

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 ROLL CALL HEARING

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IN THE MATTER OF:          :
                            :
Whole Foods                 :
Market Group, Inc.         :
t/a Whole Foods Market    :
7130 12th Street NW       : Roll Call
Retailer B - ANC 4A       : Hearing
License No. 122966        :
Case #23-PRO-00017       :
                            :
(New License Application):
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Monday
 February 27, 2023

The Alcoholic Beverage Control Board
 met via WebEx videoconference, LaVerne Fletcher,
 Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

SIDON YOHANNES, Applicant Counsel

PATIENCE SINGLETON, ANC 4A

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

2 10:25 a.m.

3 MS. FLETCHER: I will start by
4 thanking you for participating in ABRA's roll --
5 excuse me, ABRA's roll call hearings via the
6 Webex platform.

7 My name is Laverne Fletcher,
8 conducting the roll call hearing as the board's
9 agent.

10 There are two cases on the calendar
11 for today.

12 The first case is Whole Foods Market,
13 Case Number 23-PRO-00017, Whole Foods Market
14 Group, Inc., 7130 12th Street Northwest. This is
15 License Number ABRA-122966. Retailer is class B,
16 full service grocery store. This is a new
17 license application.

18 The protest issues are adverse impact
19 on peace, order, and quiet. My name is Laverne
20 Fletcher, conducting the roll call hearing as the
21 board's agent. Is anyone present on behalf of
22 Whole Foods?

23 MS. YOHANNES: Yes, good morning.
24 Sidon Yohannes here on behalf of the applicant,
25 and that is S-I-D-O-N, Y-O-H-A-N-N-E-S.

1 MS. FLETCHER: Thank you, Ms.

2 Yohannes. Anyone else?

3 (No audible response.)

4 MS. FLETCHER: Is -- I have a Mr. --

5 MS. YOHANNES: I think Andrew Kline is
6 also on, but I just --

7 (Simultaneous speaking.)

8 MS. FLETCHER: We'll just note Mr.
9 Kline's appearance for the record. Mr. Kline, I
10 can see that you're there, so I'll just note for
11 the record that you're present.

12 And I'll spell your name, too. You
13 may be having trouble. Andrew Kline is spelled
14 A-N-D-R-E-W, K-L-I-N-E.

15 Is -- Ms. Yohannes, is the applicant
16 present?

17 MS. YOHANNES: No, the applicant is
18 not.

19 MS. FLETCHER: Is anyone present on
20 behalf of ANC 4A?

21 (No audible response.)

22 MS. FLETCHER: Ms. Singleton, I know
23 you were there. I saw you throughout the entire
24 time I was trying to get us connected. Is --
25 everybody's having trouble today. So, I --

1 you're on mute. You're on mute. But I see you,
2 though, so I know you're here.

3 MS. SINGLETON: Yeah, I don't think
4 I'm mute -- I don't -- can you hear me now?

5 MS. FLETCHER: I can hear you now. We
6 hear you now.

7 MS. SINGLETON: Oh, that's -- because
8 I'm on my phone, so that's why I didn't -- that's
9 why I had my video -- I couldn't get on my phone.
10 So, yeah, I'm here. I didn't know I was --

11 (Simultaneous speaking.)

12 MS. FLETCHER: Yes. I've seen you the
13 entire time I was having technical difficulties,
14 so I knew you were here.

15 MS. SINGLETON: Yeah -- I called in,
16 too, so I'm here.

17 MS. FLETCHER: Yes. And Ms.
18 Singleton, you're here on behalf of ANC 4A?

19 MS. SINGLETON: Yes.

20 MS. FLETCHER: Okay. Can you spell
21 your name for the record, please?

22 MS. SINGLETON: P-A-T-I-E-N-C-E, last
23 name Singleton, S-I-N-G-L-E-T-O-N.

24 MS. FLETCHER: Thank you very much.
25 ANC 4A is the only protestant in this matter. We

1 need to schedule a date for mediation, a status
2 hearing, and a protest hearing.

3 I'll give you the dates for the status
4 and protest hearing first. The status hearing is
5 set for March 29 at 10:30 a.m. That's March 29
6 at 10:30 for the status hearing. The protest
7 hearing is set for April 26, 2023 at 1:30.

8 MS. SINGLETON: Okay.

9 MS. FLETCHER: I will give you the
10 next available date for mediation. The next
11 available day for mediation is Thursday -- let me
12 see if I have something sooner. One second.

13 Actually, the next available day is on
14 the 15th. That's a Wednesday, but I don't know
15 if anybody has any board business on that
16 Wednesday.

