

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :
 :
Noah Limited Liability :
Company, LLC, :
t/a Boulevard Lounge :
6233 Georgia Ave NW :
Retailer CT - ANC 4B :
License #115385 :
Case #23-PRO-00037 :
 :
(Substantial Change: :
Increase in Occupancy) :
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Wednesday
September 13, 2023

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

THEODROS GIRMA, Licensee
ALI GOLDSTONE, ANC 4B, Protestant
JOSE ORELLANA, DC ABCA Staff

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

2 2:48 p.m.

3 CHAIRPERSON ANDERSON: And now the
4 case of the afternoon is Case Number 23-PRO-
5 00037, Boulevard Lounge, License Number 115385.
6 Mr. Orellana, can you please elevate the rights
7 of the licensee and the protestant in this case?

8 MR. ORELLANA: Sure thing. Theodros
9 Girma, your access has been elevated. And Ali
10 Goldstone, your access has been elevated. That
11 appears to be all, Chairman.

12 MR. GIRMA: Hello?

13 CHAIRPERSON ANDERSON: Mr. Girma, do
14 you have a camera you can turn on?

15 MR. GIRMA: Yes. Give me one second.
16 And I'm -- all right, come one, I'll sign once
17 you got -- All right.

18 CHAIRPERSON ANDERSON: All right.
19 Hold on. All right.

20 MR. GIRMA: So --

21 CHAIRPERSON ANDERSON: Hold on one
22 minute, please. All right. Ms. Girma, can you
23 please spell and state your name for the record
24 and your relationship, sir?

25 MR. GIRMA: Theodros Girma, first name

1 T-H-E-O-D-R-O-S, last name is Girma, G-I-R-M-A.
2 I'm a owner of the Boulevard Lounge.

3 CHAIRPERSON ANDERSON: Mr. Girma, can
4 you do me one favor, please? Can you just pull
5 your camera down so I can see your whole face
6 here?

7 MR. GIRMA: I try --

8 CHAIRPERSON ANDERSON: That's perfect.

9 MR. GIRMA: That's -- okay.

10 CHAIRPERSON ANDERSON: All
11 right. Thank you.

12 MR. GIRMA: Yes.

13 CHAIRPERSON ANDERSON: All right. Ms.
14 Goldstone, can you please spell and state your
15 name for the record, please? You're on mute,
16 ma'am. Unmute yourself.

17 MS. GOLDSTONE: Can everybody hear me
18 now?

19 CHAIRPERSON ANDERSON: Yes, ma'am.

20 MS. GOLDSTONE: Okay. Great. Ali
21 Goldstone, A-L-I, G-O-L-D-S-T-O-N-E.

22 CHAIRPERSON ANDERSON: And what's your
23 relationship to this case, ma'am?

24 MS. GOLDSTONE: I'm the representative
25 of the neighbors who are protesting the motion to

1 increase his occupancy limit.

2 CHAIRPERSON ANDERSON: All right.
3 This matter comes before the Board and the
4 protest on the application for a substantial
5 change followed by Noah Limited Liability
6 Company, trade name Boulevard Lounge, Retailer
7 Class C, the License Number ABRA 115385, located
8 at 6233 Georgia Georgia Avenue NW. This
9 application was protested by a group of five or
10 more.

11 Before we begin the hearing, I want
12 take this opportunity to let the parties know
13 that the Board's investigator, Shanelle Murray
14 (phonetic) is not available today. Therefore,
15 we're going to start the hearing with the
16 applicant and his case in chief followed by --
17 following any questions, the protestants and the
18 Board Members might have, we will turn to the
19 protestant's case in chief where additional can
20 be asked.

21 The Board will then set the matter for
22 another hearing date and time to take the
23 testimony from the investigator. The parties
24 will be notified of that additional hearing.

25 Thank you.

1 Are there any preliminary matters that
2 the parties want to bring to the Board ='s
3 attention? Mr. Girma?

4 MR. GIRMA: Yes, sir?

5 MR. GIRMA: Any preliminary matters?

6 MR. GIRMA: Not --

7 CHAIRPERSON ANDERSON: No. You don't
8 have any. All right. What about you, Ms. -- I'm
9 sorry --

10 MR. GIRMA: I've been -- you know,
11 I've been struggling since, you know, the
12 protestants, you know, came up, you know. I
13 don't want to disrespect the neighborhoods. I
14 been trying to --

15 CHAIRPERSON ANDERSON: All right.
16 Hold on. This is -- so this is not your case in
17 chief. I was just asking any preliminary issues.
18 And what about you, Ms. Goldstone, any
19 preliminary issues?

20 MS. GOLDSTONE: Just a logistical
21 question. As I'm going through my statement, do
22 I need to pull up and share my screen and show
23 the evidence that I submitted, or do you all have
24 that and will review it on your own?

25 CHAIRPERSON ANDERSON: No. You have

1 to -- you would have to pull up and share your -
2 -

3 MS. GOLDSTONE: Okay.

4 CHAIRPERSON ANDERSON: -- screen.
5 I'll give you -- all right. Let me think of
6 something. All right. Just let -- let me just
7 get some clarification here. All right. This is
8 a substantial change, okay. The licensee is
9 requesting a substantial change, and let me ask.
10 I guess let me just ask quick question. What's
11 your current occupancy, sir?

12 MR. GIRMA: It's supposed to be 88,
13 but it was a mistake by the DC -- the liquor
14 license and then my agents. But right now, I
15 have 24.

16 CHAIRPERSON ANDERSON: Okay. So
17 you're saying that currently, your license is at
18 -- it's 24.

19 MR. GIRMA: It's supposed to be 88.
20 When --

21 CHAIRPERSON ANDERSON: Sir.

22 MR. GIRMA: Yes, sir. Okay.

23 CHAIRPERSON ANDERSON: I don't care
24 what it's supposed to be, sir. Listen to what
25 I'm saying, sir. Currently, your license said

1 your occupancy is 24, is that correct?

2 MR. GIRMA: Yes. On the liquor
3 license, it said 24, but the occupancy is --

4 CHAIRPERSON ANDERSON: All right.

5 MR. GIRMA: -- 88.

6 CHAIRPERSON ANDERSON: All right.

7 Hold. Listen to what I'm asking you, sir, okay?
8 Your liquor license currently states that your
9 occupancy is 24, is that correct?

10 MR. GIRMA: Yes, sir.

11 CHAIRPERSON ANDERSON: All right.

12 You're asking for a substantial change because
13 now you're stating that your certificate of
14 occupancy says 88. So you're requesting a
15 substantial change to increase it from 24 to 88,
16 is that correct?

17 MR. GIRMA: Yes, sir.

18 CHAIRPERSON ANDERSON: And that's what
19 -- so we're here today. You're asking for a
20 substantial change to increase your occupancy
21 from 24 to match what is on your certificate of
22 occupancy; is that correct?

23 MR. GIRMA: Yes, sir.

24 CHAIRPERSON ANDERSON: All right. Ms.
25 Goldstone, you have protested this, the

1 substantial change. Is it that -- and I guess
2 I'm trying to find if we can find some agreement,
3 because it doesn't appear that -- do you have
4 witnesses you plan to call them or you're the
5 only one testifying?

6 MS. GOLDSTONE: I have a full
7 statement and MPD reports, video evidence, all
8 kinds of evidence with me.

9 CHAIRPERSON ANDERSON: No. I'm saying
10 do you plan to call witnesses or is it just
11 yourself alone?

12 MS. GOLDSTONE: And I am a witness so.

13 CHAIRPERSON ANDERSON: You are the
14 only witness that's going to testify today, is
15 that correct?

16 MS. GOLDSTONE: Yes -- yes.

17 CHAIRPERSON ANDERSON: Mr. Girma, do
18 you plan to call any witnesses, or are you the
19 only witness that --

20 MR. GIRMA: I'm the only witness here.

21 CHAIRPERSON ANDERSON: Okay. So what
22 I'm trying to find out if there can be any type
23 of agreement that we can memorialize, or is it
24 that -- is the protestant totally against the
25 substantial change? I'm just trying from the

1 protestant. So the protestants' position is that
2 we do not agree with the substantial change, to
3 increase it from 24 to 88; is that the
4 protestants' position?

5 MS. GOLDSTONE: That is correct.

6 CHAIRPERSON ANDERSON: All right.
7 Okay. I just wanted to -- I thought that -- I was
8 trying to see if there is in the middle ground,
9 if whether or not the protestant would --

10 MR. GIRMA: That last time, you know,
11 we sent --

12 CHAIRPERSON ANDERSON: Hold on, hold
13 on, hold on. What I was trying to find out
14 whether or not -- if there was any agreement that
15 we could agree to truncate this hearing. If the
16 parties -- say, for example, if the protestants
17 would say okay, fine, we would agree to the
18 increased occupancy, or we would agree to certain
19 occupancy with certain conditions. I just was
20 trying to find -- to say is there -- excuse me --
21 is there a number that the protestants would
22 agree to or not based on -- or they're just
23 saying 24 is the maximum, I'm not going to agree
24 to any more than 24? I'm just trying to find out
25 if there's -- if we can't have some type of

1 agreement before moving forward with this hearing
2 from the protestants' perspective? I'm asking
3 you a question, Ms. Goldstone. I mean I usually
4 am not -- I usually don't participate but doing
5 it this way --

6 MS. GOLDSTONE: Yes.

7 CHAIRPERSON ANDERSON: -- I'm just --
8 I'm trying to find out if there's any type of
9 agreement --

10 MS. GOLDSTONE: We went to mediation
11 -- we went to mediation and --

12 MAJOR GEBAUER ANDERSON: Hold on, hold
13 on. I don't want to know what happened in
14 mediation because that's confidential. So we can
15 --

16 MS. GOLDSTONE: Okay.

17 CHAIRPERSON ANDERSON: -- so I know
18 that -- I know you have gone to mediation and
19 there was no agreement. That's why we're here
20 today. I guess what I'm trying to find out is
21 there something that you can agree to, not -- is
22 there something that you can agree to and maybe
23 the Board can memorialize that in an order, or do
24 we need to go a hearing? I'm just trying to find
25 out from your perspective, ma'am?

1 MS. GOLDSTONE: We need to go to a
2 hearing. Our perspective is that he's not been
3 operating within regulations and has been causing
4 huge quality of life impacts to the residents in
5 the immediate area and has had impact on gun
6 violence that we can attribute directly to his
7 business through MPD reports and video evidence.
8 So we don't feel like there is a safe number
9 greater than zero and definitely not 88. So
10 we're not in agreement to any increase --

11 CHAIRPERSON ANDERSON: All right.

12 MS. GOLDSTONE: -- and would like to
13 move forward with the protest.

14 CHAIRPERSON ANDERSON: All right.

15 Okay. So the way the process works is that --
16 normally, the way the process I stated before, we
17 would have an investigator would testify, and the
18 investigator for the Board would present its case
19 first, and we'd have the investigator testify.
20 The Board would ask questions of the investigator
21 off the report. And then the applicant would
22 have an opportunity to cross-examine, to ask
23 questions of the investigator. And then you
24 would have an opportunity to ask questions of the
25 investigator.

1 And then after we have done -- we have
2 disposed of that, then the applicant would
3 present its case. And then after the applicant
4 presented its case, you'll have an opportunity to
5 cross-examine. Then you'd ask questions.

6 All right. So What we're going to do
7 is that we're going to have the applicant present
8 its case first. You will have an opportunity to
9 cross-examine the applicant. Then you will
10 present your case, and the applicant would have
11 an opportunity to cross-examine. The Board would
12 ask questions.

13 I guess from the parties, is it that
14 -- do you need to ask -- do either side, do you
15 have specific questions that you're planning to
16 ask the investigator? So Ms. Goldstone, you were
17 not going to plan -- you were not planning to ask
18 the investigator any specific questions, is that
19 correct?

20 MS. GOLDSTONE: No, no specific
21 questions.

22 CHAIRPERSON ANDERSON: And Mr. Girma,
23 you were not planning to ask any questions of the
24 investigator?

25 MR. GIRMA: No.

1 CHAIRPERSON ANDERSON: All right. And
2 so since the parties were not planning to ask any
3 specific questions of the investigator, what
4 we'll -- it's -- the investigative report is a
5 Board report, so I'm going to move that into the
6 record.

7 (Whereupon, the above
8 entitled document was marked
9 as BEX 1 for identification
10 and received into evidence.)

11 CHAIRPERSON ANDERSON: And so what we
12 will do is that we will make a decision today on
13 what's presented today. All right. So what
14 we'll -- so we'll start off, Mr. Girma -- I will
15 start off today. So I'm going to have you -- I'm
16 going to have -- I'm going to swear you in, and
17 then you need to tell us what is that you're
18 asking of the Board. You're asking the Board to
19 increase your -- the substantial change to
20 increase your occupancy from, you said, 24 to --
21 I'm sorry, what's on the current certificate of
22 occupancy, sir?

23 MR. GIRMA: Eighty-eight.

24 CHAIRPERSON ANDERSON: Eighty-eight.
25 And so you're asking us to increase it from 24 to

1 88. So what I need you to do is tell us what is
2 it that you're asking for, why is it you're
3 asking for it, and why the Board should approve
4 it. Or if there's another number that you can
5 live with, you can tell us. All right. So I'm
6 going to swear you in. Then you can tell us what
7 it is you're requesting. Then Ms. Goldstone, s
8 he's going to have an opportunity to cross-
9 examine on the testimony that you just give.

10 And we're going to have it very civil,
11 because irrespective of what decision is made
12 today, this is not a renewal of a license. The
13 establishment is going to be there whether or not
14 it's going to have 24 or 88 or some number. So
15 no matter what decision the Board makes, these
16 two parties, they have to co-exist. So I want to
17 make sure that when we're doing this hearing
18 today, that this is a civil matter because at the
19 end of the day, you have to co-exist. All right.

20 So can you raise your right hand, sir,
21 please? Do you swear or affirm to tell the truth
22 and nothing but the truth?

23 MR. GIRMA: I do.

24 CHAIRPERSON ANDERSON: All right, sir.
25 Go ahead. Tell us what it is that you're

1 requesting and why is that --

2 MR. GIRMA: So --

3 CHAIRPERSON ANDERSON: -- hold on --
4 and why the Board should grant the request that
5 you're asking for?

6 MR. GIRMA: -- so, you know, when I
7 got this place, it was the places to the
8 neighborhood, there was -- it used be rough.
9 Then I've been through economy crisis because of
10 COVID. It was under constructions but the most
11 neighborhood is helping me out. You know, they
12 physically -- they -- you know, they -- even with
13 the trash companies, they give me all
14 informations, and the people there want to do the
15 business with me.

16 I've been doing good things for the
17 community for so long. And then since I opened
18 my club, it's --I thought I had 88. I didn't
19 know because the occupancy, the liquor license --
20 I hire this agency to apply for me, and it was a
21 mistake. They put in 24. Supposed to be 24
22 seats instead of the occupancy.

23 So all I'm asking is, you know -- I
24 applied, this is like two years or more than that
25 -- years ago -- two years ago. I didn't ask

1 anything. I'm not -- I'm doing -- I'm willing to
2 do anything. Would have never said -- is I
3 didn't know I offended them this way, because
4 nobody come saying anything to me. They come and
5 they -- I give them a service even the first day
6 like any parties they have is I give them a
7 discount. They so happy and then -- so once I
8 displaying the placard, that's the -- all the
9 problems come.

10 So I'm still willing to negotiate with
11 them. I write an agreement letter, you know,
12 whatever they want me to do, and then I send it
13 to them. They just -- they didn't -- so just I'm
14 asking respectfully, whatever they want, let them
15 give me the agreement letter, and then I can --
16 you know, I (audio interference) but (audio
17 interference) I never make any money, because 24
18 which is the (audio interference) that I have is
19 already 10 or 12. So I can't make it. Twenty-
20 four is just like for the cafe, but this is a
21 (audio interference). I just trying to get my
22 original number, the occupancies back.

23 So whatever they're asking me to do,
24 I'm willing to do, but at least the end of the
25 day, I (audio interference) to make money. I

1 spend (audio interference). They live around
2 that area. So at least, you know, they can
3 consider this one and then they can give me the
4 second unfortunately so I can prove, you know,
5 like I'm -- you know, big on that, like just
6 being a good citizen, you know, just bringing in
7 money to community and being somebody like you, I
8 really want to be. That's all I got to say.

9 CHAIRPERSON ANDERSON: All right. You
10 said whatever they want, sir, and I mean --

11 MR. GIRMA: What I'm saying is --

12 CHAIRPERSON ANDERSON: I'm saying what
13 is it that --

14 MR. GIRMA: So the complaint --

15 (Simultaneous speaking.)

