

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

- - - - -X

IN THE MATTER OF: :
Alta Strada-City Vista, LLC, :
t/a Alta Strada : Protest
465 K Street, NW : Hearing (Status)
License #ABRA-100140 :
Retailer Class CR :
ANC-6E :
Application to Renew the :
License :

- - - - -X

Wednesday, September 07, 2016

Whereupon, the above-referenced matter
came on for hearing at the Alcoholic Beverage
Control Board, Reeves Center, 2000 14th Street,
N.W., Suite 400S, Washington, D.C. 20009.

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 MICHAEL SILVERSTEIN

7 JAMES SHORT

8

9 ALSO PRESENT:

10

11 ANDREW KLEIN

12 On behalf of Alta Strada

13

14

15

16

17

18

19

20

21

22

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

2 [9:35 a.m.]

3 MR. DONOVAN W. ANDERSON: Good morning,
4 everyone. I would like to welcome you to the
5 regularly scheduled meeting of the District of
6 Columbia Alcoholic Beverage Control Board. Please
7 note that today's hearings will be conducted in
8 accordance with D.C. --

9 FEMALE SPEAKER: Can you speak more
10 loudly, please?

11 MR. DONOVAN W. ANDERSON: I'm sorry?

12 FEMALE SPEAKER: I -- we can't hear you
13 back here, or the deaf people can't, at least.

14 MR. DONOVAN W. ANDERSON: Well, I -- I'm
15 not quite sure what to do, but maybe you can move
16 up closer to the -- to the -- to the -- to the
17 front, but, um, there is --

18 (Off-mic speaking)

19 MR. DONOVAN W. ANDERSON: My mic is on. I
20 don't know what else to say.

21 FEMALE SPEAKER: Well, can you speak up?

22 MALE SPEAKER: Can you turn the mic on?

1 FEMALE SPEAKER: We can't hear it.

2 MR. DONOVAN W. ANDERSON: Well, I have a
3 microphone that I turned on. I don't know what
4 else to do. Can you hear me?

5 (No audible response)

6 MR. DONOVAN W. ANDERSON: You still can't
7 hear me?

8 (Off-mic speaking)

9 MR. DONOVAN W. ANDERSON: Can you guys
10 hear me back there?

11 FEMALE SPEAKER: It's very hard to hear
12 you.

13 MALE SPEAKER: The speakers don't seem to
14 be on.

15 (Off-mic speaking)

16 MR. DONOVAN W. ANDERSON: Can you hear
17 me?

18 (Off-mic speaking)

19 MR. DONOVAN W. ANDERSON: Um --

20 FEMALE SPEAKER: We can barely hear you.
21 There's no -- there's no micing in here. We can't
22 -- Something's not on.

1 (Off-mic speaking)

2 MALE SPEAKER: This is our normal
3 operation.

4 (Off-mic speaking)

5 MR. DONOVAN W. ANDERSON: Well, we've
6 been on vacation, so I guess the equipment is on
7 vacation, too, so let me see if we show
8 something. I just do what I normally do, so I'll
9 just wait until someone tells me what's going on,
10 okay?

11 (Silence)

12 (Off-mic speaking)

13 MR. DONOVAN W. ANDERSON: Can -- can the
14 folks in the back hear me?

15 (Off-mic speaking)

16 MR. DONOVAN W. ANDERSON: Mr. Howze?

17 (No audible response)

18 MR. DONOVAN W. ANDERSON: Now, I don't
19 understand how the folks say they can't hear me,
20 and I just called Mr. Howze, who is sitting in
21 the last row in this room, and he can hear me. If
22 you cannot hear me, can you please move up to the

1 front? There are seats up front you can move up
2 to, so move up, because I don't know what else to
3 do.

4 My microphone is on. This is the voice
5 that I normally speak. I've been doing this since
6 November. I have never had a problem that folks
7 say they can't hear me. So, I just called Mr.
8 Howze, who's at the back; he heard me. If you
9 cannot hear me, please move forward, okay? I
10 don't want anyone to say later on that they
11 couldn't hear, so if you cannot hear me -- My
12 microphone is on. The -- the -- So -- so, that's
13 all I can do. So, if you need to -- if you can't
14 hear, please move forward.

15 MALE SPEAKER: Um -- Oh, sorry.

16 MR. DONOVAN W. ANDERSON: Yes, sir.

17 MALE SPEAKER: Um, the microphone may be
18 on, but it does not appear to have any power. Is
19 there anyone here who has control of the -- the
20 amplifier?

21 (Off-mic speaking)

22 FEMALE SPEAKER: We -- we can -- You can

1 be heard, but it's difficult. I think we should
2 just continue, but if someone can work on fixing
3 the sound system, that would be great. That --
4 that's my -- that's my input for this.

5 MR. DONOVAN W. ANDERSON: Ma'am, you're
6 sitting in the -- one, two, three, four rows.

7 FEMALE SPEAKER: I know. I'm -- I --

8 MR. DONOVAN W. ANDERSON: There are --

9 FEMALE SPEAKER: I --

10 MR. DONOVAN W. ANDERSON: There are three
11 rows ahead of you that are empty.

12 FEMALE SPEAKER: Right. And I am not
13 complaining. I --

14 MR. DONOVAN W. ANDERSON: I -- I know,
15 Miss. I know you're not complaining. But all I'm
16 saying is that --

17 FEMALE SPEAKER: You're right.

18 MR. DONOVAN W. ANDERSON: My -- my -- my
19 role is to serve the public, and if the public
20 says they can't hear, that's one of the reasons
21 I'm waiting. But in the -- but -- but all I've
22 stated: We have one of our investigators. He's

1 sitting in the last row in this room. I called
2 him; he said he heard me.

