a really bad intersection in our community. The alley going behind our community -- where the stores are, the big convenient store that moved two down from them and just that corner where they're positioned, that alley behind the store is the super highways for robbers in our community. And so I'm not sure if you're -- how familiar you guys are with what's going on in Deanwood every day, but we're having robberies, we're having shootings. I can't recall the last day the helicopter wasn't out.

But we really do appreciate the Faseka and Dawit. I've come to them several times. One of our community members was shot five times on the 30th on his way to work. We just had a robbery of another neighbor Monday night, half a
block up from the store. They took his car, robber him as he's coming in from work, putting the keys in the door. And I do appreciate the way they step up to look at their cameras, to communicate, and to try to help keep us safe. So that's where we are in terms of agreement.

CHAIRPERSON ANDERSON: All right, this is what I'm going to ask the parties to do. I will ask the parties to provide us with a consent agreement to say these are the terms that we've agreed to and provide that to us. And we will append that to the order. Because I think, Ms. Bulett, you were in the process of drafting a sentiment agreement, but that was not done yesterday. So why don't you -- the parties provide us the terms that they've agreed to. And we will append that to our order. Is that agreeable?

MS. BULETT: I can work on that tonight.

CHAIRPERSON ANDERSON: And you'll provide it to Ms. Chang. And you believe that -- When do you believe that both of you can provide that to the Agency?

MS. BULETT: I am going out of town on
Thursday, so I will have to do it tonight.

MS. BULETT: All right. So I can email it out. We have, I think several -- we have an email chain going that has several ABRA people on it, so then it can come to you guys.

CHAIRPERSON ANDERSON: So email it.

Both you and Ms. Chang will send this document to us to say this is what we have agreed to. Okay?

MS. BULETT: Okay.

CHAIRPERSON ANDERSON: So what we're going to have then is just a hearing on the hours. And I need the Licensee to be specific why they need the specific hours -- closing hours that they're asking for. And I then need the Protestant to be specific in telling us why they need their time -- that's different from what the Licensee's asking for. Okay? All right.

So Ms. Chang, I'm hoping that we're not going to have -- One of the things I'll ask you to do, Ms. Chang since you're on -- since you're on video, you can turn your camera off.

MS. CHANG: Yes.

CHAIRPERSON ANDERSON: Yes, ma'am?

MS. CHANG: Okay. I would like to try again. Could you please tell me if you hear me
well?

CHAIRPERSON ANDERSON: Yes, ma'am. I can hear you.

MS. CHANG: Okay, thank you.

CHAIRPERSON ANDERSON: So why don't you now tell us why is it that -- what closing hour -- what are the hours that the Licensee is requesting? And why are they -- why are they requesting those hours? And why is it that Board should grant those hours?

MS. CHANG: (audio interference) approved by the Board is 12:00 a.m. This is the closing hours. Closing (audio interference) in the current ABC (audio interference). And the protestors (audio interference) concerns to our safety -- the owners and (audio interference) appreciate the -- appreciate it. However, the owner and his wife would like to -- (audio interference) 11:00 p.m. as closing hours.

Yeah, the owner is closing the operation around 10:00 p.m. during this pandemic. But the owner needs flexibility for some busy nights to avoid a violation such as an after hour sale. The owner is not able to agree with 10:00 (audio interference) to make a complete closing.
The owner needs some time to remove customers, you know, inside of the -- on the premises.

As for the safety concerns, the owner and his wife promise to utilize their discretions to the fullest. The owner would like to ask the protestors to give him a chance to prove that 11:00 p.m. (audio interference) indicated as the closing time in (audio interference) from the community. And also if needed, this issue can be discussed again in two years when the next renewal is required.

And then (audio interference) located in the -- like 10 foot radius. And their ABC license closing time is still 12:00 a.m. And I understand that they're closing basically, you know, 10:00 p.m. right now. They just like a little flexibility, a little later than 10:00 p.m. So this is what the owner requests the Board to (audio interference) the 11:00 p.m. as the closing time to be indicated in the ABC license. Thank you.

CHAIRPERSON ANDERSON: All right.

Thank you, Ms. Chang. Ms. Bulett?

MS. BULETT: Hi, yes. Chairman Anderson, it is correct that Skip's Liquor does
have the license hours, but they consistently
close at 10 o'clock. And the reason our
community has not had to do a settlement
agreement with them is because they are very
communicative with Dr. Gaffney and very vigilant
regarding resolving community issues.
Unfortunately, the block outside their business
is ripe with a lot of illicit activity. They
struggle with the same things that Dix Market
does in terms of being in an epicenter of
really bad activity and dangerous activity.

