DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD
MEETING

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IN THE MATTER OF:  
BHG Waterfront LLC,  
t/a TBD  
715 Wharf St SW, #519A-B  
License #118143  
Retailer CT - ANC 6D  
Case #21-PRO-00056  
(Application for a  
New License)  
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Wednesday
August 18, 2021

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
JAMES SHORT, JR., Member

ALSO PRESENT:
KAREN ANDERSON, Protestant
SIMONE ANDREWS, DC ABRA Staff
EDWARD DANIELS, ANC 6D
SIDON YOHANNES, Applicant's Counsel
Chairperson Anderson: Let's call case number 21-PRO-00056, BHG Waterfront LLC, license number 118143. Let's call that case, Ms. Andrews.

Ms. Andrews: Okay. Stand by.

(Pause.)

Chairperson Anderson: We're all over the place today on this calendar, so hopefully (Simultaneous speaking.)

Ms. Andrews: I'm listening.

Chairperson Anderson: And someone will keep me on my toes so I make sure that all the cases are covered.

Ms. Andrews: Okay, no problem.

Edward Daniels, your rights have been elevated.

(Pause.) Ms. Anderson, your rights have been elevated. (Pause.) That's all, Mr. Chair.

Chairperson Anderson: Thank you, Ms. Andrews, and thank you for keeping up with me and moving all the calendar. All right.

Ms. Andrews: No problem.

Chairperson Anderson: All right, so let's have the parties introduce themselves for
the record, starting with the Licensee. Go ahead, Ms. Yohannes.

MS. YOHANNES: Sidon Yohannes here on behalf of the Applicant and that is, again, S-I-D-O-N Y-O-H-A-N-N-E-S.

CHAIRPERSON ANDERSON: Is the Applicant going to be here today?

MS. YOHANNES: No, he is not.

CHAIRPERSON ANDERSON: All right. So let's start with the group of five or more. Mr. Daniels?


CHAIRPERSON ANDERSON: Good morning, Mr. Daniels, Ms. Anderson.

MR. DANIELS: Good morning.

CHAIRPERSON ANDERSON: We cannot hear you, Ms. Anderson. (Pause.) (Simultaneous speaking.)

MS. ANDERSON: Can you hear me now?

CHAIRPERSON ANDERSON: Yes, Ms. Anderson, yes, we can.

CHAIRPERSON ANDERSON: All right, thank you. All right, Mr. Daniels and Ms. Anderson, you're in the same group, is that correct or is it two different groups?

MR. DANIELS: So, I'm representing ANC 6D and -

CHAIRPERSON ANDERSON: Oh, you're -

MR. DANIELS: Ms. Anderson is part of the protest group.

CHAIRPERSON ANDERSON: Okay, I'm sorry. So you're in the ANC, okay. All right.

MR. DANIELS: Yes.

CHAIRPERSON ANDERSON: I apologize. Okay, all right, are there any preliminary matters that need to be brought to the attention of the Board?

MS. YOANNES: No, we have none.

CHAIRPERSON ANDERSON: All right. Mr. Daniels?

MR. DANIELS: No, none. The protest group and the ANC and the client are currently back and forth in negotiations regarding the settlement agreement.

CHAIRPERSON ANDERSON: All right, Ms. Anderson, from your position?
MS. ANDERSON: We participated in mediation last week. We continue to receive information from the Applicant and we are hopeful that we are going to find our way to a mutually agreeable settlement.

MS. YOHANNES: And hopefully soon.

CHAIRPERSON ANDERSON: All right. Just as an FYI, Ms. Anderson, as a matter administratively, I'm just saying this to you because a lot of times we have groups come to the Board and they're upset. But, if a settlement agreement is signed between the ANC and the Licensee, if you're not a part of it, your protest falls. The Board cannot tell the ANC to make you a part of an offer of a settlement agreement.

I'm hoping that the parties are working together that you're working with the ANC, if the parties are going to settle this matter, but I just want to let you know that if the ANC decides not to bring you in as part of the settlement agreement, then the case is over because you will not have standing to move forward with a protest hearing. Okay?

MS. ANDERSON: We are clear on that
point, Mr. Chairman.

    CHAIRPERSON ANDERSON: And the reason why, this has happened to me where we have had groups and they're explaining and they're telling the Board what the Board should do and I am just, as an FYI, pointing out to parties to say this is how it is and there's really nothing that the Board can do to change that. Okay? All right.

    MS. ANDERSON: They are.

    CHAIRPERSON ANDERSON: Thank you. All right, if this matter goes to a Protest Hearing, the matter is scheduled for Protest Hearing on October 6th at 1:30 p.m. All right, do the parties need me to read the instructions for a Protest Hearing or do you understand the process?

    MS. YOHANNES: We're fine, I believe. I hope we don't get there and I'll defer to the group.

    MS. ANDERSON: No, I've heard you read it a few times already so I've got it.

    CHAIRPERSON ANDERSON: All right, well thank you. The reason why, when I do this virtually I'm not sure; if you were sitting in front of me, then I know you've heard it, but when I do it virtually, I'm not sure who's
hearing what, so I need to make sure that
everyone is clear. But as I said before, if you
have any questions or concerns, please contact
April Randall. Her number is 202-329-6354 and
her e-mail address is April.Randall2@DC.Gov and
she can instruct the parties.

Good luck with your settlement
discussions. If I don't see you in October,
don't take that personally. We'll know that at
least the process has worked. Have a great
summer and thank you for being here this morning.

Thank you very much.

   MS. YOHANNES: Thank you.

   MR. DANIELS: Thank you, Mr. Chairman.

   MS. ANDERSON: Thank you.

   (Simultaneous speaking.)

   CHAIRPERSON ANDERSON: Thank you, sir.

   Bye-bye.

   (Whereupon, the above-entitled matter
went off the record at 11:51 a.m.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: BHG Waterfront

Before: DCABRA

Date: 08-18-21

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