3 FEMALE SPEAKER: I -- I -- and that's
4 what I just said. I agreed with you. I said it's
5 difficult to hear, but we can hear. You are
6 right. I will move up if I can't -- I -- I
7 brought it up in the first place because it was
8 clear there was no amplification. You're doing
9 fine. Talk to us.

10 (Off-mic speaking)

11 FEMALE SPEAKER: Speak.

12 MR. DONOVAN W. ANDERSON: Not -- not --
13 I'm not responding to you.

14 FEMALE SPEAKER: Oh, okay.

15 (Off-mic speaking)

16 MR. DONOVAN W. ANDERSON: Can you get
17 Frank for me, please?

18 (Off-mic speaking)

19 MR. DONOVAN W. ANDERSON: Can you guys
20 hear me now?

21 (No audible response)

22 MR. DONOVAN W. ANDERSON: You still can't

1 hear?

2 (Off-mic speaking)

3 MR. DONOVAN W. ANDERSON: Hello?

4 (Taps mic)

5 FEMALE SPEAKER: Hey, you got it.

6 (Off-mic speaking)

7 MR. DONOVAN W. ANDERSON: All right. Good
8 morning, everyone. I would like to welcome you to
9 the regularly scheduled meeting of the District
10 of Columbia Alcoholic Beverage Control Board.
11 Please note that today's hearings will be
12 conducted in accordance with D.C. Official Code
13 Section 2-574 of the Open Meetings Act. Today is
14 September 07, 2016.

15 I would like to introduce members of the
16 Board with us today. To my far right is Ms.
17 Ruthanne Miller. To my far left is Mr. Mike
18 Silverstein. To my immediate left is Mr. James
19 Short.

20 MALE SPEAKER: Good morning.

21 MR. DONOVAN W. ANDERSON: My name is
22 Donovan Anderson, and I am the chairman of the

1 Board. The Board has four members in attendance
2 for the conduct of business today, and that
3 constitutes a quorum.

4 I would like to mention two things before
5 we get started. First of all, if you have any
6 electronic devices -- pagers, cell phones, or
7 such -- please make certain that they're turned
8 off to avoid any interruptions of the
9 proceedings.

10 Secondly, there is a piece of paper on
11 each table. When you come forward as your case is
12 called, please take a seat at the table and
13 please sign in. This is to ensure the correct
14 spelling of your name for the record.
15 Additionally, when you introduce yourself for the
16 record, please spell your name aloud for the
17 court reporter.

18 I would note that the approximate time is
19 9:44, and our first order of business today is,
20 we have a protest status hearing. The first case
21 is Case #16-PRO-00069, Alta Strada, License
22 #100140. Would the parties please approach and

1 identify yourself for the record, please?

2 MR. ANDREW KLEIN: Good morning, Andrew
3 Klein on behalf of the applicant.

4 MR. DONOVAN W. ANDERSON: Good morning,
5 Mr. Klein. Do we have anyone in the audience for
6 Alta Strada?

7 (No audible response)

8 MR. DONOVAN W. ANDERSON: Is Ms. Allen
9 here?

10 FEMALE SPEAKER: Oh.

11 MR. DONOVAN W. ANDERSON: Yes, ma'am.

12 (Off-mic speaking)

13 MR. DONOVAN W. ANDERSON: You're, um,
14 Susan A-u Allen?

15 MS. SUSAN AU ALLEN: Yes. I thought that
16 this is Hilltop. No? This is not -- The owner is
17 not Hilltop?

18 MR. DONOVAN W. ANDERSON: The name of the
19 business is -- You -- you -- you tell me the name
20 of the business is Alta Strada, um, 465 K Street,
21 NW.

22 MS. SUSAN AU ALLEN: No, I'm the

1 protester. I am protesting, uh, Mission Dupont,
2 who are trade -- who is the trade name for
3 Hilltop.

4 (Off-mic speaking)

5 MS. SUSAN AU ALLEN: No?

6 MALE SPEAKER: That's the next.

7 MR. DONOVAN W. ANDERSON: Yeah? That's
8 the next case? Oh, I'm sorry. I apologize, ma'am.

9 All right. What I will do, and -- which
10 is -- which is my normal -- You can step back,
11 ma'am. I apologize. What I'll do, which is my
12 normal proceedings: Um, I'm going to pass -- pass
13 by this case, and I will recall it. Um, I usually
14 give folks probably 'til 9:00, and if they're not
15 here by 9:00, since this is supposed to be a 9:30
16 hearing --

17 So, what I'll do, Mr. -- Mr. Klein, um,
18 step back, please, and I will recall the hearing
19 prior --

20 MR. ANDREW KLEIN: 10:00.

21 MR. DONOVAN W. ANDERSON: I'm sorry,
22 10:00. I will recall the hearing prior to moving

1 onto, um, the other calendar.

2 MR. ANDREW KLEIN: Great.

3 MR. DONOVAN W. ANDERSON: So, thank you.

4 MR. ANDREW KLEIN: Thank you.

5 MR. DONOVAN W. ANDERSON: All right. All
6 right.

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