They've done a lot of things regarding
lighting, cameras, preventing loitering. They
even took money out of their pocket and fenced in
a next door property that wasn't theirs, but they
did it for community safety because people were
trying to operate a drug trafficking and human
trafficking ring off the front of this abandoned
house. So that is the reason we don't have a
settlement agreement, because they agreed to do
things like closing at 10 o'clock to increase
everybody's safety.

They too have been victims of robbery,
so they understand the seriousness of it. And
unfortunately right now with how our neighborhood
is with the sharp, really jarring increase of robberies and violent crimes in our neighborhood, Monday and last night, we had robberies in our neighborhood. The police keep coming back to that alley behind the stores. And two doors down, the bigger -- it's a big convenient store, they too have been robbed. For them to be open and the only one -- that store that's been robbed, that also closes at 10:00. For them to be open that one hour, it just puts a bulls eye over the store.

And there's no amount of money that they can make in that hour that would be worth putting Faseka and Dawit at risk. There just isn't. They need to go home at night to their families. So that little bit of money that they can make in that hour is not worth the increased risk of being alone and open that hour when we know the robbers are right behind the store in the alley.

And you know, it's also just not about Faseka and Dawit. I had to go down there Monday night because of the robbery that happened to my neighbor, to talk with them about if they saw anything on the camera. They took my neighbor's
keys, his wallet, his money and then they went
and stole his car. So you have two people riding
around in a stolen car probably robbing other
people, doing other illegal things.

It is a risk for the entire community
safety and we're already stressed out and
honestly scared because, I mean we went from pre-
pandemic, our violent crime being lower to now
two years into the pandemic, it's really spiking
in a very scary way. And no amount of money is
worth putting them at risk. And there's no
amount of actions that they can take that will
mitigate the risk because it doesn't matter that
they have cameras, they will stay come in there,
stare right into the camera and pull out a gun
and rob the store.

Faseka and Dawit cannot, you know,
exit the store -- like there's not a plexiglass,
bulletproof tunnel that let's them exit the store
to their car safely. They're going to still have
to come outside. We really need them to close at
10 o'clock for everybody's sake, for the
community's sake, for their safety.

CHAIRPERSON ANDERSON: Anything else
you wish to say, Ms. Bulett?
MS. BULETT: It was a pleasure getting to know Faseka and Dawit in the process, I know that we were really at odds. We do appreciate the way they engage our community. It's sometimes unlikely to have folks, particularly when they live elsewhere and are doing business in our community, engage our most struggling members of our community with respect. But I've universally heard good things about them. And I understand like you think that, you know, when you engage even the most struggling person with respect that it protects you from robberies, but I know it does not.

I had my friend when she was staying with me in 2014 in front of my house, half a block up from their store, boys surrounded her. Dragged her by her hair, kicking her to get her purse. I speak to everybody in the community. They knew me. They knew my friend who was staying with me. We treated everybody with respect, but it didn't prevent a robbery.

CHAIRPERSON ANDERSON: All right. Ms. Chang, do you have any questions of Ms. Bulett and Ms. Bulett, do you have any questions of Ms. Chang?
MS. CHANG: Yeah. Again, the owner and I do appreciate the concerns and fully understand about the safety issues. But they just, you know -- Again, just because you know, the citywide renewal actually last year and almost a year passed. So I would like to suggest like a -- you know, this issue can be discussed, you know, in two years. And try -- you know, let's give a chance to the owner to try at 11:00 p.m. And then just let's give us (audio interference)

CHAIRPERSON ANDERSON: Are you done, ma'am --

(simultaneous speaking)

MS. CHANG: And then all the issues -- all the issues like camera, community activity involvement, everything, the owner is going to, you know, try themselves and make every effort, you know, for the whole benefit in the community and the owners and everybody. So I just would like to personally suggest on behalf of their (audio interference) that like, you know, 11:00 p.m. and then, you know, prove that (audio interference) the community.

CHAIRPERSON ANDERSON: All right. All
right. Do you have any questions of Ms. Chang, Ms. Bulett?

MS. BULETT: I don't. I have a general statement though.

CHAIRPERSON ANDERSON: All right, go ahead. Go ahead. Go ahead, ma'am.