16 MR. GIRMA: -- the complaint they have
17 is before -- is like as soon as I displayed the
18 placard, they said it's, you know, that the
19 customers, therapy parking on the streets;
20 people, they're hanging around in the back of the
21 building; and the parking spaces, they couldn't
22 get a lot. But all I said is I can stop using
23 the back doors. I'll make sure I'm going to put
24 a securities in the alleys and the back
25 neighborhood. The front is all commercials.

1 There's nobody live there. It's just like they
2 close it after 10:00 or 9:00. Most of them, they
3 close at 9. So there are plenty of spaces to
4 park in the front. I will make sure I put a
5 security outside. They can't go in the back.
6 They can park -- the main reason they go back
7 parking lot is because I was like using the door.
8 That's why the people, they start parking in the
9 neighborhood. So that's why I told them I'm
10 going to do it, I'll make sure I'm going to put
11 someone, make sure nobody parking over there.
12 I'm going to put a securities and an extra, the
13 guy like who's, you know, guiding the people they
14 got to park at and everything and stop using the
15 back doors.

16 And then that is -- my club is
17 soundproof. I already -- you know, I got
18 approved from the community because they want me
19 to do that. That's why I have the commercials
20 doors and everything. We're not blasting music
21 inside. Even if I do it, you can't hear it from
22 wherever they live at. They're just too far
23 away.

24 That's what I'm saying. What else is
25 they want me to do. I'm just like I want to hear

1 them as like the end of the day, we're going to
2 be here like, you know, for a while. I have this
3 lease for so long, so I want to make peace with
4 them. I want to hear them, what they want, like
5 what do you want me to do, you know? That's what
6 I'm saying, by means whatever they want me to do.
7 So I just want to understand them, you know, like
8 see what I can do.

9 CHAIRPERSON ANDERSON: And I normally
10 don't do this, sir, and I don't want you to act -
11 - I don't want you to tell me what happened at
12 mediation. But while we have the hearing today,
13 you're saying you don't know what they want. I
14 mean didn't you -- you had mediation, is that
15 correct?

16 MR. GIRMA: Yes. I had mediation and
17 they --

18 CHAIRPERSON ANDERSON: And -- hold on.
19 And I don't -- I'm not asking specifically what
20 was discussed. So --

21 MR. GIRMA: Okay.

22 CHAIRPERSON ANDERSON: -- did they not
23 tell you what they wanted during that mediation?

24 MR. GIRMA: The mediation is just --
25 it was their arguments?

1 CHAIRPERSON ANDERSON: No. I'm saying
2 -- no --

3 MR. GIRMA: I got the --

4 CHAIRPERSON ANDERSON: No. I'm
5 saying, sir, you're saying you don't know what
6 they want. So what I'm trying to say to you,
7 when you had the mediation, didn't they tell you
8 what is it that they wanted?

9 MR. GIRMA: Yes. They wanted --
10 they're saying it's the music plus the people
11 that parking in the parking spaces, using the
12 back doors, delivery. That's all I'm saying.
13 What I'm saying is whatever they said is in the
14 mediation room, I just said it's okay, I'm going
15 to stop this, this, this, whatever they pointed
16 out.

17 CHAIRPERSON ANDERSON: So you --

18 MR. GIRMA: But once --

19 CHAIRPERSON ANDERSON: Go ahead.

20 MR. GIRMA: -- once I sent them the
21 agreement letter, which is whatever at the time,
22 at the mediation, said whatever they said it, I
23 said, okay, I'm going to do it. I'm going to
24 stop using the back door. I'll make sure nobody
25 can park in the -- like in the neighborhoods.

1 They have to make sure park it on the streets,
2 the front. That's what they been asking. But
3 later on is they said it's, you know, like the --
4 like they trying so hard, you know, not to get
5 this occupancy or like using the license. That's
6 the last time, you know, they said so.

7 CHAIRPERSON ANDERSON: All right. Is
8 there anything else you want to say as part of
9 the presentation of your case sir? I mean before
10 -- she's going to have an opportunity to cross-
11 examine you, and so is there anything that you
12 want to say before we have her ask you questions?

13 MR. GIRMA: Let me -- I don't have
14 anything to say.

15 CHAIRPERSON ANDERSON: Ms. Goldstone,
16 this is your opportunity to cross-examine him?

17 MS. GOLDSTONE: My only question,
18 would you have known, before or after, that he
19 didn't attend the mediation hearing in full? So
20 my question would be, did you attend the
21 mediation from the beginning?

22 MR. GIRMA: I was -- the beginning was
23 I had a lawyer and then right after that, the
24 second one, I was there.

25 MS. GOLDSTONE: That's all.

1 CHAIRPERSON ANDERSON: Is that your
2 only question that you have, ma'am?

3 MS. GOLDSTONE: Yes. Thank you.

4 CHAIRPERSON ANDERSON: Any questions
5 by any Board members? Go ahead, Mr. Short.
6 You're on mute, Mr. Short.

7 MEMBER SHORT: This question is for
8 Mr. Girma.

9 MR. GIRMA: Yes.

10 MEMBER SHORT: Mr. Girma, when you
11 bought this, this was an existing business
12 already there?

13 MR. GIRMA: I have been there more
14 than two years.

15 MEMBER SHORT: No.

16 MR. GIRMA: Been --

17 MEMBER SHORT: When you bought it two
18 years ago --

19 MR. GIRMA: No. It wasn't -- it was
20 a pharmacy. I just bought -- like --

21 MEMBER SHORT: It was a --

22 MR. GIRMA: -- got the lease -- yes,
23 I just started from scratch. I thought, with
24 online, and with the pandemic, I would make it up
25 and I didn't make money on it and it's for two

1 years I've been paying for --

2 MEMBER SHORT: I'll try to make this
3 as simplistic as possible. When you purchased
4 it, how many square feet was that location?

5 MR. GIRMA: I believe 2,167, I
6 believe.

7 MEMBER SHORT: I believe but did you
8 bring any evidence?

9 MR. GIRMA: I can -- give me one
10 second. Let me see if I can find --

11 (Pause.)

12 MEMBER SHORT: Mr. Girma?

13 MR. GIRMA: Yes, sir.

14 MEMBER SHORT: Don't -- listen,
15 listen.

16 MR. GIRMA: Yes, sir.

17 MEMBER SHORT: What I'm going to ask
18 you is going to pertain to the same thing. How
19 many doors were -- I can't see you, Mr. Girma.

20 MR. GIRMA: Yes, sorry.

21 MEMBER SHORT: All right. Not a
22 problem.

23 MR. GIRMA: Okay.

24 MEMBER SHORT: How many exit doors do
25 you have from this location?

1 MR. GIRMA: I have exits -- one exit
2 door and then one entrance.

3 MEMBER SHORT: So there's only one way
4 -- we'll just say two ways to either enter or
5 leave so --

6 MR. GIRMA: Yes, two. One in --

7 MEMBER SHORT: When you purchased it,
8 that's the way it was, correct?

9 MR. GIRMA: Yes.

10 MEMBER SHORT: Have you added any
11 additional doors?

12 MR. GIRMA: No, sir.

13 MEMBER SHORT: What was the original
14 certificate of occupancy, the C of O you had when
15 you purchased it and turned it into a CT?

16 MR. GIRMA: I don't know what the
17 occupancy before I had it but after I purchased
18 it, it's 88.

19 MEMBER SHORT: Okay. That wouldn't
20 matter with the questioning I'm trying to ask
21 you. Please just listen very intently.

22 MR. GIRMA: Okay.

23 MEMBER SHORT: You bought it, it was
24 a pharmacy, correct?

25 MR. GIRMA: Yes, sir.

1 MEMBER SHORT: And you changed it into
2 a?

3 MR. GIRMA: Lounge.

4 MEMBER SHORT: Well, your certificate
5 of occupancy says it's a CT, a tavern; is that
6 correct?

7 MR. GIRMA: What does CT mean, sir?

8 MEMBER SHORT: Excuse me?

9 MR. GIRMA: What does CT means?

10 MEMBER SHORT: You don't know what a
11 CT IS?

12 MR. GIRMA: What is that, please, if
13 you don't mind?

14 MEMBER SHORT: It's a tavern. That
15 means you opened a tavern.

16 MR. GIRMA: Tavern, okay -- okay.

17 MEMBER SHORT: You opened a tavern.
18 So when you opened the tavern, you had two doors,
19 one in the front, and one in the back --

20 MR. GIRMA: Yes.

21 MEMBER SHORT: -- correct? And your
22 occupancy with ABRA at that time was 24, correct?

23 MR. GIRMA: When I opened it?

24 MEMBER SHORT: Yes.

25 MR. GIRMA: It was 88.

1 MEMBER SHORT: What did your
2 certificate of occupancy -- or not -- your
3 license from ABRA, what did it say?

4 MR. GIRMA: The ABRA is 24.

5 MEMBER SHORT: Okay. Now have you
6 added any space or any exits since you got 24 on
7 that initial ABRA license?

8 MR. GIRMA: No.

9 MEMBER SHORT: Nothing's changed,
10 correct?

11 MR. GIRMA: Nothing's changed. It's
12 the same --

13 MEMBER SHORT: So you want --

14 MR. GIRMA: -- as always.

15 MEMBER SHORT: -- you're going to be
16 able -- you -- what you're saying to this Board
17 is you'll be able to get 88 people out of there
18 or in there just like you can now with 24 without
19 any changes? You haven't added any square
20 footage, am I correct?

21 MR. GIRMA: Yes. Just everything I
22 have is 88. The ABRA, they have my certificates.
23 I gave them the copy with the forms. I've seen
24 guests have it in there. They said it's 88. The
25 occupancy is 88 --

1 MEMBER SHORT: So --

2 MR. GIRMA: -- for some reason, it's
3 24. I never change anything.

4 MEMBER SHORT: All right. Mr. Girma
5 -- Mr. Girma.

6 MR. GIRMA: Yes, sir.

7 MEMBER SHORT: The reason why you
8 haven't changed anything because you had to come
9 here first to get permission from this Board and
10 from ABCA, is that correct?

11 MR. GIRMA: Yes.

12 MEMBER SHORT: Now, when did your
13 certificate of occupancy get 88 on it? Was it
14 that when you first bought the -- when you first
15 opened your business?

16 MR. GIRMA: No. They just -- ABRA has
17 an 88, ABRA, the investigation is they thought is
18 I have 88 because every time they come, they're
19 asking me my certificate. I show them. But
20 after a year-and-a-half or 18 months there, which
21 is a few months back, and then I think they went
22 back and they checked the ABRA license or
23 something, and then they came and then they says
24 you got to take everybody out. And then I took
25 everybody out and ask them what's going on. They

1 said the capacity is 24. I showed them the
2 certificate and then they says, "No. We have to
3 see the license, the ABRA license." And then
4 that's how me, I found out that time the ABRA
5 license says 24, but the occupancy says 88.

6 So the next day, I went to the DCRA --
7 no, the ABRA, the license office, and then I
8 asked them that this is a mistakes, you know, you
9 guys, you can see the document. You know, you
10 can pull it out. This lady, she helping me out.
11 She brought all the documents. She said, You're
12 right, but that form that you guys filled out is
13 -- it's wrong, you put 24. So to get that 88 is
14 you have to display the placard for that. That's
15 it.

16 MEMBER SHORT: Mr. Girma -- Mr. Girma.

17 MR. GIRMA: Yes, sir.

18 MEMBER SHORT: Even if I sympathize
19 with your testimony --

20 MR. GIRMA: Okay.

21 MEMBER SHORT: -- you'd have to give
22 us something in writing from DCRA stating you had
23 a change. Have you submitted that -- any of that
24 information that you went from 24 to 88? Have
25 you submitted that to ABRA?

1 MR. GIRMA: No, I didn't. When they
2 gave me the placard, I displayed the placard.

3 MEMBER SHORT: Okay. When you --

4 MR. GIRMA: That's how --

5 MEMBER SHORT: -- went there and go
6 the placard --

7 MR. GIRMA: That's how our neighbors --
8 they find all the information.

9 MEMBER SHORT: Okay.

10 MR. GIRMA: Yes.

11 MEMBER SHORT: All right. That's what
12 everybody does, so nobody -- you're not being
13 treated any differently than anyone else.

14 MR. GIRMA: Yes. I understand that.

15 MEMBER SHORT: You understand that?

16 MR. GIRMA: So that --

17 MEMBER SHORT: Okay. Now -- okay, let
18 -- I'm just trying to get an understanding
19 myself. What was the original numbers on the
20 occupancy that you first received from DCRA, what
21 were the numbers from that occupancy?

22 MR. GIRMA: Eighty-eight.

23 MEMBER SHORT: Well, so when you came
24 down to ABRA to get your ABC License, although
25 you had 88 on your certificate of occupancy, why

1 did they give you 24?

2 MR. GIRMA: Because as they explained
3 to me at the liquor licenses, the lady, she said,
4 it's because of the form, that when we filled it
5 out, the first form two years ago when we fill it
6 out, this agency, she put 24. The 24 is supposed
7 to be the table, not the seats --

8 MEMBER SHORT: Okay.

9 MR. GIRMA: -- supposed to be 24. The
10 capacity is 88.

11 MEMBER SHORT: Please --

12 MR. GIRMA: But she make a mistake.

13 MEMBER SHORT: Okay. I understand but
14 the bottom line is just like yourself, anybody
15 who has a CT or gets a license from ABRA -- ABCA,
16 we only put the number on it matching what you
17 have from DCRA. So you're stating that from the
18 very beginning, it was 88 on your certificate of
19 occupancy, but someone in ABRA made a mistake and
20 put 24. Why would they put 24?

21 MR. GIRMA: No. My agent make a
22 mistake, not the ABRA.

23 MEMBER SHORT: Oh, your agent made a
24 mistake?

25 MR. GIRMA: The ABRA -- because I was

1 hiring this agent and then this agent, when they
2 filled out the form, they put 24 --

3 MEMBER SHORT: Okay. Well, under --

4 MR. GIRMA: -- not the ABRAS.

5 MEMBER SHORT: I'm trying to tell you
6 how I know our licensing section works.

7 MR. GIRMA: Okay.

8 MEMBER SHORT: And it works the same
9 way for you as anyone else who has a CT or any
10 other ABC License. The number on your
11 certificate of occupancy from then DCRA and now
12 the Department of Buildings is the number that we
13 use at ABCA. So did you bring any documentation
14 showing that it originally was 88? Did you bring
15 anything today to say to this Board what you're
16 saying is true?

17

18 MR. GIRMA: Yes. I'm just trying to
19 -- yes. If you give me one second? Okay. Can
20 you guys see it?

21 MEMBER SHORT: Did you submit that
22 with your PIF? Did you send that to this office?

23 MR. GIRMA: This one -- you guys
24 already have this one. This is -- this is the
25 original one. You guys already have it with my

1 documents.

2 MEMBER SHORT: Okay. Well, I have no
3 more questions of you, Mr. Girma, because you
4 have actual documentation stating that when you
5 first got your certificate of occupancy, your
6 agent tricked you; is that correct?

7 MR. GIRMA: It just they make a
8 mistake, yes.

9 MEMBER SHORT: And so how many years
10 ago was that?

11 MR. GIRMA: Was around like 2020, I
12 believe.

13 MEMBER SHORT: And this is 2023,
14 correct?

15 MR. GIRMA: Yes.

16 MEMBER SHORT: So between 2020 and
17 2023, you didn't take that documentation down and
18 show it to someone?

19 MR. GIRMA: We didn't check it. All
20 I have has is the occupancy, and then the liquor
21 license. I never checking the liquor license for
22 the occupancy. All I see is the DCRA's capacity.
23 I didn't know. I thought is I have 88 because
24 that's what the agency told me. They said this -
25 - you got --

1 MEMBER SHORT: I understand that you
2 thought it was 88. What did your original
3 certificate of occupancy say? What did the
4 original one -- the original one you got when you
5 got your original license, what did it say?

6 MR. GIRMA: Eighty-eight. You talking
7 about the liquor license?

8 MEMBER SHORT: I understand. I see
9 what you're flashing on the screen, sir, but the
10 bottom line is, Mr. Girma, did you submit that to
11 the investigator in this case?

12 MR. GIRMA: No.

13 MEMBER SHORT: Why not?

14 MR. GIRMA: Because nobody ask me. I
15 don't know the rules and then I asking the
16 previous -- the lawyers to helping me out, but
17 they wasn't helping.

18 MEMBER SHORT: I'm trying to get some
19 answers from you that will make me fall in line
20 with what you want, but I don't understand how
21 when our agency, our licensing persons -- that
22 license section of ABCA, we use the same numbers
23 that DCRA -- what's on their number to justify,
24 you know -- and you're saying that some years
25 ago, you got tricked and -- or you got -- your

1 agent didn't do what they were supposed to do.

2 And now -- what year did you all --

3 MR. GIRMA: October 1, 2021, I
4 believe, of '20, right after the COVID.

5 MEMBER SHORT: Can you be more
6 explicit? What year did you open up -- what year
7 did you get your first ABCA license?