17 MS. YOHANNES: Yeah, that date is not
18 good for the applicant.

19 MS. FLETCHER: The next available day
20 is Thursday, March 16, any time between 10:00 and
21 1:30. And the 17th is also available, the
22 Friday, on both days 16 and 17.

23 MS. SINGLETON: The 16th and the 17th
24 work for me. I'd have to -- yeah. I'd prefer
25 that if we do it between 10:00 and 1:30, it's

1 between 12:00 and 1:00, because I have a full-
2 time job. But 12:00 to 1:00 works on either of
3 those days I'm available.

4 MS. FLETCHER: Okay.

5 MS. SINGLETON: Because -- yeah, so.

6 MS. YOHANNES: Can we do Thursday at
7 1:00?

8 MS. FLETCHER: That works on this end.
9 That works for you too, Ms. Singleton?

10 MS. SINGLETON: How long is that,
11 actually? Will it take more than 30 minutes?
12 Because I have a 1:30 most Thursdays.

13 MS. FLETCHER: Did you say will
14 mediation take more than 30 minutes?

15 MS. SINGLETON: How long does it take?
16 I haven't done mediation. How long does mediation
17 take?

18 (Simultaneous speaking.)

19 MS. FLETCHER: The only way it would
20 take 30 minutes is if you come in with the
21 settlement agreement, and all you need to do is
22 go over it and you're going to sign it. Is that
23 the situation?

24 MS. SINGLETON: I don't know yet. We
25 can chat with them. If that's the case, I'd

1 prefer that it's sometime 12:30 -- can it not be
2 12:30? The --

3 (Simultaneous speaking.)

4 MS. FLETCHER: So, maybe -- so, if you
5 do it at 12:30, how long do you have?

6 MS. SINGLETON: I have an hour at
7 least, and that -- we can have up to -- I can do
8 at least an hour.

9 MS. YOHANNES: Then we can do -- noon
10 is fine.

11 MS. SINGLETON: Okay, well, noon.
12 Okay.

13 MS. FLETCHER: But what did you say,
14 Ms. Yohannes?

15 MS. YOHANNES: That noon is fine,
16 12:00 on Thursday.

17 MS. FLETCHER: Okay. Okay, so, I've
18 got mediation set for 12:00 noon on March 16.
19 Okay. I don't believe I said what the protest
20 issues are, but this -- the protest issues are
21 adverse impact on peace, order, and quiet.

22 Okay, any questions at all?

23 MS. SINGLETON: No, but if you could
24 send something over. Yeah, send something over
25 and we'll -- I'll try to -- if not me, it'll be

1 someone else. We currently -- you know, we don't
2 have a commissioner for that SND, so it would be
3 me or one of the commissioners from Shepherd
4 Park.

5 MS. FLETCHER: Ms. Singleton, who are
6 you speaking to?

7 MS. SINGLETON: Oh, I'm speaking to
8 you. You said there weren't any questions, and I
9 was asking what --

10 MS. FLETCHER: What -- so you --

11 MS. SINGLETON: Questions --

12 MS. FLETCHER: What -- I'm sorry, what
13 did you say? So -- you just sound a little bit
14 shaky, but can you repeat that one more time?

15 MS. SINGLETON: Oh, yeah. I was
16 saying that time works. If it's not me, it'll be
17 me or some -- another commissioner from ANC 4A.
18 As you know, Commissioner Whatley passed. He
19 died, so we don't have --

20 MS. FLETCHER: Oh, no.

21 MS. SINGLETON: The commission --

22 MS. FLETCHER: Oh, no.

23 MS. SINGLETON: Yeah, Mr. Whatley
24 died, so we don't have a commissioner for Walter
25 Reed now. So, it'd either be me, that's why I'm

1 here, or someone from Shepherd Park, but I'll be
2 on the call or someone else from 4A.

3 MS. FLETCHER: Okay.

4 MS. SINGLETON: We don't have a
5 commissioner for that area now.

6 MS. FLETCHER: Okay.

7 MS. SINGLETON: Yeah, Mr. Whatley
8 died last week.

9 MS. FLETCHER: Okay. I'm sorry to
10 hear that.

11 (Simultaneous speaking.)

12 MS. SINGLETON: It -- yeah.

13 MS. FLETCHER: Okay, well thank you --

14 MS. SINGLETON: So, I'm trying to do
15 his -- so we're all trying to do double, you
16 know. We're trying to cover, you know, some of
17 his things, so I apologize. That's why it's just
18 crazy around here.

19 MS. FLETCHER: Okay. All right, then.
20 This matter is concluded.

21 MS. SINGLETON: Great, thank you, I
22 look forward to working with both --

23 MS. FLETCHER: So, Ms. Singleton,
24 don't hang up. Ms. Singleton, don't hang up,
25 you've got one more case.

1 MS. SINGLETON: What's the other case?

2 MS. FLETCHER: Whole Foods has two
3 applications, the one that we just --

4 MS. SINGLETON: Oh. It's two
5 different applications. Sorry about that,
6 because I have a work meeting. I'm sorry, go
7 ahead.

