

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

2 11:44 a.m.

3 CHAIRPERSON ANDERSON: Let's call case
4 number 21-PRO-00056, BHG Waterfront LLC, license
5 number 118143. Let's call that case, Ms.
6 Andrews.

7 MS. ANDREWS: Okay. Stand by.

8 (Pause.)

9 CHAIRPERSON ANDERSON: We're all over
10 the place today on this calendar, so hopefully
11 (Simultaneous speaking.)

12 MS. ANDREWS: I'm listening.

13 CHAIRPERSON ANDERSON: And someone
14 will keep me on my toes so I make sure that all
15 the cases are covered.

16 MS. ANDREWS: Okay, no problem.
17 Edward Daniels, your rights have been elevated.
18 (Pause.) Ms. Anderson, your rights have been
19 elevated. (Pause.) That's all, Mr. Chair.

20 CHAIRPERSON ANDERSON: Thank you, Ms.
21 Andrews, and thank you for keeping up with me and
22 moving all the calendar. All right.

23 MS. ANDREWS: No problem.

24 CHAIRPERSON ANDERSON: All right, so
25 let's have the parties introduce themselves for

1 the record, starting with the Licensee. Go
2 ahead, Ms. Yohannes.

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

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

8 MS. YOHANNES: No, he is not.

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

12 MR. DANIELS: Hello, Edward Daniels,
13 Chairman of ANC 6D. E-D-W-A-R-D D-A-N-I-E-L-S.

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

16 MR. DANIELS: Good morning.

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

20 MS. ANDERSON: Can you hear me now?

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

23 MS. ANDERSON: Okay. Karen Anderson,
24 I represent what is being the group of 12. My
25 name is spelled K-A-R-E-N A-N-D-E-R-S-O-N.

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

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

7 CHAIRPERSON ANDERSON: Oh, you're -

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

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

12 MR. DANIELS: Yes.

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

17 MS. YOHANNES: No, we have none.

18 CHAIRPERSON ANDERSON: All right. Mr.
19 Daniels?

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

24 CHAIRPERSON ANDERSON: All right, Ms.
25 Anderson, from your position?

1 MS. ANDERSON: We participated in
2 mediation last week. We continue to receive
3 information from the Applicant and we are hopeful
4 that we are going to find our way to a mutually
5 agreeable settlement.

6 MS. YOHANNES: And hopefully soon.

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

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

25 MS. ANDERSON: We are clear on that

1 point, Mr. Chairman.

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

9 MS. ANDERSON: They are.

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

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

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

21 CHAIRPERSON ANDERSON: All right, well
22 thank you. The reason why, when I do this
23 virtually I'm not sure; if you were sitting in
24 front of me, then I know you've heard it, but
25 when I do it virtually, I'm not sure who's

1 hearing what, so I need to make sure that
2 everyone is clear. But as I said before, if you
3 have any questions or concerns, please contact
4 April Randall. Her number is 202-329-6354 and
5 her e-mail address is April.Randall2@DC.Gov and
6 she can instruct the parties.

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

13 MS. YOHANNES: Thank you.

14 MR. DANIELS: Thank you, Mr. Chairman.

15 MS. ANDERSON: Thank you.

16 (Simultaneous speaking.)

17 CHAIRPERSON ANDERSON: Thank you, sir.
18 Bye-bye.

19 (Whereupon, the above-entitled matter
20 went off the record at 11:51 a.m.)
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C E R T I F I C A T E

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.



Court Reporter

NEAL R. GROSS

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