8 MR. GIRMA: I think 2020.

9 MEMBER SHORT: And on that, it said --
10 did it say 24 on that one? Can't hear you, sir.
11 I can't hear you.

12 MR. GIRMA: Since day one, the ABRA
13 license, the liquor license, it says 24. The
14 liquor license says 24.

15 MEMBER SHORT: Okay.

16 MR. GIRMA: The investigators, they
17 did say four years. At this point --

18 MEMBER SHORT: Did it always say 24?

19 MR. GIRMA: Which, the liquor license?

20 MEMBER SHORT: Yes.

21 MR. GIRMA: Yes.

22 MEMBER SHORT: And you didn't go down
23 then and say to them that someone made a mistake
24 and that your agent made a mistake?

25 MR. GIRMA: When I found out, I went

1 to the office and then I talked to them someone
2 make a mistakes, that's why they gave me the
3 placard to display so I could get --

4 MEMBER SHORT: What year was that?

5 MR. GIRMA: It's like a few months
6 ago.

7 MEMBER SHORT: So from 2000 to a few
8 months ago, you did not go down and try to get
9 your occupancy --

10 MR. GIRMA: I didn't know -- I didn't
11 know. I didn't see anything. I didn't know.

12 MEMBER SHORT: Okay. Now at this
13 point in time --

14 MR. GIRMA: No.

15 MEMBER SHORT: This question is very
16 important to me.

17 MR. GIRMA: Yes, sir.

18 MEMBER SHORT: What date did someone
19 come from the D.C. Government, whether it was
20 ABCA or -- you said someone asked you to take all
21 the people out, is that correct?

22 MR. GIRMA: Yes, sir.

23 MEMBER SHORT: What year was that?

24 MR. GIRMA: A few months ago, this y
25 ear, 2023.

1 MEMBER SHORT: How many people did you
2 have in at that time?

3 MR. GIRMA: Probably 50 or 70, I
4 believe.

5 MEMBER SHORT: Fifty or 70?

6 MR. GIRMA: Yes.

7 MEMBER SHORT: And when did you come
8 down and try to get that corrected at ABCA?

9 MR. GIRMA: When the investigator told
10 me -- they came like several times but the last
11 time they came, they said it's you have 24. And
12 then it's like -- we look at it, both of us. He
13 showed me it says 24. And then I was like -- he
14 told me what I have to do. And then I went the
15 next day.

16 MEMBER SHORT: Well, thank you for
17 your testimony. I'll listen to our investigator
18 before I, as a Board member, make any decision.

19 MR. GIRMA: Okay.

20 MEMBER SHORT: But thank you for your
21 testimony today. Thank you, sir.

22 MR. GIRMA: Thank you.

23 MEMBER SHORT: That's all I have, Mr.
24 Chair.

25 CHAIRPERSON ANDERSON: Any other

1 questions by any other Board members? Go ahead,
2 Mr. Grandis.

3 MEMBER GRANDIS: Good afternoon and we
4 appreciate you being here and being involved with
5 trying to help us understand what is going on
6 with your license and what's going on in your
7 establishment and also trying to understand the
8 concerns of the protestants.

9 So you keep referring that 24 means to
10 you tables and chairs, is that correct?

11 MR. GIRMA: Yes.

12 MEMBER GRANDIS: So what is the
13 occupancy. Currently, the occupancy is 48? Is
14 that --

15 MR. GIRMA: Eighty-eight.

16 MEMBER GRANDIS: On the C of O, the --
17 on the C of O, is it -- what is the number again?

18 MR. GIRMA: Eighty-eight.

19 MEMBER GRANDIS: Eighty-eight. And
20 what do you have on your license?

21 MR. GIRMA: Twenty-four on our liquor
22 license.

23 MEMBER GRANDIS: Right. And in your
24 view, if I understand what you are explaining,
25 the way you do your business model, that you have

1 24 chairs for seating at tables, is -- am I
2 understanding that?

3 MR. GIRMA: Yes, 24, a lot, yes.

4 MEMBER GRANDIS: Okay. So you believe
5 that was -- your intent is to have 24 for tables
6 and chairs but the additional, let's say 60,
7 rounding a number, would be for standing? That's
8 why -- how you get to 88?

9 MR. GIRMA: Yes. All the --
10 everything, yes.

11 MEMBER GRANDIS: And you're saying
12 that in the initial application, whoever you
13 retained to help you with it, they put down 24
14 when it was asked about occupancy?

15 MR. GIRMA: Yes.

16 MEMBER GRANDIS: And what you believe
17 is that form should have said 24 for seating and
18 -- I'm using 60 as a round number for being able
19 to stand, which takes you to the total that the C
20 of O office allowed?

21 MR. GIRMA: Yes. But I didn't see it
22 on the liquor license, just on our capacity.

23 MEMBER GRANDIS: That -- I'm not-- I'm
24 asking about your view and your business model
25 that you --

1 MR. GIRMA: Yes.

2 MEMBER GRANDIS: -- wanted to be able
3 to have 88, but 24 was for seating, which do you
4 have 24 seats in your place? You have tables and
5 chairs currently?

6 MR. GIRMA: Yes.

7 MEMBER GRANDIS: And how -- do you
8 know how many chairs you have currently?

9 MR. GIRMA: It was 24 but two of them
10 is broke now, it's 22 or 21.

11 MEMBER GRANDIS: Okay. So -- but you
12 had 24, correct?

13 MR. GIRMA: Yes -- yes.

14 MEMBER GRANDIS: Okay. I think I have
15 a better understanding of what you, as the owner,
16 had wanted as a business model but not -- but
17 your representative did not articulate that or
18 write it down correctly is your point of view?

19 MR. GIRMA: Yes. I think you can say
20 that but just they -- actually, not me but the
21 agencies, the way they did it is --

22 MEMBER GRANDIS: Well, the agency
23 probably went off your application.

24 MR. GIRMA: Yes. That's the ones they
25 do because I didn't know anything about it.

1 MEMBER GRANDIS: They're not C of O
2 office. They're licensing specialists so they
3 put -- they went off the documents you provided.

4 MR. GIRMA: Yes. I think even before
5 the investigations, they've been coming checking
6 the whole years, almost two years. They never --
7 I gave them my license and then the occupancy,
8 everything I have, and my driver license. They
9 never noticed it. They never asking anything.
10 After all the years later, a few months ago, they
11 just -- they told me I got to kick everybody out,
12 and then I said, Okay. And then I asked them
13 what's going on and then they showed me. It was
14 a little tiny number 24 by the corner on the
15 right-hand side.

16 MEMBER GRANDIS: Thank you for that.
17 So I understand you were told that there was a
18 mediation but that you may not have attended the
19 full mediation meeting; is that correct?

20 MR. GIRMA: Yes, because I had a
21 lawyer at the time.

22 MEMBER GRANDIS: And the lawyer
23 attended?

24 MR. GIRMA: Yes.

25 MEMBER GRANDIS: And did the

1 protestants provide either you or your lawyer a
2 list of things that they wanted to see your
3 establishment do in order to drop a protest?

4 MR. GIRMA: No. But we did give them
5 the agreement letter from me to them.

6 MEMBER GRANDIS: But who -- okay, but
7 did they -- was the agreement letter based on
8 what they were concerned about at the --

9 MR. GIRMA: Yes.

10 MEMBER GRANDIS: -- mediation?

11 MR. GIRMA: Yes.

12 MEMBER GRANDIS: And from your point
13 of view, you gave that letter to who?

14 MR. GIRMA: To the lawyers and the
15 mediators. That's my lawyers, they send it to
16 everybody at the time.

17 MEMBER GRANDIS: Everybody including
18 the protestors?

19 MR. GIRMA: Yes.

20 MEMBER GRANDIS: And did the
21 protestors respond to that?

22 MR. GIRMA: My lawyers are trying to
23 reach out to her, but they -- they didn't agree
24 what we proposed.

25 MEMBER GRANDIS: They didn't agree but

1 I'm asking did they give a written response?

2 MR. GIRMA: No.

3 MEMBER GRANDIS: So as far as you know

4 --

5 MR. GIRMA: Nothing that I --

6 MEMBER GRANDIS: -- the only
7 communication that was in writing was something
8 that came out of that meeting that your lawyer
9 drafted and gave to the protestants?

10 MR. GIRMA: Which is --

11 MEMBER GRANDIS: And from your point
12 of view, you haven't received something back in
13 writing?

14 MR. GIRMA: The writing is just the
15 lawyers. They send us, like, another sentiment
16 because they didn't agree. The letter -- the
17 only letters I have is that -- the one she
18 responded to my lawyer.

19 MEMBER GRANDIS: Okay. So there was
20 a response --

21 MR. GIRMA: Yes.

22 MEMBER GRANDIS: to -- okay. And that
23 one response was from who?

24 MR. GIRMA: From the protestants'
25 lawyers.

1 MEMBER GRANDIS: Okay. So what -- so
2 did your lawyer or you try to sit down and
3 respond and work out --

4 MR. GIRMA: No. He even like -- he
5 reached out to ANC. I don't know, I think that's
6 the neighborhood guys or something. And I was
7 trying to reach out to them. I sent a letter. I
8 have the letter with me what I sent to them.

9 MEMBER GRANDIS: Okay.

10 MR. GIRMA: But I think he told me
11 like three protestants, they agree with the
12 proposal we give to them --

13 MEMBER GRANDIS: Okay. Well --

14 MR. GIRMA: -- but the rest of them --

15 MEMBER GRANDIS: -- well, sir, the
16 Chairman was very articulate in opening this
17 hearing in saying, look, after this is over, you
18 all still have to live together.

19
20 MR. GIRMA: Yes. That's --

21 MEMBER GRANDIS: Okay?

22 MR. GIRMA: Yes.

23 MEMBER GRANDIS: And we -- our concern
24 about noise and public safety and the things that
25 are raised by protestants. Okay. So I really --

1 do you know what -- do you know the ANC has
2 meetings? Are you familiar with --

3 MR. GIRMA: I know the ANC. That's
4 the advisors, the neighborhood advisors?

5 MEMBER GRANDIS: Yes, Advisory
6 Neighborhood Commission. Do you know they have a
7 monthly meeting?

8 MR. GIRMA: No. I remember one time
9 I intended to but after that, I don't know what
10 days they have a meeting.

11 MEMBER GRANDIS: You may be able to
12 create a better dialogue --

13 MR. GIRMA: Okay.

14 MEMBER GRANDIS: -- if you don't just
15 stay inside your premises and don't argue with
16 neighbors but perhaps show that you're part of
17 the neighborhood by going to some of these
18 community meetings. The community meetings are
19 not just for residents. They're for everyone who
20 is -- lives, resides, and works within those
21 boundaries. And that may be part of the equation
22 that you're not aware of how to reach out and let
23 the community know that you're sensitive to their
24 concerns --

25 MR. GIRMA: Yes.

1 MEMBER GRANDIS: -- and you want to
2 work them out.

3 MR. GIRMA: Yes, sure, you're right.

4 MEMBER GRANDIS: Okay. So, you know,
5 I think the Chairman gave some good advice and --

6 MR. GIRMA: Thank you, Chairman.

7 MEMBER GRANDIS: -- I think he said if
8 there was a response to that letter, we can't
9 talk about details, but I would strongly
10 encourage that you be open to trying to
11 understand why they want a certain --

12 MR. GIRMA: Of course --

13 MEMBER GRANDIS: -- then you have to
14 respond to that by saying, oh, you misunderstand,
15 or here's what we'll do. And it may help to
16 bridge the lack of cooperation that you and the
17 community need to have because at the end of the
18 day, you know, we all have to live and work
19 together. And I'm assuming that your
20 establishment is there to provide a good service
21 to that neighborhood, not someone else.

22 MR. GIRMA: True, yes.

23 MEMBER GRANDIS: So get to know the
24 organizations that are concerned about the
25 neighborhood.

1 MR. GIRMA: All right.

2 MEMBER GRANDIS: And I know you're
3 busy. You're probably foursome as a business
4 person, you probably don't have a lot of down
5 time, but you need to start -- in my view, on
6 trying to solve this, you need to have someone on
7 staff or yourself learn what organizations are
8 meeting that have a concern about business and
9 get involved with them.

10 MR. GIRMA: Thank you.

11 MEMBER GRANDIS: Okay. And we thank
12 you very much.

13 MR. GIRMA: All right.

14 CHAIRPERSON ANDERSON: Any other
15 questions by any other Board members? Mr. Girma,
16 when is -- when did you first get a license for
17 this establishment?

18 MR. GIRMA: Let me see if I have the
19 correct -- you're talking about the license, the
20 liquor license?

21 CHAIRPERSON ANDERSON: Yes. When did
22 you get a liquor license from us for your
23 establishment?

24 MR. GIRMA: I think it's in 2020.

25 CHAIRPERSON ANDERSON: No. When did

1 you open your business? That's what I'll ask.

2 When did you open your business?

3 MR. GIRMA: October 1, 2021.

4 CHAIRPERSON ANDERSON: So October 1,
5 2021 is when you first opened your business, is
6 that correct?

7 MR. GIRMA: Yes -- yes.

8 CHAIRPERSON ANDERSON: When did you
9 get a -- when did you receive a certificate of
10 occupancy for this business?

11 MR. GIRMA: 2020.

12 CHAIRPERSON ANDERSON: So you received
13 a certificate of occupancy when, when did you
14 receive the certificate of occupancy?

15 MR. GIRMA: 2011. Actually, I had it
16 before that, 2016.

17 CHAIRPERSON ANDERSON: 2016?

18 MR. GIRMA: '16, yes. And then that's
19 the first one but the last one is I have it is
20 2020.

21

22 CHAIRPERSON ANDERSON: All right. So
23 the certificate of occupancy that you had for
24 2016, what number did that state?

25 MR. GIRMA: That's the 88. No. This

1 one is just -- the original one is for 2019 and
2 then the 2020 is 88.

3 CHAIRPERSON ANDERSON: All right.

4 MR. GIRMA: Yes, 88.

5 CHAIRPERSON ANDERSON: In 2019, you
6 have a certificate of occupancy. And what does
7 that certificate of occupancy state?

8 MR. GIRMA: Eighty-eight, not 24.

9 CHAIRPERSON ANDERSON: I need you to
10 listen to what I'm asking you.

11 MR. GIRMA: Okay.

12 CHAIRPERSON ANDERSON: And I need you
13 to answer the questions that I'm asking you, sir,
14 all right?

15 MR. GIRMA: Okay.

16 CHAIRPERSON ANDERSON: You said you
17 had a certificate of occupancy -- when is the
18 original certificate of occupancy that you
19 received for this establishment?

20 MR. GIRMA: 2020 -- 2020.

21 CHAIRPERSON ANDERSON: What's the
22 date? You're going from --

23 MR. GIRMA: December 1, 2020.

24 CHAIRPERSON ANDERSON: December 1st --
25 I can't you see you anymore.

1 MR. GIRMA: Sorry. Yes. I don't
2 know, something wrong with the --

3 CHAIRPERSON ANDERSON: All right. So
4 December 1st -- hello? I guess I need to wait
5 for him to come back.

6 (Pause.)

7 MR. ORELLANA: It appears Mr. Girma
8 dropped off, Chairman.

9 CHAIRPERSON ANDERSON: Yes. I see is
10 gone from the screen so.

11 MR. ORELLANA: I've got him back.

12 CHAIRPERSON ANDERSON: All right.
13 Hold on. All right. The question I'm trying to
14 ask you -- all right. Hold on. Just hold on one
15 minute, sir. I'm trying to do a whole bunch of
16 things at the same time so. All right. Where is
17 he? Mr. Girma, are you still -- are you there?

18 MR. GIRMA: Yes, I'm here.

19 CHAIRPERSON ANDERSON: I can't see you
20 though. All right.

21 MR. GIRMA: Okay. Can you see me now?

22 CHAIRPERSON ANDERSON: No, sir. I
23 can't see you.

24 MR. GIRMA: How about now?

25 MR. ORELLANA: Yes. We can see you.

1 CHAIRPERSON ANDERSON: All right.
2 Okay. So you're saying in December -- December
3 of 2020 was when you got your certificate of
4 occupancy, right? And the certificate of
5 occupancy said -- and how -- and you're saying
6 that that certificate of occupancy says 88, is
7 that correct?

8 MR. GIRMA: Yes.

9 CHAIRPERSON ANDERSON: So where -- so
10 are you saying that on the application, that when
11 you applied for your license, that your agent
12 wrote 24; is that what you're saying?

13 MR. GIRMA: Yes. I literally saw that
14 when I went to the DCRA, the lady, she showed me,
15 she pulled it out, all the documents I sent to
16 them. And then I saw she put a 24 on it. They
17 have this -- they the document with them.