MS. BULETT: I think when we talk about harm to the community, there are times that are, you know, they're irreparable. There's situations of harm and trauma that you just can't go back from. When the bullet's out of the gun, you don't get it back. And so I don't think waiting and seeing when we're in a crime surge right now is the responsible way to move forward to protect the community, especially when we are in (audio interference) what should be two safe and sacred places for children.

You have a daycare right next door. At the block of 61st and Dix, you have a small private school. We don't need -- and even if it's overnight when the children are home, what have you, those should still be safe spaces because at the end of the day if somebody gets shots and killed, the police are out there. The coroner's truck is out there. They'll be over
there with the tap until the following morning, what have you. And we don't need kids walking across that to go to school.

We already have a situation had at 61st and Dix where there's a memorial up and literally someone took a picture of the woman under the police sheet lying dead on the ground. She hit some PCP and it was laced with Fentanyl. And she just -- she died there and that was it. So there's just some situations of harm that we don't get to go back from.

MS. SHEFERAW: Is it possible I can speak -- add on?

CHAIRPERSON ANDERSON: On what? No, I mean I will just let -- where we are is I just -- each side has given me -- has given the Board reasons why we should agree with their side regarding the hours. And I mean I've heard a lot, but I'm not quite sure -- I know that Ms. Chang is representing your interests. Is it something that she has not said that you need to take -- I 'm not asking you to respond to what Ms. Bulett just said. She's the representative and is it that she has not stated what it is that you're seeking as far as the hours are concerned?
MS. SHEFERAW: She did. I just wanted to express a little bit more.

CHAIRPERSON ANDERSON: Well, I believe that -- I mean okay -- A little bit more -- go ahead, ma'am. I'm sorry. Ms. Chang, can Ms. Sheferaw, can she speak? Ms. Chang?

MS. CHANG: Yeah.

CHAIRPERSON ANDERSON: Go ahead, ma'am.

MS. SHEFERAW: Yes.

CHAIRPERSON ANDERSON: Yeah. Go ahead.

MS. SHEFERAW: I just want to add on. I'm grateful for the community. I understand the concern. I'm very thankful. And at the end of the day, we want to go home as well. We do close at 10:00 right now. However, having restriction only going to make it harder for us. We are struggling right now in the store. So we wanted that one hour grace period during the summertime or you know, if it gets better. But as of now, we do close at 10 o'clock because of everything that's going on.

However, we just want them to trust us and let us, you know, show them and prove to them that we are able and we'll work with them,
whatever needs to be done. But the 10 o'clock restriction, the violation and all that stuff, only going put us in more debts than, you know, we are right now. So that 11 o'clock doesn't mean that we're going to close at 11 o'clock every single day from today and on, we do close at 10:00. But we just want to have that flexibility and coming from 12 o'clock to 11 o'clock and from 10:00 to 11:00, I think is fair enough to say that it is workable.

And you know, in two years if it needs to be fixed, we will fix it if we don't obey by what they say or how they like it. But right now because we're struggling, because a new store came right next to us opened, our business is gone. So the extra hour, the extra 30 minutes gives us a little bit of help. It helps us a lot. So that's why during the Summer we want to stay a little bit open if that's possible. I appreciate it.

CHAIRPERSON ANDERSON: All right, thank you. All right. Any questions by any board members? Any questions from any board members? I guess -- I just have a question, Ms. Bulett.
MS. BULETT: Yes, I'm here.

CHAIRPERSON ANDERSON: Yeah, I know.

When you talk about them closing earlier, but can you attribute whether -- I know that you say that you're concerned for their personal safety. But how can you -- Are you able to tie their later hours to specific crimes in the neighborhood that generated from their late -- their specific late hours?

MS. BULETT: Well Chairman Anderson, if you think about it, where do robbers like to strike? They like to strike where there's less people out, where there's less people around, where there's less businesses open. When you have the other two businesses -- main businesses in the community closing, then their the only ones open. It's a small store. They're right next to the robber's super highway. I mean, you know, it just exacerbates risk. You know?

And in addition, you know, nothing stopped that guy in October who went into their neighbor two doors down. I mean I watched the MPD video. You know, one of the most respected men in our community. He's been in our community doing handyman work forever, was the person that
guarded the cars when the church was in -- that building used to be a church before it was a convenience market. He would be out monitoring the cars every Sunday as they were lined up.

That didn't stop that man from showing that man the gun in his -- in his coat pocket and robbing that store. I mean these late night hours, I mean it just exacerbates the risk. You have the cover of darkness and then you have every other store closed around it. It's just not a good situation.

CHAIRPERSON ANDERSON: All right. Any other questions by any of the board members?