8 MS. FLETCHER: Yeah, that's why I knew
9 you were going to hang up, that's why I had to
10 catch you.

11 MS. SINGLETON: Yeah, got to get back
12 to my work meeting.

13 MS. FLETCHER: So, the matter related
14 to the -- this was related to the food service
15 grocery store, Class B. So, this matter is
16 concluded.

17 (Whereupon, the above-entitled matter
18 went off the record at 10:34 a.m.)

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<p style="text-align: center;">A</p> <p>A-N-D-R-E-W 3:14 a.m 2:2 5:5 10:18 above-entitled 10:17 ABRA 1:17 ABRA's 2:4,5 ABRA-122966 2:15 adverse 2:18 7:21 agent 1:14,17 2:9,21 agreement 6:21 ahead 10:7 Alcoholic 1:2,13 ANC 1:8,19 3:20 4:18 4:25 8:17 Andrew 3:5,13 anybody 5:15 apologize 9:17 appearance 3:9 applicant 1:19 2:24 3:15,17 5:18 application 1:10 2:17 applications 10:3,5 April 5:7 area 9:5 asking 8:9 audible 3:3,21 available 5:10,11,13,19 5:21 6:3</p>	<p>conducting 2:8,20 connected 3:24 Control 1:2,13 Counsel 1:19 cover 9:16 crazy 9:18 currently 8:1</p> <hr/> <p style="text-align: center;">D</p> <p>date 5:1,10,17 dates 5:3 day 5:11,13,19 days 5:22 6:3 died 8:19,24 9:8 different 10:5 difficulties 4:13 DISTRICT 1:1 double 9:15</p> <hr/> <p style="text-align: center;">E</p> <p>either 6:2 8:25 entire 3:23 4:13 everybody's 3:25 excuse 2:5</p>	<p>hearings 2:5 hour 7:6,8</p> <hr/> <p style="text-align: center;">I</p> <p>impact 2:18 7:21 issues 2:18 7:20,20 it'd 8:25 it'll 7:25 8:16</p> <hr/> <p style="text-align: center;">J</p> <p>job 6:2</p> <hr/> <p style="text-align: center;">K</p> <p>K-L-I-N-E 3:14 Kline 3:5,9,13 Kline's 3:9 knew 4:14 10:8 know 3:22 4:2,10 5:14 6:24 8:1,18 9:16,16</p> <hr/> <p style="text-align: center;">L</p> <p>LaVerne 1:14,17 2:7,19 license 1:8,10 2:15,17 little 8:13 long 6:10,15,16 7:5 look 9:22</p>	<p>order 2:19 7:21</p> <hr/> <p style="text-align: center;">P</p> <p>P-A-T-I-E-N-C-E 4:22 P-R-O-C-E-E-D-I-N-G-S 2:1 Park 8:4 9:1 participating 2:4 passed 8:18 PATIENCE 1:19 peace 2:19 7:21 phone 4:8,9 platform 2:6 please 4:21 prefer 5:24 7:1 present 1:16,18 2:21 3:11,16,19 presiding 1:14 protest 2:18 5:2,4,6 7:19,20 protestant 4:25</p>
<p style="text-align: center;">B</p> <p>B 1:8 2:15 10:15 back 10:11 behalf 2:21,24 3:20 4:18 believe 7:19 Beverage 1:2,13 bit 8:13 board 1:2,13 5:15 board's 1:14,17 2:8,21 business 5:15</p>	<p style="text-align: center;">F</p> <p>February 1:12 fine 7:10,15 first 2:12 5:4 Fletcher 1:14,17 2:3,7 2:20 3:1,4,8,19,22 4:5 4:12,17,20,24 5:9,19 6:4,8,13,19 7:4,13,17 8:5,10,12,20,22 9:3,6 9:9,13,19,23 10:2,8 10:13 food 10:14 Foods 1:6,7 2:12,13,22 10:2 forward 9:22 Friday 5:22 full 2:16 full- 6:1</p>	<p style="text-align: center;">M</p> <p>March 5:5,5,20 7:18 Market 1:6,7 2:12,13 matter 1:5 4:25 9:20 10:13,15,17 mediation 5:1,10,11 6:14,16,16 7:18 meeting 10:6,12 met 1:14 minutes 6:11,14,20 Monday 1:11 morning 2:23 mute 4:1,1,4</p>	<p style="text-align: center;">Q</p> <p>questions 7:22 8:8,11 quiet 2:19 7:21</p>
<p style="text-align: center;">C</p> <p>calendar 2:10 call 1:3,7 2:5,8,20 9:2 called 4:15 case 1:9 2:12,13 6:25 9:25 10:1 cases 2:10 catch 10:10 chat 6:25 class 2:15 10:15 COLUMBIA 1:1 come 6:20 commission 8:21 commissioner 8:2,17 8:18,24 9:5 commissioners 8:3 concluded 9:20 10:16</p>	<p style="text-align: center;">G</p> <p>give 5:3,9 go 6:22 10:6 going 6:22 10:9 good 2:23 5:18 Great 9:21 grocery 2:16 10:15 Group 1:6 2:14</p>	<p style="text-align: center;">N</p> <p>name 2:7,19 3:12 4:21 4:23 need 5:1 6:21 new 1:10 2:16 noon 7:9,11,15,18 Northwest 2:14 note 3:8,10 Number 2:13,15 NW 1:7</p>	<p style="text-align: center;">R</p> <p>record 3:9,11 4:21 10:18 Reed 8:25 related 10:13,14 repeat 8:14 response 3:3,21 Retailer 1:8 2:15 right 9:19 roll 1:3,7 2:4,5,8,20</p>
	<p style="text-align: center;">H</p> <p>hang 9:24,24 10:9 hear 4:4,5,6 9:10 hearing 1:3,8 2:8,20 5:2 5:2,4,4,6,7</p>	<p style="text-align: center;">O</p> <p>Oh 4:7 8:7,15,20,22 10:4 Okay 4:20 5:8 6:4 7:11 7:12,17,17,19,22 9:3 9:6,9,13,19</p>	<p style="text-align: center;">S</p> <p>S-I-D-O-N 2:25 S-I-N-G-L-E-T-O-N 4:23 saw 3:23 saying 8:16 schedule 5:1 second 5:12 see 3:10 4:1 5:12 seen 4:12 send 7:24,24 service 2:16 10:14 set 5:5,7 7:18 settlement 6:21 shaky 8:14 Shepherd 8:3 9:1 Sidon 1:19 2:24 sign 6:22 Simultaneous 3:7 4:11 6:18 7:3 9:11 Singleton 1:19 3:22 4:3 4:7,15,18,19,22,23</p>