18 CHAIRPERSON ANDERSON: All right. So
19 when did you find out that -- and -- so the C of
20 O was issued December 1, 2020. And when did ABRA
21 issue its license to you? Do you recall when you
22 --

23 MR. GIRMA: The license --

24 CHAIRPERSON ANDERSON: Do you recall
25 when did you open for business?

1 MR. GIRMA: I opened October 1, 2021.

2 CHAIRPERSON ANDERSON: All right.

3 MR. GIRMA: I don't know, something
4 wrong. The video just -- it's not working.

5 CHAIRPERSON ANDERSON: All right. I
6 can see you.

7 MR. GIRMA: Okay.

8 (Pause.)

9 CHAIRPERSON ANDERSON: I'm trying to
10 look at your application.

11 MR. GIRMA: Yes, okay.

12 CHAIRPERSON ANDERSON: All right. So
13 on your original -- although your certificate of
14 occupancy says 88 --

15 MR. GIRMA: Yes.

16 CHAIRPERSON ANDERSON: -- on your
17 original application to ABRA, it said that total
18 number of seats was 18, and the total occupancy
19 load was -- that was what was on your original
20 application to ABRA and so, therefore, we issued
21 a license to you for 44.

22 MR. GIRMA: For 44?

23 CHAIRPERSON ANDERSON: I'm sorry, for
24 the 24. I apologize. For the 24. All right.
25 Ms. Goldstone, do you have any questions to ask

1 of him based on the questions that were asked by
2 the Board members?

3 (No audible response)

4 CHAIRPERSON ANDERSON: All right. Are
5 you still there, Mr. Girma?

6 MR. GIRMA: I'm still here.

7 CHAIRPERSON ANDERSON: Well, I can't
8 see you. I need to make sure that you're always
9 there and so that's why I always ask folks to be
10 online, because if I can't see -- if they're not
11 on camera, then I can't see if you're there.

12 MR. GIRMA: I'm still here. So you
13 said it's like that the occupancy that I have is
14 88, right, the one I returned it?

15 CHAIRPERSON ANDERSON: Basically, sir,
16 you are -- the occupancy -- all right. Is there
17 anything else that you want to present before us?

18 MR. GIRMA: All I have, just the
19 occupancy that I have, the original one, that's
20 all I have from you. I don't know. I mean I
21 don't know what to do with it and -- but all I
22 know is I have the certificate in my hand as you
23 guys still have. It does say 88 so I'm just
24 trying to get back if I can.

25 CHAIRPERSON ANDERSON: All right.

1 Okay. So Ms. Goldstone, you said you're the only
2 witness; is that correct?

3 MS. GOLDSTONE: I'm sorry, what was
4 that?

5 CHAIRPERSON ANDERSON: You said you're
6 the only witness, is that correct?

7 MS. GOLDSTONE: Yes.

8 CHAIRPERSON ANDERSON: Can you raise
9 your right hand, please, ma'am?

10 Do you swear or affirm to tell the
11 truth and nothing but the truth?

12 MS. GOLDSTONE: Yes.

13 CHAIRPERSON ANDERSON: All right.
14 How do you plan to present your case,
15 ma'am?

16 MS. GOLDSTONE: I have a statement
17 written if it's okay if I share that and then, I
18 have some evidence that I can pull up on my
19 screen as I go.

20 Would that work for the group?

21 CHAIRPERSON ANDERSON: Why do you need
22 to share it if you have a statement written? Why
23 do you need to share the statement?

24 MS. GOLDSTONE: Oh, no, no, no, sorry.

25 CHAIRPERSON ANDERSON: Why don't you

1 just say what the statement is?

2 MS. GOLDSTONE: The evidence that I
3 refer to in my statement that I submitted, that's
4 what I was planning to pull up on my screen.

5 CHAIRPERSON ANDERSON: All right.

6 So, what we can do -- what I can do,
7 Mr. Orellana, can you please give Ms. Goldstone
8 the opportunity to share her screen?

9 And so, if you have the document, if
10 you want your screen --

11 MS. GOLDSTONE: Okay.

12 Otherwise --

13 CHAIRPERSON ANDERSON: -- and you'll
14 have the opportunity to --

15 MS. GOLDSTONE: -- if it's easier, I
16 can verbally describe the evidence --

17 CHAIRPERSON ANDERSON: If you have --

18 MS. GOLDSTONE: -- I submitted.

19 CHAIRPERSON ANDERSON: I'm sorry,
20 ma'am.

21 If you have evidence, well, yes, you
22 submitted it. But it doesn't go into evidence
23 until you move whatever documents into evidence
24 here at the hearing.

25 MS. GOLDSTONE: Okay.

1 CHAIRPERSON ANDERSON: So, you have
2 submitted them as a part of your PIP.

3 If you want the Board to consider the
4 evidence, then you need -- we need to have
5 testimony, and then, you need to move them.

6 And I believe that Mr. Girma is no
7 longer here.

8 Mr. Orellana, do you know what
9 happened --

10 Mr. Girma, what's going on with your
11 camera, sir?

12 (NO AUDIBLE RESPONSE)

13 CHAIRPERSON ANDERSON: I see that you
14 have put in the chat that you're there.

15 But -- all right, good, I can now see
16 you.

17 All right, so, all right, that's what
18 I'm saying, ma'am.

19 So, you can testify and then, you can
20 -- in order for the -- whatever documents are
21 evidence that you have, we need to have
22 testimony.

23 And then, once we have testimony, then
24 you can move to have them admitted into evidence.

25 I will ask Mr. Girma if he has any

1 objection.

2 And I will rule whether or not the
3 documents can be submitted.

4 So, Mr. Orellana, have you given Ms.
5 Goldstone the opportunity to share her screen?

6 MR. ORELLANA: Yes, access has been
7 granted.

8 CHAIRPERSON ANDERSON: Thank you.
9 Mr. Girma?

10 MR. GIRMA: Sir?

11 CHAIRPERSON ANDERSON: Your off
12 camera. What is going on, sir?

13 MR. GIRMA: I don't know. Something's
14 wrong with it, it keeps turning off on me and I
15 don't know why.

16 CHAIRPERSON ANDERSON: Can you figure
17 out how to get back in camera, sir?

18 Now, you're gone from my screen.

19 Mr. Girma? Mr. Girma?

20 (NO AUDIBLE RESPONSE)

21 CHAIRPERSON ANDERSON: All right,
22 don't move, okay? Just stay right there. We
23 have your camera, I have you. Don't move. Okay?
24 So, whatever is going on, I believe if you don't
25 move, we'll be fine.

1 All right, did I swear you, ma'am?

2 (NO AUDIBLE RESPONSE)

3 CHAIRPERSON ANDERSON: Ms. Goldstone,
4 did I swear you in?

5 MS. GOLDSTONE: Yes.

6 CHAIRPERSON ANDERSON: All right, all
7 right, go ahead, ma'am, you said you can, if you
8 need to --

9 MS. GOLDSTONE: Can I ask one more
10 logistical question?

11 CHAIRPERSON ANDERSON: Yes, ma'am.

12 MS. GOLDSTONE: Do I have to wait to
13 share my screen and show the evidence until it's
14 admitted or is that part of the process to
15 determine whether it's admitted?

16 CHAIRPERSON ANDERSON: You can share
17 -- in order for it to be submitted, ma'am, you
18 have to share your screen and you have shown us -
19 - you have to tell me what the document is.

20 We need to have testimony about the
21 document.

22 And once you have testified, then
23 you'll state that you want to move it into
24 evidence.

25 And I will ask Mr. Girma if he has any

1 objection.

2 And based on the objection, whether or
3 not he agrees or objections, and I'll make a
4 decision whether or not it can be moved into
5 evidence based on relevance. Okay?

6 So, you can start, ma'am, do what you
7 want -- you need to, ma'am.

8 WHEREUPON,

9 ALI GOLDSTONE
10 was called as a witness for the Protestant and,
11 having been first duly sworn, was examined and
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MS. GOLDSTONE: Okay.

15 Thank you, all right.

16 Thank you, Board Members in advance
17 for your time and attention in this matter.

18 As I said at the start, my name is Ali
19 Goldstone and I am the representative of a group
20 of neighbors who live within about a block of the
21 Boulevard Lounge and have been working
22 collectively on this protest for months.

23 We have been plagued by relentless,
24 disruptive, and destructive disturbances, and
25 importantly, have experienced multiple instances

1 of gun violence by Boulevard Lounge patrons who
2 park in front of our houses on a residential
3 street.

4 I will detail those common scenarios
5 and provide evidence to back up my statements
6 momentarily, but I would like to make our stance
7 very clear from the outset.

8 The Boulevard Lounge has applied to
9 increase its occupancy, which is a change to
10 which we strongly object and hope you will deny.

11 Such an action would reward a
12 negligent business that has received multiple
13 official complaints and fines within the last
14 year, and has endangered the safety of residents
15 in the immediate area.

16 It is our hope that, as a result of
17 this protest, that you will deny their request to
18 increase the occupancy limit.

19 The Boulevard Lounge is not an
20 establishment that improves the neighborhood or
21 makes life more enjoyable for the residents
22 nearby.

23 The business owner is seemingly
24 seeking to do the bare minimum required to squeak
25 this occupancy increase through so that he can

1 continue attempting to evade regulations and seek
2 his profit, no matter the cost to the
3 neighborhood and its residents.

4 The business has had multiple similar
5 violations in the last 12 months, all related to
6 the activity that has been so disturbing to us.

7 In Case 22-CMP-0047, he was cited for
8 interfering with an ABRA investigation, having no
9 ABC manager on duty, and operating outside of
10 approved hours.

11 The status hearing took place on
12 October 19, 2022 as shown in Exhibit 13, which I
13 will pull up to demonstrate. Give me one moment.

14 (Whereupon, the above-
15 referenced document was
16 marked as Exhibit No. 13 for
17 identification.)

18 CHAIRPERSON ANDERSON: What is Exhibit
19 13, ma'am?

20 MS. GOLDSTONE: It is the ABC Board
21 meeting minutes that show the citations and the
22 fact that Mr. Girma did not attend the hearing.

23 CHAIRPERSON ANDERSON: All right, so,
24 that's our record. So, which -- so, this is from
25 -- what case was this and what was it that --

1 what was the result?

2 MS. GOLDSTONE: The Case Number is 22-
3 CMP-00047. And the date was Wednesday, October
4 19, 2022.

5 CHAIRPERSON ANDERSON: And what is it
6 that this decision shows, ma'am?

7 MS. GOLDSTONE: It shows the
8 violations, the three violations that he was
9 cited for in the case and states that he did not
10 appear at the hearing, which is important because
11 it shows a lack --

12 CHAIRPERSON ANDERSON: Was he found --

13 MS. GOLDSTONE: What was that?

14 CHAIRPERSON ANDERSON: All right, I'm
15 sorry, all right, go ahead, I'm sorry, go ahead.

16 MS. GOLDSTONE: Okay.

17 So, I don't need to pull that one up
18 since it's --

19 CHAIRPERSON ANDERSON: It's part of
20 our record, so you will be -- so, you're --

21 MS. GOLDSTONE: Okay.

22 CHAIRPERSON ANDERSON: It's Exhibit 3,
23 it's the Agency's record. So, it's part of the -
24 - it's already part of the record.

25 MS. GOLDSTONE: Okay.

1 CHAIRPERSON ANDERSON: So, that's --
2 so, Exhibit 13 which is a part of our record is
3 one of ours.

4 Go ahead, ma'am.

5 MS. GOLDSTONE: Okay.

6 I have a few of those.

7 So, that's Exhibit 13.

8 Exhibit 11 is the Offer in Compromise
9 that ended that case. It went into effect on
10 October 31st, 2022.

11 And that Offer in Compromise outlines,
12 again, each of those three violations committed
13 and shows that Mr. Girma signed it, demonstrating
14 that he admitted to committing each of those
15 violations and paid the requisite fine for each.

16 So, he was aware of the violation.
17 However, it appears he did not learn the lesson
18 of those violations because they continued.

19 On February 1, 2023, he had a second
20 hearing for Case 2022-CMP-0079, which charged him
21 again with similar violations a second time.

22 Specifically, interfering with an ABRA
23 investigation, allowing a third-party to control
24 security, and operating outside of approved hours
25 which is shown in my Exhibit 12.

1 (Whereupon, the above-
2 referenced document was
3 marked as Exhibit No. 12 for
4 identification.)

5 MS. GOLDSTONE: In my Exhibit 10 which
6 is another ABRA file, all four of these so far
7 are ABRA Files.

8 The Offer in Compromise indicates
9 that, again, he admitted to the violations, and
10 in theory, acknowledged his awareness that the
11 violations must stop.

12 But so a reasonable person would
13 assume that someone operating in good faith would
14 have taken the Offers in Compromise seriously and
15 would have adjusted operations to fall safely
16 within the regulations rather than continuing to
17 violate them.

18 However, operating within violations
19 and engaging in good faith, showing up to
20 hearings, and participating in them, does not
21 seem to be of interest to this business or this
22 business owner.

23 As Exhibits 10 through 13 show, he has
24 violated similar regulations multiple times and
25 has failed to take those violations seriously and

1 resolve them in good faith.

2 He was similarly disengaged and
3 disinterested in our concern about his business's
4 operations.

5 In fact, the owner was so
6 disinterested in the neighborhood and the
7 concerns of ours that he barely participated in
8 the protest process at all.

9 When it came time for mediation, an
10 opportunity to better understand our concerns and
11 act on them in good faith, he joined the call
12 more than halfway through and spoke briefly just
13 once to express his concern that our action was
14 affecting his business.

15 He did not make any effort to engage
16 with us before, during or after mediation and his
17 legal representation at the time pitched
18 toothless compromises that would have -- that he
19 would have never been held to, and in fact, would
20 have been impact less.

21 Since we're not allowed to talk to the
22 details of what we discussed in mediation, I will
23 skip what I had planned to say about that.

24 But with, again, iterate that the only
25 compromises that were pitched were things that

1 would never have improved whether he would have
2 been able to do them or not and would not have an
3 impact on the complaints that we had.

4 The compromise that was pitched to us
5 with this owner would have sealed our fate to
6 continue experiencing the quality of life
7 disturbances, property destruction, and safety
8 and gun violence issues we've been experiencing
9 to date.

10 Mr. Girma has a track record of not
11 following rules, making it seem as though he is
12 unaware of the rules. And then, after being made
13 aware of them, continuing to break them despite
14 the cost to everyone else.

15 So, that is the reason we're here
16 today.

17 Working together with him to solve
18 these issues we experienced was not a viable
19 option. Clearly, the business owner has a
20 flagrant disregard for decorum, rules, and
21 safety.

22 But I'm sure you're wondering, what
23 exactly are the things that we've been suffering
24 for months?

25 What are our week to week experiences

1 that have motivated us to protest this action?

2 It's primarily tied to the fact that
3 the individuals who frequent this establishment
4 do not only not live in our neighborhood, but
5 come in vehicles with out of state plates,
6 regularly park on the block at the intersection
7 of 9th Street and Sheridan Street, Northwest, one
8 block east of the Boulevard Lounge.

9 They arrive as late as 4:00 a.m.,
10 sometimes even 5:00 or 6:00 a.m., clearly
11 operating their vehicles while consuming alcohol
12 and already intoxicated.

13 As they park and exit their vehicles
14 on our street, they dump armfuls of empty beer
15 bottles and liquor bottles from their car doors
16 onto our properties.

17 The rowdy, obnoxious, and destructive
18 crowds then proceed to break their bottles in our
19 yard, urinate on our lawns, walkways, staircases,
20 climb and damage our trees, honk their horns, and
21 rev their engines loudly and repeatedly, loiter,
22 and endlessly blast their tripped out car stereo
23 systems so loud that our houses literally shake
24 due to the volume and power of the bass, and just
25 hang out as if we were throwing a block party for

1 them.

2 This sometimes goes on for only five
3 minutes, sometimes it goes on for 30 minutes or
4 more.

5 And after all of this initial
6 activity, the patrons make their way to the
7 Boulevard Lounge where they apparently continue
8 to drink to excess and the servers do not refuse
9 to serve them.

10 In fact, the staff allow them to leave
11 the establishment even more intoxicated with no
12 questions asked.

13 When the patrons finally make their
14 way back to their vehicles again, between 4:00
15 and 6:00 a.m., even more intoxicated than when
16 they arrived, they continue their impromptu block
17 party where they left off with multiple cars
18 blasting music and bass as if they're competing
19 for who can wake the dead the fastest, hosting
20 literal drag races down our blocks, complete with
21 crowds to watch.

22 And then, ultimately, get back in
23 their vehicles to drive drunk once again.

24 Unfortunately, this is not a once in
25 a blue moon occurrence. This has occurred as

1 frequently as three nights a week, week in and
2 week out.