MEMBER GRANDIS: Mr. Chairman?

CHAIRPERSON ANDERSON: Yes, Mr. Grandis.

MEMBER GRANDIS: Who was speaking?

I'm trying to look at the screen.

CHAIRPERSON ANDERSON: All right. Who do you want to -- who do you want to address --

MEMBER GRANDIS: The person who was speaking just now. It wasn't Ms. Chang, it was the --

CHAIRPERSON ANDERSON: Ms. Chang --

(simultaneous speaking)
MS. CHANG: Yes, I'm here.

MEMBER GRANDIS: No, no, no.

CHAIRPERSON ANDERSON: Hold on. Hold on, Mr. Grandis.

MEMBER GRANDIS: Yes.

CHAIRPERSON ANDERSON: Ms. Chang is the representative. Mr. Faseka is the wife of the owner. I don't know if she is -- I do not know if she's on the license. But she has been identified as the wife of the owner. So I'm more so addressing whatever questions I think is better addressed to Ms. Chang and Ms. Bulett because they're the sole representatives.

MEMBER GRANDIS: Yes. It's Ms. Bulett then. Ms. Bulett, I want to thank you for being a witness today and participating. You mentioned the crime that's in the neighborhood. But maybe I missed hearing you, is there any of this crime that you have mentioned, which is very serious. None of us want this in any of neighborhoods. But is any of this crime that you're talking about related to this establishment?

MS. BULETT: No, it's not. But it's happening around the establishment and we don't want the establishment to be targeted. That
corner they're on is very dangerous and MPD has long identified the alley behind those stores as basically the source of the robberies in our neighborhood. And that's only escalated in recent weeks.

I mean the robbery last night, I happened to be out running errands. The cops are in that alley with the flashlights looking in the dumpsters to see if they, you know, threw a gun or something. They came out of that alley when they robbed my neighbor Monday night. When they shot my neighbor five times on his way to work, they came out of that alley. You know, and that's literally two -- two doors down from where they operate.

So we know that high risk people are in and around there. That corner has been very bad for violence for a long time. We do not think Faseka and Dawit are the cause, but they could be targeted just because they're close. Why would you travel somewhere to rob somebody where you can just go around the corner, throw a face mask on and get away?

A lot of the robberies and crimes that are in our neighborhood remain unsolved including
back when the barbershop next to Faseka and Dawit was open, they had a murder in there of a young man. And then I think about a year later, they had a multi-person shooting, including the shooting of a five-year-old, still unsolved. The folks came out of the alley to do it.

Over the summer, argument down at Watts Park. Started at Watts Park on a Monday late morning. I think Monday before noon, that kid that was in the argument down there was in the alley behind the store. Before noon, that boy was shot five times in that alley behind the store. It is a hot spot.

MEMBER GRANDIS: Thank you, Ms. Bulett for giving me more information. Thank you very much.

CHAIRPERSON ANDERSON: All right. Any other questions by any of the board members?

MS. GAFFNEY: Mr. Anderson?

CHAIRPERSON ANDERSON: Yes, Dr. Gaffney.

MS. GAFFNEY: (audio interference) have you received more comments, that's fine. Gina has spoken very clearly and honestly about the situation. But I just want to add that, that
store is probably as large as a one-bedroom per
se. And (indiscernible due to accent) on one
side of it in the room and whatever little
whatnots on the shelf. You think it's a grocery
store, but it isn't. And I just think the
investment was in the wrong place. And we are
trying to get them to comply with the other
stores in the community that closes at 10
o'clock. That's what we're trying to do. We're
trying to be very aware of the situations that's
happening in the community. And I think Gina has
explained those opportunities very well.

CHAIRPERSON ANDERSON: All right.

Thank you, ma'am. All right. Any final comments
-- any final comments you want to make, Ms.

Chang?

MS. CHANG: Yes. (audio interference)
the crime (audio interference) activities around
the store. And I believe (audio interference)
understand. You know, my client is the one who
fully understands what's going on. But as long
as all the criminal activities is not directly
related to the store, still I do believe that the
store needs to prove like (indiscernible due to
accent) next two years about the -- to prove
themselves -- to prove themselves that the 11:00 p.m. close is not going to be a big -- you know, it's going to be a big problem, you know, for the community. Okay?