5:8,23 6:5,9,10,15,24
 7:6,11,23 8:5,7,11,15
 8:21,23 9:4,7,12,14
 9:21,23,24 10:1,4,11
situation 6:23
SND 8:2
sooner 5:12
sorry 8:12 9:9 10:5,6
sound 8:13
speaking 3:7 4:11 6:18
 7:3 8:6,7 9:11
spell 3:12 4:20
spelled 3:13
start 2:3
status 5:1,3,4,6
store 2:16 10:15
Street 1:7 2:14

T

t/a 1:7
take 6:11,14,15,17,20
technical 4:13
thank 3:1 4:24 9:13,21
thanking 2:4
things 9:17
think 3:5 4:3
Thursday 5:11,20 6:6
 7:16
Thursdays 6:12
time 3:24 4:13 5:20 6:2
 8:14,16
today 2:11 3:25
trouble 3:13,25
try 7:25
trying 3:24 9:14,15,16
two 2:10 10:2,4

U

V

video 4:9
videoconference 1:14

W

Walter 8:24
way 6:19
we'll 3:8 7:25
we're 9:15,16
WebEx 1:14 2:6
Wednesday 5:14,16
week 9:8
went 10:18
weren't 8:8
Whatley 8:18,23 9:7
work 5:24 10:6,12
working 9:22
works 6:2,8,9 8:16

X

Y

Y-O-H-A-N-N-E-S 2:25
yeah 4:3,10,15 5:17,24
 6:5 7:24 8:15,23 9:7
 9:12 10:8,11
Yohannes 1:19 2:23,24
 3:2,5,15,17 5:17 6:6
 7:9,14,15

Z

0

1

1:00 6:1,2,7
1:30 5:7,21,25 6:12
10:00 5:20,25
10:25 2:2
10:30 5:5,6
10:34 10:18
12:00 6:1,2 7:16,18
12:30 7:1,2,5
122966 1:8
12th 1:7 2:14
15th 5:14
16 5:20,22 7:18
16th 5:23
17 5:22
17th 5:21,23

2

2023 1:12 5:7
23-PRO-00017 1:9 2:13
26 5:7
27 1:12
29 5:5,5

3

30 6:11,14,20

4

4A 1:8,19 3:20 4:18,25
 8:17 9:2

5

6

7

7130 1:7 2:14

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Whole Foods

Before: ABCB

Date: 02-27-23

Place: Videoteleconference

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



Court Reporter

NEAL R. GROSS

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