3 The patrons who use our residential
4 street as their parking lot and playground are a
5 neighborhood nuisance and a consistent and
6 pervasive drag on residents' quality of life.

7 While the ABRA should weigh the day to
8 day quality of life impact to the surrounding
9 neighbors heavily, these quality of life impacts
10 are not where the trouble of the Boulevard Lounge
11 ends.

12 Where push really came to shove for us
13 was when these informal, impromptu block parties
14 turned violent.

15 The thoughtless patrons of the
16 Boulevard Lounge arrived armed with firearms and
17 have risked the lives and safety of fellow
18 patrons and the surrounding residents on multiple
19 occasions.

20 At least four events have been
21 formally documented by the Metropolitan Police
22 Department.

23 Before we get into the details, I'd
24 like to show a map of our immediate area for
25 context and I have map that is Exhibit 9, if I

1 may present that now.

2 (Whereupon, the above-
3 referenced document was
4 marked as Exhibit No. 9 for
5 identification.)

6 CHAIRPERSON ANDERSON: Go ahead, ma'am.

7 MS. GOLDSTONE: Okay, all right, is
8 everyone seeing a map?

9 CHAIRPERSON ANDERSON: No, no, you're
10 not sharing your screen.

11 MS. GOLDSTONE: Okay, interesting.
12 It's showing as sharing on my end, so
13 let me try again.

14 CHAIRPERSON ANDERSON: Now you are.

15 MS. GOLDSTONE: Okay.
16 Let me see if I can drag the map back
17 in.

18 Is everybody seeing a map now?

19 CHAIRPERSON ANDERSON: Yes, ma'am.

20 MS. GOLDSTONE: Okay, perfect.

21 All right, so what this map shows is
22 the immediate area around Boulevard Lounge.

23 You can see marked in red that the
24 Boulevard Lounge is on the 6200 block of George
25 Avenue.

1 Just to the north is Sheridan Street,
2 Northwest, the 900 block.

3 If you go one block east, we have the
4 intersection of 9th Street and Sheridan Street,
5 Northwest, which is where myself and the other
6 residents who are parties to this protest live.

7 As marked on here, the approximate
8 location of the two shooting events that I'll get
9 into detail in just moment.

10 And then, because I have Ring video
11 evidence provided by some of my other neighbors,
12 I wanted to mark on the map the location of where
13 the Ring cameras are located to give context to
14 the direction that the cameras are facing.

15 Some of the videos that I'll show in
16 a couple minutes, you'll be looking west from the
17 6200 block of 9th Street, across 9th Street, and
18 up Sheridan.

19 So, this is the general area of, you
20 know, how close we are to the Boulevard Lounge
21 and where things are happening.

22 So, back to the shootings.

23 The first was in the early hours of
24 November 6, 2022 when a disagreement between
25 intoxicated patrons of the Boulevard Lounge

1 occurred while they were loitering and lingering
2 outside of our homes.

3 Neighbors at the intersection of 9th
4 and Sheridan Street, Northwest were jolted awake
5 by gunshots outside our homes.

6 In fact, one of the bullets struck and
7 broke a window at the residence located at 6224
8 9th Street, Northwest where a child lives and was
9 sound asleep inside.

10 At this point, I would like to bring
11 up Exhibit 1 which is MPD's report of the events
12 of that evening.

13 Is everyone seeing Exhibit 1?

14 (Whereupon, the above-
15 referenced document was
16 marked as Exhibit 1 for
17 identification.)

18 CHAIRPERSON ANDERSON: So, what is
19 Exhibit 1, ma'am?

20 MS. GOLDSTONE: Exhibit 1 is the MPD
21 report that details the aftermath of the shooting
22 on November 6th.

23 And what it shows is that, at 4:06
24 a.m., officers were dispatched to our block for
25 sounds of multiple gunshots.

1 Fifteen shell casings were retrieved
2 from the ground and one was found in a driver's
3 side door of a vehicle on the 5300 block of 9th
4 Street, Northwest.

5 And in addition to this MPD report, we
6 also have video footage of the shooting, which I
7 will show now.

8 But before I do, I can explain what is
9 happening in the video.

10 So, Exhibit 5 and 6 both offer views
11 of the same gunfire event.

12 Exhibit 5, which is what I will show
13 now is the number one.

14 It's a one-minute long video, but I'll
15 skip ahead to 20 seconds which is where the
16 activity of interest begins.

17 It shows, in the first few seconds,
18 engine revving that starts at 29 seconds, happens
19 for about 20 seconds.

20 You'll see a car blow the stop sign at
21 9th and Sheridan, speeding knowingly by our
22 houses at 35 seconds.

23 You'll hear raised voices start at 55.

24 And finally, you'll hear the first
25 crack of gunfire about at one minute and three

1 seconds, which is actually 4:02 a.m., and then,
2 several shots that follow.

3 So, let me make sure I'm sharing.

4 Okay.

5 And if you can't hear the audio as it
6 starts, please let me know.

7 (Whereupon, the above-
8 referenced video was marked
9 as Exhibit Nos. 5 and 6 for
10 identification.)

11 MR. GIRMA: So, what actually is this
12 place is at? The address, please can you tell us
13 what?

14 CHAIRPERSON ANDERSON: Are you -- sir,
15 are you objecting to the video?

16 Sir, tell me, what's the nature of
17 your objection?

18 MR. GIRMA: Yes, I'm objecting.

19 All the shoots they --

20 CHAIRPERSON ANDERSON: Hold on, hold
21 on, hold on, hold on, sir, hold on.

22 Go ahead, your -- tell me what your --
23 the nature of the objection.

24 MR. GIRMA: No, we can -- let's see
25 the video, too.

1 But I'm objecting that the shooting is
2 not -- that the area is already shooting.

3 The key is that the guy run from my
4 places. I even close on the broad daylight.

5 A few weeks ago, 12 years old just got
6 shot.

7 As simple as what she's talking about
8 on 9th Street, I ain't even opening. I open late
9 night.

10 The officer came to me and then, he
11 asked me my back -- the alley's video because the
12 area surveillance the shootout, every day, most
13 of the day. Most of -- at least like once a week
14 --

15 CHAIRPERSON ANDERSON: All right.

16 MR. GIRMA: -- they shootout.

17 It doesn't like -- these people like
18 what she's talking about, you can ask her, what
19 this place is? How far this house is from her
20 house?

21 It's just, okay, we can watch it,
22 let's watch it, too, and then, I'm going to
23 object to all the shooting, the littering because
24 I have the trash cans, I have security, they're
25 using the parking and then, using the back door.

1 That's what I'm --

2 CHAIRPERSON ANDERSON: All right.

3 MR. GIRMA: What did it wrong.

4 CHAIRPERSON ANDERSON: All right.

5 So, you're objecting to the video.

6 So, and I guess my question, ma'am,
7 how is -- how are you tying that this shooting is
8 related to this particular establishment?

9 How --

10 MS. GOLDSTONE: Because the officers
11 who responded to the event told us.

12 MR. GIRMA: Did they write it down
13 that it's any official documents that they said
14 this?

15 MS. GOLDSTONE: For this one, I have
16 --

17 MR. GIRMA: The shootout as everything
18 happens from my --

19 CHAIRPERSON ANDERSON: Where --

20 MR. GIRMA: Can you show me any papers
21 like it said it's at Boulevard Lounge?

22 CHAIRPERSON ANDERSON: Mr. Girma,
23 please.

24 MR. GIRMA: Okay.

25 CHAIRPERSON ANDERSON: You have raised

1 an objection.

2 MR. GIRMA: Sorry.

3 CHAIRPERSON ANDERSON: You have raised
4 an -- an I'm going to rule on the objection.

5 And the question I'm asking you,
6 ma'am, how -- what is it that you have to prove
7 that this video or the shooting is related to
8 this establishment?

9 MS. GOLDSTONE: This one specifically
10 is only based on what the officers told us in the
11 aftermath.

12 I was unable to find -- they were
13 unable to produce the reports of the
14 investigators who came to the house and took
15 evidence and documented the damage that day.

16 I don't know why they couldn't find
17 it, but I could not get them to produce it.

18 CHAIRPERSON ANDERSON: All right.

19 MS. GOLDSTONE: But I --

20 MR. GIRMA: Because it's lies, it's
21 not --

22 CHAIRPERSON ANDERSON: Hold on, sir,
23 sir, please.

24 All right, ma'am?

25 MS. GOLDSTONE: I can provide the

1 emails that show that they can't find it.

2 CHAIRPERSON ANDERSON: But, ma'am, I'm
3 not going to -- this is -- what exhibit is this
4 one?

5 MS. GOLDSTONE: This is Exhibit 5.

6 CHAIRPERSON ANDERSON: Ma'am, I'm not
7 going to allow Exhibit 5 and any testimony on
8 Exhibit 5 because you're unable to connect
9 Exhibit 5 to this establishment.

10 MS. GOLDSTONE: I'm actually not
11 unable to connect it because we have MPD officers
12 who responded to the scene and who told us that
13 it was related to an argument that happened
14 outside of the Boulevard Lounge.

15 CHAIRPERSON ANDERSON: But that's
16 hearsay, ma'am.

17 I mean, do you have a report that says
18 so or do you have -- is an officer going to
19 testify today to say this is related, ma'am?

20 Or are you just saying that --

21 MS. GOLDSTONE: I didn't know that I
22 could bring MPD officers to testify, but I would
23 be happy to get their testimony.

24 CHAIRPERSON ANDERSON: Well, ma'am,
25 because you are -- you don't have any -- you

1 don't have any direct evidence that's tying this
2 video --

3 MS. GOLDSTONE: Well, you're allowing
4 him to talk about evidence that he didn't submit.
5 So, do the rules only apply to me?

6 CHAIRPERSON ANDERSON: Ma'am --
7 Hold on, sir, you don't need to say
8 anything.

9 Ma'am, you're showing us the video.
10 Okay? And you're showing us a video and you're
11 saying that this shooting is related to this
12 establishment.

13 And what I'm asking you, the only
14 thing I'm asking you, ma'am, I mean, he testified
15 -- you're showing us a video, and I'm asking you,
16 what information -- what is it that you're
17 providing to us that exists in the video that
18 you're about to show to us that it's related to
19 this establishment?

20 And what you're saying, well, an
21 officer told you something.

22 Now, is -- if you have the report --
23 if you have a report that says that this was
24 based on the investigation this shooting is
25 directly attributable to this establishment, or

1 if you have a witness to testify.

2 But I'm not going to allow you, ma'am,
3 to show us a video and you're unable to provide
4 the nexus between this establishment and this
5 shooting, ma'am.

6 So, if you're unable -- if you cannot
7 show us the nexus between this video and this
8 establishment, ma'am, I'm not going to have any
9 testimony on this video because it's not
10 relevant.

11 MS. GOLDSTONE: Okay.

12 Well then, we'll have to strike all of
13 the evidence about any of the shootings because I
14 don't have a police report that they couldn't
15 find.

16 CHAIRPERSON ANDERSON: So, you're --
17 so, you're saying none of it -- so, you're saying
18 the video that you have --

19 MS. GOLDSTONE: Yes.

20 CHAIRPERSON ANDERSON: -- you have
21 nothing to prove that any of these shootings are
22 related to this establishment?

23 MS. GOLDSTONE: I am not saying that.

24 What I'm saying is, I do not have a
25 written statement that MPD provided for me or an

1 MPD officer here to attest to the fact that they
2 told us that it is tied to the establishment.
3 That is what I'm saying.

4 I am not saying that these are not
5 tied to the business. And I'm not saying that I
6 don't have something to attest to.

7 CHAIRPERSON ANDERSON: I think that --

8 MS. GOLDSTONE: We have had multiple
9 shootings in this area and every single time the
10 police officers have said that it is tied to
11 arguments that stem from patrons at the Boulevard
12 Lounge.

13 MR. GIRMA: Do you remember --

14 MS. GOLDSTONE: We have had -- I have
15 the MPD report.

16 CHAIRPERSON ANDERSON: Sir, sir, sir
17 --

18 MS. GOLDSTONE: I do have an MPD
19 report that specifically states that they have
20 been patrolling the area outside of the Boulevard
21 Lounge at our request based on these things and
22 that they disrupted a fight.

23 CHAIRPERSON ANDERSON: Ma'am, if you
24 have statements --

25 MS. GOLDSTONE: And we avoided a

1 shooting that night.

2 So, I do have statements from --

3 CHAIRPERSON ANDERSON: Ma'am --

4 MS. GOLDSTONE: -- MPD.

5 CHAIRPERSON ANDERSON: Ma'am, ma'am,
6 ma'am, if you have statements from MPD, you can
7 produce those.

8 MS. GOLDSTONE: I was getting them,
9 but you guys don't want to hear the argument that
10 I'm trying to make.

11 CHAIRPERSON ANDERSON: Ma'am, ma'am,
12 it's not a matter of hearing the argument.

13 You're showing me the video --

14 MS. GOLDSTONE: Excuse me, if I may.

15 We did not receive any boundaries for
16 what our evidence needed to be.

17 CHAIRPERSON ANDERSON: Ma'am, ma'am,
18 hold on, hold on, ma'am.

19 Ma'am, whether or not you received --

20 MS. GOLDSTONE: So, if it's
21 introducing MPD --

22 CHAIRPERSON ANDERSON: Ms. Goldstone,
23 Ms. Goldstone, let me say this once, and I'm
24 going to say this one and only one time.

25 I'm the Chair of this Board and I'm

1 telling you how this hearing is going to go,
2 ma'am. Okay?

3 MS. GOLDSTONE: I'm --

4 CHAIRPERSON ANDERSON: So, you need to
5 follow -- you need to listen to what I'm saying.
6 Okay?

7 I'm not --

8 MS. GOLDSTONE: I hear what you're
9 saying.

10 CHAIRPERSON ANDERSON: I'm not trying
11 to be aggressive to either side.

12 But what I'm trying to say, ma'am,
13 this is a -- although this is not a court of law,
14 but this is a formal administrative hearing and
15 so, there are procedures that have to be
16 followed.

17 You are trying to show some videos,
18 ma'am.

19 Mr. Girma has objected to the video
20 because what he's saying is, they're not
21 relevant. Okay? So, he raised an objection.

22 If he did not raise an objection, I
23 probably wouldn't have said anything. Okay?

24 So, he raised an objection.

25 And you're unable -- you are --

1 because he says that you -- he raised an
2 objection.

3 And I'm asking you some questions
4 about this video. And you are unable to tie this
5 video to the establishment -- to his
6 establishment.

7 MS. GOLDSTONE: I am not unable to tie
8 the video to the establishment.

9 I'm unable to tie the video with an
10 explicit statement in an MPD report.

11 CHAIRPERSON ANDERSON: But this is
12 what you're --

13 MS. GOLDSTONE: I did my due diligence
14 to obtain the MPD report. They weren't able to
15 produce it.

16 CHAIRPERSON ANDERSON: But what you're
17 saying --

18 MS. GOLDSTONE: I did not know that
19 that meant that I needed to have an MPD officer
20 here. But I would be happy to do that if we have
21 another go around.

22 CHAIRPERSON ANDERSON: But what I'm --
23 ma'am, you're saying that someone told you --
24 this is what you're saying to me, someone told me
25 that this shooting was related to this

1 establishment.

2 Now, if you said, ma'am, if you said,
3 or the person who took the video, that this is
4 from my Ring camera. This is from my Ring camera
5 and I see -- and I saw these individuals coming
6 from the establishment and then, the shooting
7 occurred, that's one -- that's a different
8 situation.

9 But --

10 MS. GOLDSTONE: That is what the video
11 shows, but the objection occurred before the
12 video was shown and I was able to describe what
13 the video shows in full.

14 CHAIRPERSON ANDERSON: All right,
15 ma'am.

16 Show the video. Once you show the
17 video, then I'm going to make a determination of
18 whether I'm going to allow this in.

19 So, show the video, ma'am.

20 MS. GOLDSTONE: There are two videos,
21 two different views.

22 This one essentially shows the
23 direction from which people are coming. And I'm
24 not sure that the audio is working.

25 Okay, so, I think we'll skip ahead 20

1 second, there's nothing much going on.

2 (Video played)

3 MS. GOLDSTONE: That's the beginning.

4 You can clearly see the direction
5 where things are coming from which is in exactly
6 the direction of the Boulevard Lounge.

7 And in about ten seconds, you'll hear
8 the gunfire.

9 And the second video, the second view
10 that I have of this same shooting event does
11 actually show people running from exactly the
12 direction of the establishment, if I may show
13 that.

14 (Video played)

15 MS. GOLDSTONE: So, where this video
16 picks up is exactly where the other one left off.

17 It starts with the ten-plus gunshots
18 that you can hear at the outset.

19 At about six seconds, if I replay,
20 you'll see the figure run from the right side of
21 your screen which is the intersection at 9th and
22 Sheridan, where you can see in the previous
23 video, where all of the car traffic was coming
24 from was one block west which is exactly where
25 the Boulevard Lounge is located.