And they are hard workers. And you know, (audio interference) really smart. And because all the communications and they do understand. And actually, this is their first business. And they did not understand about what to do towards community, you know (indiscernible due to accent). Now through all these procedures and now they got learned and they are 100 percent willing to communicate with the communities. And they know all the (audio interference) and you know, the Civic Association authority, you know, to represent the community. And they clearly understand they're a part of the community members. All I ask is just give them, you know, the two years to prove themselves. That's all I ask please.

CHAIRPERSON ANDERSON: All right.

MS. CHANG: They are struggling.

MS. BULETT: Chairman Anderson --

(simultaneous speaking)

MS. CHANG: Please help us --
CHAIRPERSON ANDERSON: I'm sorry.

Hold on.

MS. CHANG: Yeah.

MS. BULETT: I apologize. I'm sorry

--

(simultaneous speaking)

MS. CHANG: Please help this business survive.

(simultaneous speaking)

CHAIRPERSON ANDERSON: Hold on. Ms. Bulett, hold on. I didn't give you -- I didn't give you permission to speak, ma'am. So hold on. I wasn't sure if I was going to, so just hold on. One can only speak when I give you permission to speak. So hold on please, ma'am. Ms. Chang wasn't done speaking. I want to make sure that's she's done speaking. Are you done, ma'am?

MS. CHANG: So just so you know --

Yeah.

CHAIRPERSON ANDERSON: Are you done speaking?

MS. CHANG: Please -- Yes, I'm done. And I would like to finally -- I would like to request the chance to prove themselves, you know, to the community please. Thank you so much.
CHAIRPERSON ANDERSON: All right, thank you. You have the last word, Ms. Bulett.

MS. BULETT: Okay. Chairman Anderson, I think there's also been some confusion. This is not a matter of Faseka and Dawit or Dix Market proving themselves. You know, the only people that need to "prove themselves" or change their behavior are unfortunately the significant number of young people running around with guns in our community and selling drugs in our community and engaging in illicit behaviors, human trafficking, drug trafficking, what have you that make our community a dangerous place.

So this is not about like a moral test, do we think Faseka and Dawit are up for the task. It is just a statement of fact that there is nothing that they can do to protect their safety and prevent a robbery, especially when we have such a spike in violent crimes and so many young people that are engaging in such high risk behaviors in concentration around the store.

CHAIRPERSON ANDERSON: All right. Thank you, ma'am. All right. Okay, I'm going to bring this hearing then to a close. The parties will provide us the consent order, meaning the
consent agreement for all the issues that they have agreed upon. Once we are in -- Once the Board receives this information, we will add that to the decision that we will make regarding the hours -- and the hours of operation, what's been requested. The Licensee is being requested that there will -- that their license -- that they be allowed to operate until 11:00 p.m. and the Protestant is asking that they should close at 10:00 p.m. All right? Okay.

All right, so this hearing then is -- the record is closed. All right, as Chairperson of the Alcohol Beverage Control Board for the District of Columbia in accordance with DC Official Code Section 2574(b) of the Open Meetings Act, I move that ABC Board hold a closed meeting for the purpose of seeking legal advice from our Counsel on Case No. 21-PRO-00081, Dix Market, pursuant to DC Official Code Section 2574(b)(4) of the Open Meetings Act. And deliberate upon Case No. 21-PRO-00081, Dix Market for the reasons cited in DC Official Code Section 2574(b)(13) of the Open Meetings Act. Is there a second?

MEMBER SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. I will now take a roll call vote on the motion before us. Mr. Short?

MEMBER SHORT: Mr. Short, I agree.

CHAIRPERSON ANDERSON: Mr. Cato?

MEMBER CATO: Bobby Cato, I agree.

CHAIRPERSON ANDERSON: Ms. Crockett?

MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Hansen?

MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis?

MEMBER GRANDIS: Edward Grandis, I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson, I agree. As it appears that the motion has passed, 6-0-0, I hereby give notice that the ABC Board will recess these proceedings to hold a closed meeting in the ABC conference room pursuant to Section 2574(b) of the Open Meetings Act. Thank you very much. The Board will issue a decision within 90 days. Thank you very much. Have a great day. And I want to thank the parties for agreeing to most of the issues in this complaint -- in this protest. So I want to
thank the parties for agreeing to most of the
issues. And so therefore, the Board will make a
determination on whether or not the Licensee will
be allowed to operate at 11:00 or they have to
close at 10 o'clock. All right, thank you very
much and have a great day.

(simultaneous)

Thank you.

(Whereupon, the above-entitled matter
went off the record at 3:09 p.m.)
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Dix Market

Before: DCABRA

Date: 02-16-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

[Signature]
Court Reporter