1 You'll see a figure running from right
2 to left on the sidewalk at the very top left of
3 your screen.

4 This is the west side of the 6200
5 block of 9th Street, Northwest.

6 The person is running from the
7 intersection of 9th and Sheridan or the 5300
8 block area.

9 And then, you'll see three additional
10 figures run alongside the first person.

11 At about 16 seconds, you'll hear the
12 final shot of gunfire and you'll a fifth separate
13 figure running down 9th Street indicative of the
14 retaliatory response from the first set of shots
15 at about 20 seconds, again, right around 4:00
16 a.m.

17 And this is all coming from the
18 direction of where folks were coming from the
19 Boulevard Lounge and at their vehicles.

20 So, let me play the second video
21 again.

22 (Video played)

23 MS. GOLDSTONE: You can see the first
24 shadow coming now and one more follows and one
25 left.

1 So, if I may, these are individuals
2 who we could very clearly see were coming from
3 the direction of the Boulevard Lounge.

4 And if I may, although I realize that
5 this may not be admitted into evidence, what the
6 MPD report and the Ring videos do not capture,
7 but neighbors observed clearly is that the home
8 at 6224 9th Street, Northwest, which in this view
9 of the video, is the residence that's just above
10 the top left corner was damaged by that -- by one
11 of those bullets in this incident.

12 The front left ground floor window was
13 broken.

14 CHAIRPERSON ANDERSON: All right,
15 ma'am, all right.

16 I'm not going to allow Exhibits 5 or
17 6 in evidence.

18 And the specific reason, ma'am, why
19 I'm not going to allow these in evidence is
20 because I do -- they're -- you're not tying these
21 videos to this establishment.

22 You're saying that they're coming from
23 the direction. All right?

24 You're -- the video shows a car coming
25 a street, turning on one street, and we hear

1 gunshots, ma'am.

2 This does not -- I don't see how you
3 can tie this to this establishment.

4 Let me ask you one more question,
5 ma'am.

6 You start off by showing us -- you
7 started off by you talking about ABRA's records
8 about some violations that occurred.

9 Are any of the violations, and I'm not
10 sure if you're aware that when MPD ties some type
11 of shooting to an investigation, I'm sorry, to an
12 establishment, that they alert us to it.

13 Are any of the case reports that you
14 cited earlier, ma'am, are any of the ABRA actions
15 that you cited earlier, are any of these tied to
16 these shootings, ma'am?

17 (NO AUDIBLE RESPONSE)

18 CHAIRPERSON ANDERSON: You gave us --
19 there are some exhibits that you told us about
20 the ABRA violations that occurred.

21 MR. ORELLANA: Chairman?

22 CHAIRPERSON ANDERSON: Yes?

23 MR. ORELLANA: I don't know if she's
24 with us.

25 CHAIRPERSON ANDERSON: Okay, all

1 right.

2 All right, I'm sorry, yes.

3 She -- her -- she's muted, so did she
4 mute herself or how is she muted? I see that
5 she's on mute.

6 MR. ORELLANA: It appears her audio
7 cut off, her microphone cut off during her
8 testimony.

9 CHAIRPERSON ANDERSON: So, why don't
10 you tell her to maybe she can log off and log
11 back on to see if that will correct the problem.

12 I think she said she's unable to
13 unmute herself.

14 MR. ORELLANA: It appears her
15 microphone source is not working correctly.

16 I'll get in touch with her.

17 CHAIRPERSON ANDERSON: Okay, thanks.

18 (Pause)

19 MR. ORELLANA: Okay, she appears to be
20 back, Chairman.

21 CHAIRPERSON ANDERSON: All right.

22 I can't hear you, ma'am, you need to
23 -- can you unmute yourself?

24 MS. GOLDSTONE: Can you hear me now?

25 CHAIRPERSON ANDERSON: Yes, ma'am, I

1 can hear you.

2 MS. GOLDSTONE: Okay, sorry about
3 that, I'm not sure how my audio got disconnected,
4 but everything got very weird. Sorry for the
5 delay.

6 I could hear you before, but I wasn't
7 -- it was very strange.

8 So, I think you were asking me
9 something, but I wasn't able to really get the
10 gist of it.

11 CHAIRPERSON ANDERSON: All right, the
12 question I asked you, ma'am, all right, you
13 showed the videos.

14 Earlier, you talked about that this
15 establishment and the investigative history.

16 MS. GOLDSTONE: Yes, yes.

17 CHAIRPERSON ANDERSON: Are any of the
18 events that are on the investigative history, do
19 they relate to this shooting, ma'am? Any of
20 these shootings that you've shown on these
21 videos?

22 MS. GOLDSTONE: I am not sure.

23 CHAIRPERSON ANDERSON: Was it --

24 MS. GOLDSTONE: The investigative
25 history didn't state of the incidents that were

1 concerning.

2 CHAIRPERSON ANDERSON: What I'm
3 saying, ma'am, the investigative history that you
4 read, they told you when the event occurred.

5 So, what I'm asking you, you're
6 telling us when these shootings occurred, were --
7 are they the same dates that's related to the
8 investigative history?

9 MS. GOLDSTONE: The ABRA investigative
10 history?

11 CHAIRPERSON ANDERSON: Yes, ma'am.
12 Yes, ma'am.

13 MS. GOLDSTONE: Oh, I must be
14 misunderstanding, because as I've far as I've
15 read in the documentation, I didn't see dates
16 that kind of were the impetus for the
17 investigation in the files that I read.

18 CHAIRPERSON ANDERSON: Okay.
19 That's what I was -- I'm trying to
20 look for.

21 MS. GOLDSTONE: Okay.

22 CHAIRPERSON ANDERSON: I'm trying to
23 look for the case reports of the investigative
24 history.

25 MS. GOLDSTONE: This first one would

1 not have been because the Board meeting happened
2 on October 19th and the first shooting that I'm
3 referring to would have been November 6th of
4 2022.

5 And the second one could have been.
6 It was in early February and the second shooting
7 was in January of 2023.

8 CHAIRPERSON ANDERSON: All right.

9 All right, we're going to move on from
10 -- we're going to move on, ma'am, I'm not going
11 to allow these videos to be a part of the
12 evidence because you aren't able to prove -- I
13 don't believe they're relevant because you're
14 unable to prove a correlation between the videos
15 and this establishment, ma'am.

16 Secondly, you're saying -- I'm not
17 sure if you're aware that, even if you didn't
18 have the police to testify today, if the police
19 determined that a shooting is related to an
20 establishment, they normally advise us and we do
21 some type of investigation.

22 And so, that's one of the reasons why
23 I'm asking you if the investigative history that
24 you went over, are any of those investigative --
25 are any of these incidents documented on the

1 investigative history and you said no.

2 So, so, because you're unable to show
3 a correlation between the shootings and the
4 establishment, you're also -- no one is able to
5 testify -- the police are not here to testify to
6 say that it's related to this establishment.

7 The person who took -- whose Ring
8 camera is not here to testify.

9 And there is nothing on this
10 establishment's investigative history to tie a
11 shooting to the establishment, ma'am.

12 This is not relevant to these
13 proceedings. So, these two videos will not be a
14 part of the record.

15 Okay?

16 MS. GOLDSTONE: Can I show a different
17 video that, even if the shooting piece of it is
18 not relevant, can I show the general disturbance
19 to the area in a subsequent video?

20 CHAIRPERSON ANDERSON: Ma'am, as long
21 as you can show a correlation between this
22 establishment and whatever you're showing.

23 MS. GOLDSTONE: I mean, that's an
24 impossible standard to reach. So, I guess, I
25 mean, we might as well just give up now and you

1 can grant the license.

2 CHAIRPERSON ANDERSON: No, ma'am, no,
3 ma'am, ma'am, when we have --

4 MS. GOLDSTONE: It's --

5 CHAIRPERSON ANDERSON: Ma'am, when we
6 have hearings, the community, when they come to
7 testify, they show specific incidents that's
8 related to the establishment.

9 They'll say that -- they're saying
10 that the person left the establishment and, once
11 they left the establishment, this is what
12 happened.

13 MS. GOLDSTONE: Yes, I can tell you --

14 CHAIRPERSON ANDERSON: You're not
15 showing that, ma'am. You're not --

16 MS. GOLDSTONE: I know, I realize that
17 that's what you're saying.

18 In the aftermath of these shootings,
19 I submitted a formal complaint to ABRA and asked
20 to make contact with an investigator to compel
21 them to investigate at the days of the week and
22 the times that we see these things. And I never
23 got a response.

24 The investigation that occurred in
25 response to this protest had visits to the

1 establishment during the months where he thought
2 he can't operate. And there was no disturbance.

3 The best evidence that I have that are
4 disturbance and safety issues are directly
5 related to his establishment is that we have had
6 exactly zero disturbances or safety issues since
7 he's been nonoperational this summer.

8 I do have an MPD report that does
9 directly tie disturbances to his establishment
10 that is Exhibit Number 3, the report the day
11 following the second shooting that I was going to
12 show you.

13 (SIMULTANEOUS SPEAKING)

14 CHAIRPERSON ANDERSON: What is Exhibit
15 Number 3, ma'am?

16 MS. GOLDSTONE: Exhibit Number 3 is
17 the MPD report from January 22, 2023. And it is
18 right here.

19 Is everybody seeing a PDF?

20 (Whereupon, the above-
21 referenced document was
22 marked as Exhibit No. 3 for
23 identification.)

24 CHAIRPERSON ANDERSON: No, ma'am.

25 MS. GOLDSTONE: Is everybody seeing a

1 PDF?

2 Okay.

3 CHAIRPERSON ANDERSON: So, this is
4 Exhibit 3. What's Exhibit 3, ma'am?

5 MS. GOLDSTONE: Exhibit 3 is the MPD
6 report from an incident that occurred on January
7 22, 2023.

8 It describes that at 5:25 a.m., a call
9 was made for additional officers to help respond
10 to a fight between patrons who had been
11 previously barred from the Boulevard Lounge, but
12 had been let in.

13 The fight spilled from the building
14 into the parking lot behind the establishment.

15 Upon MPD's arrival at the scene, the
16 doors to the Boulevard Lounge were locked, but
17 the officers observed that roughly 90 people were
18 inside, despite some individuals having left and
19 the occupancy limit being 24.

20 MPD, as stated in the report, shut
21 down the operation for the night based on these
22 and prior violations.

23 And the report also states that the
24 MPD officers were in this exact area because of
25 our complaints due to the gun violence that

1 happened the day before.

2 So, we are very glad to have MPD in
3 the area. They have been in -- watching the
4 establishment very closely. And we believe their
5 presence avoided a gunfire event resulting from
6 this fight.

7 (SIMULTANEOUS SPEAKING)

8 MR. GIRMA: I object to this.

9 CHAIRPERSON ANDERSON: Sir, what are
10 your objections, sir?

11 MR. GIRMA: I'm objecting. This is --
12 that's the report is that the argument of the two
13 females, they wasn't in there.

14 The times are from Wednesday to
15 Sunday. I've got official hour time from liquor
16 license.

17 I can't stay 6:00 in the morning. But
18 the people, they keep calling, they are doing it
19 after hours, but it wasn't after hours.

20 So, this time is when they came, these
21 two girls, they're arguing, they're friends.

22 We put them on outside, there was a
23 situation. Two cops came and then, they asked
24 us, what's going on? And then, they separate
25 them.

1 And they, after that, they didn't ask
2 me anything. They did no investigations. They
3 not come into my place.

4 The only time the officers got into my
5 place when the investigator from ABRA that they
6 allowed to get in, that's it.

7 So --

8 CHAIRPERSON ANDERSON: All right.

9 MR. GIRMA: -- I don't know, I never
10 have this one. I never had any conversation with
11 any officers.

12 CHAIRPERSON ANDERSON: All right.

13 This is -- I don't -- I'm going to --
14 this is Exhibit 3. So, I will allow Exhibit 3 in
15 evidence.

16 This is an official government
17 document. And so, this is -- so, Exhibit 3, I'll
18 allow exhibit -- I'll move Exhibit 3 over your
19 objection, sir, into evidence.

20 What else do we have -- do you have,
21 ma'am?

22 (Whereupon, the above-
23 reference document was
24 received into evidence as
25 Exhibit No. 3.)

1 MS. GOLDSTONE: I have another exhibit
2 from MPD which is from an incident on February 5,
3 2023.

4 CHAIRPERSON ANDERSON: What exhibit is
5 this?

6 MS. GOLDSTONE: Exhibit 4.

7 (Whereupon, the above-
8 referenced document was
9 marked as Exhibit 4 for
10 identification.)

11 CHAIRPERSON ANDERSON: And what's
12 Exhibit 4?

13 MS. GOLDSTONE: So, Exhibit 4 shows
14 that on February 5, 2023, at 4:08 a.m., MPD was
15 called to assist in shutting down the Boulevard
16 Lounge for operating after hours -- to assist
17 ABRA in shutting down the establishment.

18 MR. GIRMA: I'll object to that. They
19 shut it down because ABRA shut it down, not the
20 officers.

21 This is the time that we find out the
22 occupancy is 24.

23 There's nothing going on --

24 CHAIRPERSON ANDERSON: Sir --

25 (SIMULTANEOUS SPEAKING)

1 CHAIRPERSON ANDERSON: Sir --

2 MR. GIRMA: Sorry.

3 CHAIRPERSON ANDERSON: All right.

4 Go ahead, ma'am.

5 MR. GIRMA: You'll allow me to speak?

6 CHAIRPERSON ANDERSON: No, sir, let's

7 move on.

8 MR. GIRMA: Okay.

9 CHAIRPERSON ANDERSON: I'm not going

10 to --

11 MR. GIRMA: Okay, I got you.

12 CHAIRPERSON ANDERSON: Go ahead,

13 ma'am.

14 MS. GOLDSTONE: Okay.

15 Well, that's pretty much it. Those
16 are the only two that are directly tied to the
17 establishment from MPD.

18 We have some evidence that is directly
19 tying him to disturbances in our area, safety
20 issues.

21 You know, we observed the arguments.

22 We observed the drunk driving.

23 We experience excessively loud music,
24 engines, hanging, defacing and destruction to our
25 property which was noted in the other MPD report

1 with the gunshots and the damage to vehicles.

2 We routinely experience like
3 disturbances and many other unsavory happenings
4 that are regularly occurring.

5 We're really not interested in
6 importing any additional activity of this type
7 into our neighborhood.

8 As a reminder, the patrons of this
9 establishment that we're talking about really
10 don't have any other business to be here.

11 They aren't walking home to a
12 residence in our neighborhood.

13 The patrons of the Boulevard Lounge do
14 not live here.

15 We observe them coming and going in
16 vehicles with out of state plates, not that
17 that's not allowed, but they don't live here and
18 we don't necessarily need them to be waking us up
19 and creating safety issues for us, which is the
20 impetus for this protest.

21 The disturbing, violent, and illegal
22 activities that is associated, in our estimation,
23 with this business really has no prayer of
24 decreasing if the occupancy limit increases.

25 Instead, it would stand to reason that

1 the disturbances and instances of gun violence
2 will increase with the additional patrons
3 frequenting this business.

4 As I said before, the strongest
5 evidence that we have that the Boulevard Lounge
6 is directly responsible for this type of activity
7 in our immediate area is the fact that Mr. Girma
8 has been nonoperational for the past few months,
9 during which time we have had zero, zero
10 overnight disturbances of any kind.

11 The ABRA investigator's report
12 includes visit dates that occurred in June, July,
13 and August and do reflect it's relative quiet.

14 I will close by saying that the risk
15 management, negligence and total lack of regard
16 for the neighborhood in which the Boulevard
17 Lounge operates has directly and negatively
18 impacted our neighborhood safety.

19 The defacing and damage to our
20 properties, routine disruption of sleep, and the
21 very real threat of gun violence and injury just
22 outside of our homes is not something we're
23 willing to tolerate.

24 The Boulevard Lounge is not only a
25 neighborhood nuisance, but it is a recklessly and

1 irresponsibly run scourge that contributes to gun
2 violence in its immediate area.

3 Mr. Girma has shown repeatedly that he
4 will not choose on his own to operate his
5 business within regulations or show any concern
6 for the serious quality of life and safety
7 impacts of his choices.

8 We hope that the Board will agree that
9 this is flagrant disregard for safety and decorum
10 and warrant the denial of the requested occupancy
11 increase to prevent the situation from worsening.

12 We hope ABRA will ultimately decide
13 against rewarding this irresponsible business
14 that is tarnishing our otherwise quiet and calm
15 neighborhood, and literally putting area
16 residents in the line of gunfire.

17 On behalf of the 8 to 15 residents
18 that have coordinated this effort that live in
19 the area of the intersection of 9th and Sheridan
20 Streets, Northwest, I thank you all very much for
21 your time and consideration this afternoon and we
22 do look forward to your decision.

23 Thank you.

24 CHAIRPERSON ANDERSON: Mr. Girma, do
25 you have any questions of her?

1 MR. GIRMA: I don't have any
2 questions, but I've got state where she cited --

3 CHAIRPERSON ANDERSON: Hold on, sir,
4 hold on.

5 At this juncture, this is when you
6 have -- if you don't have any questions to ask
7 her --

8 MR. GIRMA: I've got questions, I've
9 got questions about the gun violence that she's
10 talking about.

11 CHAIRPERSON ANDERSON: Do you have a
12 question --

13 MR. GIRMA: Yes.

14 CHAIRPERSON ANDERSON: Do you have a
15 specific question? Ask her a specific question
16 based on what she just testified to.

17 CROSS EXAMINATION

18 MR. GIRMA: Did you get any reports
19 about -- that talk about the gun violence
20 attached to my establishment or have you just got
21 it from somebody else just like a storyteller? I
22 just want to know, how did you get it?

23 MS. GOLDSTONE: I wasn't able to
24 obtain the report on the damage on the residence
25 across the street.

1 The head of the Fourth District tried
2 as hard as we could to find it. I don't know why
3 they weren't able to.

4 So, I don't know the details of what
5 would have been included in that report.

6 But the other two shootings that I had
7 tried to submit as evidence did not have explicit
8 statements in the reports themselves tying to
9 your establishment.

10 But the officers who responded to the
11 scene and interviewed witnesses did relay to us
12 that they had come from --

13 MR. GIRMA: Okay.

14 Did they give you --

15 CHAIRPERSON ANDERSON: Sir --

16 MR. GIRMA: -- reason --

17 CHAIRPERSON ANDERSON: Sir, let her
18 finish.

19 MR. GIRMA: Okay, I'm sorry.

20 MS. GOLDSTONE: I'm sorry, just to
21 finish the thought, is just that the officers who
22 responded and had interviewed the witnesses, and
23 in one case, the victim, had relayed to us that
24 both arguments had begun at the Boulevard Lounge
25 and had carried outside into our residential

1 area.

2 MR. GIRMA: So, when you asked them
3 about the report, did it tell you about it? Why
4 they don't have it?

5 MS. GOLDSTONE: No, they didn't.

6 MR. GIRMA: Okay.

7 The second shooting, do you have any
8 -- the street numbers where they shot at?
9 Exactly what block was it?

10 MS. GOLDSTONE: It was the 900 block
11 of Sheridan Street, Northwest.

12 MR. GIRMA: What block is it, the
13 streets?

14 MS. GOLDSTONE: the 900 block of
15 Sheridan Street, Northwest.

16 MR. GIRMA: Now, it as the rows, like
17 it's two, three, four blocks away, the second one
18 that you're talking about.

19 MS. GOLDSTONE: No, the 900 block of
20 Sheridan Street --

21 MR. GIRMA: It's going to --

22 CHAIRPERSON ANDERSON: Sir, hold on,
23 hold on, hold on, hold on, hold on, hold on, hold
24 on.

25 Sir, you're asking a question, she

1 needs to answer, but just not back and forth.

2 MR. GIRMA: Okay.

3 CHAIRPERSON ANDERSON: So, ma'am,
4 he'll ask you a question, you answer to the best
5 of your ability.

6 And then, we'll move on there and ask
7 you more questions.

8 What's the question that you're
9 asking, sir?

10 MR. GIRMA: I asked her, I want to
11 know the address, the block that already have
12 reported.

13 So, what block did you get the report
14 from the police? What street is that the
15 shooting happened specifically, please?

16 MS. GOLDSTONE: The first incident,
17 they responded to the 6300 block of 9th Street,
18 which is one block away.

19 And the second incident that I did not
20 discuss on the 21st of January, their report
21 specifically notes the 900 block of Sheridan
22 Street, Northwest and that the shot spotter
23 picked up six shots which is immediately around
24 the corner from your establishment.

25 MR. GIRMA: What Sheridan 600 is not

1 like one block, it's two blocks away.

2 MS. GOLDSTONE: Nine hundred, 900.

3 MR. GIRMA: Okay.

4 So, do they know, and you showed them
5 the map as what exactly that at? That the rows
6 of the second one? The second one that you said
7 that you got a report from the police?

8 MS. GOLDSTONE: I'm not understanding
9 the question.

10 MR. GIRMA: No, what I'm saying is
11 that the maps that you showed us earlier stopped
12 at the 9th Street, but the real shooting happened
13 further down that the map doesn't show us.

14 MS. GOLDSTONE: No.

15 MR. GIRMA: So, can you show us the
16 600 9th Street and --

17 CHAIRPERSON ANDERSON: Hold on, ma'am,
18 let him finish. He's not done with his question.

19 Go ahead, sir.

20 MR. GIRMA: What --

21 CHAIRPERSON ANDERSON: And then, wait
22 until he finishes.

23 MR. GIRMA: All I'm asking is the 600,
24 900 Sheridan Street that she said, this close
25 street which is like four, five blocks away from

1 my place.

2 But you keep saying it's Sheridan, so
3 that's why it's trying to attach this situation
4 to my establishment.

5 So, can you specifically show us on
6 the map that address, please, since you have the
7 map?

8 CHAIRPERSON ANDERSON: Are you able to
9 upload the map, ma'am? Because he's asking you
10 to show on the map that you uploaded earlier.

11 Are you able to upload the map again,
12 ma'am to show that?

13 MS. GOLDSTONE: Yes, do you want me --
14 I'm not able to drop it in the chat, so I can
15 just share my screen again.

16 CHAIRPERSON ANDERSON: You need to
17 share your screen so you can show us.

18 That's what he's asking the question
19 is, you have a map, so you can --

20 (SIMULTANEOUS SPEAKING)

21 MR. GIRMA: Okay, sorry about that.
22 Let me change the questions.

23 CHAIRPERSON ANDERSON: Hold on, sir.
24 Hold on, hold on.

25 Do you want her to answer that

1 question or --

2 MR. GIRMA: I want her to answer the
3 question, yes.

4 CHAIRPERSON ANDERSON: All right, all
5 right, fine.

6 So, she has the map, what's the
7 question that you're asking, sir?

8 MR. GIRMA: What I'm asking is, can
9 you see that green location over that? That says
10 900 and Sheridan.

11 What does addresses stand by that the
12 shooting is where did it happen? Is it at
13 Sheridan and 9th Street or is it Sheridan and in
14 the further streets?

15 Because the 600 is --

16 MS. GOLDSTONE No, it --

17 MR. GIRMA: -- not this -- if you know
18 the block is the D.C. map is so easy to navigate
19 it.

20 I've been living in this area for so
21 long, I know that the block that you're talking
22 about. It's not -- I've never been in this area
23 like investigated in person. I've never seen the
24 area before, ma'am.

25 MS. GOLDSTONE: I live in the area.

1 I live one block away from the Boulevard Lounge.

2 MR. GIRMA: Okay.

3 So, the 600 block you said is Sheridan

4 --

5 MS. GOLDSTONE: I am -- I'm sorry, I'm
6 not --

7 (SIMULTANEOUS SPEAKING)

8 MR. GIRMA: -- the 600 block?

9 MS. GOLDSTONE: -- talking about the
10 600 block and I wasn't ever talking about the 600
11 block.

12 CHAIRPERSON ANDERSON: All right --

13 MS. GOLDSTONE: I said six shots were
14 fired in the 900 block of Sheridan which is
15 immediately around the corner from you.

16 It's this block right here, Sheridan
17 900 block.

18 MR. GIRMA: That's 900 block is right
19 here?

20 MS. GOLDSTONE: Yes.

21 MR. GIRMA: Okay.

22 So, okay.

23 MS. GOLDSTONE: And the other one was
24 the 6300 and 6200 block of 9th, which is this
25 intersection right here.

1 MR. GIRMA: Yes, all this is you've
2 got is the report is from the police, right?
3 That's the police report --

4 (SIMULTANEOUS SPEAKING)

5 MS. GOLDSTONE: Both of those places
6 are documented in MPD reports, yes.

7 MR. GIRMA: Okay.

8 So --

9 MS. GOLDSTONE: I have MPD reports
10 noting those exact locations, yes.

11 MR. GIRMA: Because I seen it before,
12 they said that the shooting is not this area what
13 you're talking about. It's --

14 CHAIRPERSON ANDERSON: Mr. Girma, Mr.
15 Girma --

16 MR. GIRMA: Yes, that's all -- that's
17 the questions I have, that's all.

18 CHAIRPERSON ANDERSON: All right.

19 Because I'm saying you can't -- you'll
20 get an opportunity when you close to state
21 whatever you want to state.

22 But I'm saying right now, you're
23 asking her questions. So, you need to -- it's
24 not -- this is not the opportunity for arguments.

25 MR. GIRMA: Okay, I've got it.

1 CHAIRPERSON ANDERSON: Just testify.
2 You can ask her questions about her
3 testimony.

4 MR. GIRMA: Yes, I'm finished. That's
5 all I have the questions.

6 But like I want to do the statement of
7 facts.

8 CHAIRPERSON ANDERSON: You can, later
9 on, sir, when you're closing, I'll give an
10 opportunity when you close -- when you're going
11 to tell us what it is you want us to do, you can
12 make whatever arguments you want at that
13 juncture.

14 All right --

15 MR. GIRMA: All right, thank you.

16 CHAIRPERSON ANDERSON: All right.

17 Do we have -- does any of the Board
18 Members have any questions that they have of this
19 witness?

20 Go ahead, Mr. Grandis.

21 MEMBER GRANDIS: Good afternoon.

22 Thank you for participating today. And I
23 understand how emotional this is. We all live in
24 neighborhoods. We all have crime unfortunately.
25 Some have more incidents than others. But

1 unfortunately crime seems to be endemic
2 throughout the country right now, particularly
3 late night. So thank you. Thank you for being
4 here and sharing your concerns.

5 So you mentioned several times that
6 some of these incidents were between 4:00 and
7 6:00 a.m., which I can understand. That's your
8 recollection. That's what the report said. But
9 looking at the license, it looks like that
10 they're not, they don't have approval to be open
11 any night after 3:00, which is only two nights a
12 week I think.

13 So, not to grill you, but you did link
14 something after 4:00 where the police said they
15 went to the establishment, if I heard you right.
16 And they said they shut it down because it must
17 have still been operating. Can you speak?

18 MS. GOLDSTONE: Yes.

19 MEMBER GRANDIS: It has to be in our
20 record.

21 MS. GOLDSTONE: Okay. Let's see here.
22 The, it was Exhibit 3, where a fight was breaking
23 out at 5:25 a.m. in the establishment. And --

24 MEMBER GRANDIS: -- establishment.
25 Excuse me. It's in that report. It said the

1 fight was in the establishment after 3:00.

2 MS. GOLDSTONE: Yeah.

3 MEMBER GRANDIS: Okay.

4 MS. GOLDSTONE: Yes, Exhibit 3. And
5 Exhibit 4, which is a second MPD report, MPD
6 responded at 4:08 a.m. on February 5, 2023 to
7 assist ABRA in shutting down operations for the
8 night.

9 MEMBER GRANDIS: If you know, and I'm
10 not expecting you to know this. But because it
11 was tied to after hours in the establishment
12 either from the police or after investigators
13 confirmed that they were operating, do you know
14 if they were cited for any violations of being
15 open after hours?

16 MS. GOLDSTONE: That I'm not sure
17 about. As a direct result of those nights, I'm
18 not sure.

19 MEMBER GRANDIS: Okay. That's fine.
20 How many people are in your group?

21 MS. GOLDSTONE: We have I think five
22 or six official signatories.

23 MEMBER GRANDIS: Yes.

24 MS. GOLDSTONE: And we had eight at
25 the show cause hearing.

1 MEMBER GRANDIS: Okay. Did this
2 renewal application go in front of the ANC?

3 MS. GOLDSTONE: The ANC, I'm actually
4 not sure if initially it did or not. But I have
5 been coordinating with our ANC representative.

6 MEMBER GRANDIS: The reason I raise
7 that, because under the statute --

8 CHAIRPERSON ANDERSON: Hold on. Hold
9 on, Mr. Grandis. This is not open for
10 application. This is a substantial change and --

11 MEMBER GRANDIS: Oh, substantial
12 change. Thank you.

13 CHAIRPERSON ANDERSON: And it's only
14 been protested by --

15 MEMBER GRANDIS: Thank you. Thank you
16 for the clarification.

17 CHAIRPERSON ANDERSON: It's been
18 protested by this group. Okay.

19 MEMBER GRANDIS: So, if this was
20 placard for the substantial change, do you know,
21 and you don't have to know the answer, but if you
22 know whether the ANC actually had it in front of
23 one of their meetings, which is allowed by law.

24 MS. GOLDSTONE: I found an ANC meeting
25 minute report. Sorry about that. Sorry, real

1 life happening.

2 I am not sure if the ANC formally
3 reviewed this specific change request. I do know
4 that I've been in conversation with the ANC 4B06
5 representative, who denied the opportunity to
6 enter into an offer in compromise with the
7 business, instead of a, because of the concerns
8 that they share.

9 MEMBER GRANDIS: I'm sorry. Who was
10 denied? I'm trying to follow.

11 MS. GOLDSTONE: They weren't denied.
12 But the owner's legal representation at the time,
13 when we were not able to reach an offer in
14 compromise, or sorry, whichever the correct
15 terminology is for the protestant and the owner,
16 their legal representation kind of circumvented
17 us and contacted the ANC to see if they would
18 instead enter into the agreement with them. And
19 the ANC declined to do that based on our
20 concerns.

21 MEMBER GRANDIS: You mentioned a
22 couple times that the establishment doesn't seem
23 to be attracting neighbors like yourself,
24 residents like yourself. However, you perceive
25 that the majority of their patrons come from

1 outside the neighborhood.

2 Well, there's no violation there.
3 There's, I mean, we live in a diverse city. And
4 it's sort of harsh to think that establishments
5 cannot have people from any of the sections of
6 the city or even in Maryland or Virginia. So I'm
7 sort of concerned that there's a perception that
8 because they don't have neighbors who flock there
9 that it's not welcome.

10 MS. GOLDSTONE: No, not because the
11 neighbors don't go there. I mean, it's really
12 the issues that the patrons are creating, whether
13 they live here or not. That's our concern. So,
14 even if it were neighbors, it would still be a
15 concern.

16 MEMBER GRANDIS: Thank you for
17 clarifying that. Have you been in the
18 establishment?

19 MS. GOLDSTONE: I have not.

20 MEMBER GRANDIS: Why not?

21 MS. GOLDSTONE: Sorry, I have not, no
22 --

23 MEMBER GRANDIS: But why not? I mean,
24 there's not really, I'm trying to understand. If
25 I had a problem with a business, and trust me,

1 I've had concerns of how businesses, okay, in my
2 own neighborhood, why haven't you ever been in
3 there?

4 MS. GOLDSTONE: I would say that a
5 lounge/nightclub scene that it's at its peak at
6 4:00 in the morning is not exactly my scene at
7 this time in my life --

8 MEMBER GRANDIS: I think they're open
9 earlier. I think they're open like at 7:00 p.m.
10 or 8:00 p.m. I mean, I don't go to this
11 establishment. But if you're looking at the
12 operating hours, it's not all after midnight. So
13 --

14 MS. GOLDSTONE: Right.

15 MEMBER GRANDIS: -- I'm just asking
16 again --

17 MS. GOLDSTONE: I don't think they
18 serve food. You know, it's just not of interest
19 to me. But --

20 MEMBER GRANDIS: Okay.

21 MS. GOLDSTONE: -- to your point about
22 maybe why we haven't engaged directly is because
23 when everything was coming to a head the ANC
24 actually made us aware of the action to request
25 an occupancy increase and made us aware that this

1 avenue was available to us. So it was upon their
2 advice that we went this route.

3 MEMBER GRANDIS: I'm encouraged by
4 what the Chairman said earlier that this is an
5 emotional thing. 4:00 and 5:00 in the morning,
6 regardless of where the problem is coming from,
7 is life concerning. So --

8 MS. GOLDSTONE: Yes.

9 MEMBER GRANDIS: -- we just hope that
10 if it comes down to us having to make the
11 decision, that you all would find a way to work
12 closer together. We can't say become good
13 buddies, but try to figure out how to have
14 dialogue and encourage them, encourage this
15 operator to come to some neighborhood meetings.
16 People, they get to know each other, then we're
17 less frightful. Okay.

18 So I want to thank you. I think
19 you've brought some good information to the, to
20 us today. Thank you for your time.

21 MS. GOLDSTONE: Thank you.

22 MEMBER GRANDIS: Thank you, Mr.
23 Chairman.

24 MEMBER SHORT: Mr. Chair?

25 CHAIRPERSON ANDERSON: Go ahead, Mr.

1 Short.

2 MEMBER SHORT: Thank you.

3 Again, Ms. Goldstone, thank you so
4 very much for coming today and being persistent
5 in getting your information on the record.

6 It's quite disturbing to me that
7 January 22, 2023 the, I guess it's Exhibit No. 3,
8 the police, the Metropolitan Police Department
9 report that you produced. And that being more,
10 that was a great thing -- you couldn't tie your
11 video in, but this is definitely something I as a
12 board member will look at and hopefully the other
13 board members will also.

14 But in the internal narrative, the MPD
15 states that on the night of January 22nd at
16 approximately, no, wait, yeah, January 22nd at
17 approximately 5:00 a.m. the Metropolitan officers
18 were in the 900 block of Sheridan due to numerous
19 residents' complaints. We're paying special
20 attention to the area and in particular the
21 establishment located at 6233 Georgia Avenue,
22 Northwest, Boulevard Lounge.

23 At approximately 5:26 an officer, also
24 the emergency radio tone went off, and a request
25 for more officers was made to respond to the area

1 because a fight was in progress at the rear of
2 the location.

3 It was learned after the scene settled
4 down that two female patrons who were previously
5 barred started a fight inside of the club and
6 then spilled outside to the rear of the location.
7 Upon arrival, it was continually observed that
8 the rear and front doors of the establishment
9 were locked. That's really a public safety
10 issue. You can't lock people inside of a club,
11 especially after hours.

12 The amount of individuals present, to
13 include staff that was present inside the
14 location, numbered over 90, a rough count even
15 after some patrons had left, over 90.

16 CHAIRPERSON ANDERSON: Hold on a
17 minute, Mr. Short.

18 MEMBER SHORT: Yeah.

19 CHAIRPERSON ANDERSON: Where is Mr.
20 Girma? What happened to Mr. Girma? Are you
21 there, sir? Mr. Girma, are you there? Mr. Girma
22 --

23 MR. GIRMA: Yes, I'm here.

24 CHAIRPERSON ANDERSON: Okay. Go
25 ahead, Mr. Short.

1 MEMBER SHORT: Thank you.

2 And to further with the report from
3 MPD on January 22, 2023, MPD cruiser 400,
4 Lieutenant Bigelow arrived on the scene and spoke
5 to Mr. Theodros Girma, who had presented himself
6 as the manager of the facility. Mr. Girma was
7 advised of the numerous observed violation, and,
8 therefore, at the time operation for the night
9 must cease.

10 All remaining patrons inside were
11 asked to leave the facility. Some exited the
12 rear of the location. Others were redirected
13 through the front doors, which says to me they
14 couldn't get them all out of the back door
15 because you had over 90 people in there. Well,
16 somebody had over 90 people in there. And the
17 police documented, well, this. And then also in
18 Exhibit No. 4, there's more disturbing
19 information.

20 And most people who come here who
21 complain about persons wanting to do things as
22 Mr. Girma wants to do, they don't bring the right
23 type of documentation or information that would
24 help this board help them.

25 I'm going to pretty much, when I get

1 a chance to ask Mr. Girma any more questions
2 about this, if he agrees with the police report
3 and if that actually happened, that he had over
4 90 people in and now he wants to go into -- well,
5 I'll just say this. I'll wait until Mr. Girma
6 gets a chance to answer for himself.

7 Well, thank you very much. Thank you,
8 Ms. Goldstone, for your tolerance today and being
9 here and spending your time as a community
10 person.

11 I don't mind seeing this. And I'm
12 very proud of it. I've been in this city for
13 seven decades, all of my natural life. I served
14 on the D.C. Fire Department for 33 years and ran
15 the Fire Marshal's office and the Mayor's
16 Nuisance Abatement Task Force for Marion Barry,
17 Mayor Marion Barry and for Mayor Williams. I saw
18 some of these things take place. But at that
19 time, we would nip it in the bud. I don't know
20 if we'll ever get back to that.

21 But certainly in a residential
22 neighborhood at 4:00, 5:00, and 6:00 in the
23 morning, two females fighting inside the club and
24 then come out in the rear to finish it off and
25 the police officers had to come to shut the place

1 down after both doors were locked and wouldn't
2 let them in, that is totally a violation.

3 Well, I'll just say this. We'll just
4 check and see what others have. But this is in
5 black and white, that you gave us, Exhibit 3 and
6 Exhibit 4.

7 And again, if more people like
8 yourself were to bring these types of exhibits to
9 us and anybody would ask any questions, what did
10 the board do, what did the board observe, what
11 information was available to the board to make
12 the correct type of decisions, this information
13 helps me tremendously. And I'm quite sure other
14 board members will be interested in following up
15 on this.

16 Thank you very much for your time, Ms.
17 Goldstone, and keep your chin up. The city is
18 trying. Thank you.

19 MS. GOLDSTONE: Thank you. I
20 appreciate your time.

21 CHAIRPERSON ANDERSON: Any other
22 questions from any other board members? All
23 right.

24 Mr. Girma, do you have any questions
25 of Ms. Goldstone based on the questions that the

1 board members asked, sir? They have to be
2 questions that the board members asked. Do you
3 have any questions, sir?

4 MR. GIRMA: Oh, me?

5 CHAIRPERSON ANDERSON: Yes, sir.

6 MR. GIRMA: Yes, yeah, that report
7 says, I don't agree.

8 CHAIRPERSON ANDERSON: No, sir, you're
9 asking questions of her. It's specific questions
10 --

11 MR. GIRMA: No, no, no, I don't have
12 any questions at all.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you. All right. Do you rest, ma'am? Ms.
15 Goldstone, sorry.

16 MS. GOLDSTONE: I do. Thank you.

17 CHAIRPERSON ANDERSON: All right. I'm
18 going to take a 15-minute break. And then we're
19 going to close.

20 And so what I need you to do when we
21 close is to state specifically what is it -- and
22 you're going to go first, Mr. Girma. You're
23 going to tell us specifically what it is that you
24 want the board to do and why the board should
25 take the action. And, Ms. Goldstone, you will

1 tell us what specific action that you want the
2 board to take and why the board should take that
3 action.

4 So it is -- this laptop is a minute
5 off, a minute fast. So I want to make sure I'm
6 giving the correct time. I'm looking at a
7 different -- all right.

8 It is 5:04. And so we are off the
9 record until 5:15. You don't need to sign off.
10 Just put your, you can put your camera, you can
11 turn your camera off and put your microphone on
12 mute. So we're off the record until 5:15. Thank
13 you.

14 (Whereupon, the above-entitled matter
15 went off the record at 5:05 p.m. and resumed at
16 5:15 p.m.)

17 CHAIRPERSON ANDERSON: We're back on
18 the record. I need everyone to come back online.

19 All right. So we are at the point for
20 closing. And so I need, Mr. Girma, I need you to
21 be very precise, what is it that you're asking
22 the board to grant to you and why is it that you
23 want us to grant you the substantial change that
24 you're requesting. So go ahead, sir.

25 MR. GIRMA: Yeah, so what I'm asking

1 is, you know, I've been, you know, through a lot
2 of stuff since the COVID. I spent a lot of
3 money, my time, my energies. And then most of
4 the neighbors, the business owners around me they
5 support me mentally because it was tough on me at
6 the time. So I know I spent a lot of money,
7 time, and energy.

8 So I'm not saying is I'm not, you
9 know, irresponsible person. I'm really
10 responsible because I want to see me, myself as,
11 you know, being a success. It could be I'm not a
12 perfect human being. I can make mistakes. But
13 since, you know, we live, we all live together,
14 you know, I just live and learn from mistakes.

15 But what I'm asking is the second
16 chances so I can make the neighbors feel
17 comfortable. But the certain thing is I have to
18 stop is I'm willing without them all with anybody
19 asking me. I'll make sure, you know, that my
20 establishment is to be safe and entertain for the
21 neighbors.

22 So I'm just asking a second chance to
23 prove me wrong, the certain things I did wrong.
24 And so I just want to get back to the life. And
25 then the board has advised me I should be

1 involved with the communities, you know, listen
2 to issues, whatever problems in the areas I
3 should involve. So I learned something today.

4 So I'm just asking the board just to
5 give me the second chance and then to prove
6 myself, because I'm living day by day, you know,
7 to correct myself, prove it, and then to be
8 somebody, a good person I guess it is. Thank
9 you.

10 CHAIRPERSON ANDERSON: So basically
11 you're asking us to approve the substantial
12 change to give you the occupancy --

13 MR. GIRMA: Yes, because, yeah the 24
14 is like, the community, the people that I hire is
15 already 10 people. So my establishment is, I'm
16 not going to make money out of like 12 people
17 every day. So I know if you guys allow 24 is
18 going to be, I'm going to be out of business
19 because there is nothing I can make out of it
20 after I've been through so many things almost 4
21 years now. With the establishment, it's like
22 almost two years now, so all the pandemic is I've
23 been suffering.

24 So this 24 occupancy is not good
25 enough. I'm not trying to bother in the

1 neighborhood, but I'm just trying to get a little
2 bit of money so I could live off for just the
3 business to work out then.

4 CHAIRPERSON ANDERSON: All right.
5 Okay. Ma'am, what is it that you're asking us to
6 do?

7 MS. GOLDSTONE: Sure. In closing and
8 on behalf of my neighbors and fellow signatories
9 to this protest, what I am urging the board to
10 consider is the following.

11 First, denial of the requested
12 substantial change to his occupancy increase in
13 full, reducing his hours to align more closely
14 with the other taverns in the immediate area,
15 requiring Mr. Girma and other employees to attend
16 relevant training to fully understand D.C.
17 regulations and how to safely and responsibly
18 operate a business that serves alcohol, requiring
19 Mr. Girma to attend monthly ANC and MPD 4th
20 District public meetings and to find a way
21 outside of those meetings to meaningfully engage
22 with the residents and responsible business
23 owners in the area on a regular basis, urging MPD
24 to continue their increased presence and
25 monitoring of the immediate area.

1 It's our belief that this combination
2 of actions will be the best bet to stave off
3 additional quality of life and safety issues
4 related to the patrons of the Boulevard Lounge.

5 Our justification and plea for this is
6 to please ask him to first prove that he can
7 operate within regulation at his current limit
8 before increasing by four times, and then after
9 proving he's able to do that consider the
10 increase at that point.

11 We view it as rewarding a business
12 that has been negligent to approve the occupancy
13 increase at this point and would ask that he show
14 that he can be responsible first.

15 So, again, on behalf of my neighbors
16 and I, I thank all of you for your time and
17 attention to our concerns this afternoon. And we
18 look forward to your decision. Thank you.

19 CHAIRPERSON ANDERSON: I want to thank
20 the parties for their presentation today. I know
21 that it gets emotional. None of you as far as
22 I'm concerned are attorneys. So I think that you
23 did a good job in presenting your case today.

24 So this case has been closed. So do
25 the parties wish to file proposed findings of

1 fact and conclusions of law or waive their right
2 to do so, meaning that do you want to make the,
3 the board will make a decision on the substantial
4 change based on the evidence that was presented
5 today?

6 MS. GOLDSTONE: Yes.

7 CHAIRPERSON ANDERSON: All right. And
8 all right. And it was, as I stated before, both
9 parties have stated that they did not require the
10 testimony of the investigator. So, therefore,
11 we're not going to open this case to have the
12 investigator testify. So this is the end of the
13 matter, the case as far as this is concerned.
14 Okay? All right. So give me a minute. I'm
15 sorry.

16 MS. GOLDSTONE: Can I ask one
17 question?

18 CHAIRPERSON ANDERSON: Yes.

19 MS. GOLDSTONE: Sorry.

20 CHAIRPERSON ANDERSON: Yes, ma'am.

21 MS. GOLDSTONE: Is the board not
22 considering the investigator's findings at all or
23 just isn't asking additional questions of her?

24 CHAIRPERSON ANDERSON: No, the, it's
25 a part of our record, so we will review it. But

1 I'm just saying if you do not want, if you want
2 to question her, then we can hold this open and
3 have it another day for her to testify.

4 But if you don't need for her to
5 testify, yes, it's part of our records. And so
6 we will review our records. And it's a part of
7 the record. Whatever decision we make will be
8 based on the records that we have, the case
9 report, the investigative history, the
10 investigative history that is a part of this
11 establishment's history. And also the two
12 exhibits that I did admit was Exhibits 3 and 4.
13 We will consider Exhibits 3 and 4 a part of the
14 record in making the decision that we make. All
15 right?

16 MS. GOLDSTONE: Thank you.

17 CHAIRPERSON ANDERSON: Give me a
18 minute, please.

19 As chairperson of the Alcoholic
20 Beverage and Cannabis Board for the District of
21 Columbia and in accordance with D.C. Official
22 Code Section 2-575 of the Open Meetings Act, I
23 move that ABC Board hold a closed meeting for the
24 purpose of seeking legal advice from our counsel
25 on Case No. 23-PRO-00037, Boulevard Lounge,

1 pursuant to D.C. Official Code Section 2-
2 575(B)(4)(A) of the Open Meetings Act and
3 deliberating upon Case No. 23-PRO-00037,
4 Boulevard Lounge, for the reasons cited in D.C.
5 Official Code Section 2-575 (B)(13) of the Open
6 Meetings Act.

7 Is there a second?

8 MEMBER HANSEN: Jeni Hansen will
9 second.

10 CHAIRPERSON ANDERSON: Ms. Hansen has
11 seconded the motion. We'll now have a roll call
12 vote.

13 Mr. Short.

14 MEMBER SHORT: Mr. Short. I agree.

15 CHAIRPERSON ANDERSON: Mr. Cato.

16 MEMBER CATO: Bobby Cato. I agree.

17 CHAIRPERSON ANDERSON: Ms. Hansen.

18 MEMBER HANSEN: Jeni Hansen. I agree.

19 CHAIRPERSON ANDERSON: Mr. Grandis.

20 MEMBER GRANDIS: Edward Grandis. I
21 agree.

22 CHAIRPERSON ANDERSON: And Mr.
23 Anderson. I agree.

24 As it appears that the motion has
25 passed 5-0-0, I hereby give notice that the ABC

1 Board will recess these proceedings and hold a
2 closed meeting pursuant to Section 2-575(D) of
3 the Open Meetings Act.

4 I again thank everyone for their
5 presentation today. The board will consider what
6 we have heard today. And we will make a decision
7 within 90 days. Thank you very much. We'll
8 issue a decision within 90 days. Thank you very
9 much. Have a great day.

10 All right. As chairperson of the --
11 you're free to go, sir. The hearing is over.

12 As chairperson of the Alcoholic
13 Beverage and Cannabis Board for the District of
14 Columbia and in accordance with Title 3, Chapter
15 405, Office of Open Government, I move that ABC
16 Board hold a closed meeting on September 14th for
17 the purpose of discussing and hearing reports
18 concerning ongoing or planned investigations of
19 alleged criminal or civil misconduct or
20 violations of law or regulations and seeking
21 legal advice from our legal counsel on the
22 board's investigative agenda, legal agenda,
23 licensing agenda for September 14th as published
24 in the D.C. Register on September 8th.

25 Is there a second?

1 MEMBER SHORT: Mr. Short. I second.

2 CHAIRPERSON ANDERSON: Mr. Short has
3 seconded the motion. We'll now have a roll call
4 vote on the motion now that it's properly
5 seconded.

6 Mr. Short.

7 MEMBER SHORT: Mr. Short. I agree.

8 CHAIRPERSON ANDERSON: Mr. Cato.

9 MEMBER CATO: Bobby Cato. I agree.

10 CHAIRPERSON ANDERSON: Ms. Hansen.

11 MEMBER HANSEN: Jeni Hansen. I agree.

12 CHAIRPERSON ANDERSON: Mr. Grandis.

13 MEMBER GRANDIS: Edward Grandis. I
14 agree.

15 CHAIRPERSON ANDERSON: And Mr.
16 Anderson. I agree.

17 As it appears that the motion has
18 passed 5-0-0, I hereby give notice that ABC Board
19 will hold this closed meeting. Pursuant to the
20 Open Meetings Act, notice will also be posted on
21 the ABC Board general bulletin board, placed on
22 the electronic calendar on ABCA's website, and
23 published in the D.C. Register in as timely a
24 manner as practical.

25 We're now adjourned for the day. I

1 would like to thank members of the public and the
2 board members who have actively participated in
3 this hearing today. Thank you very much. Have a
4 great day.

5 I now direct all board members to
6 return to executive session for further action.
7 Thank you very much. Have a great day.

8 (Whereupon, the above-entitled matter
9 went off the record at 5:27 p.m.)

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This is to certify that the foregoing transcript


In the matter of: Boulevard Lounge

Before: DC ABCA

Date: 09-13-23

Place: teleconference

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Court Reporter

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