

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
ROLL CALL HEARING

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IN THE MATTER OF: :
 :
LAL, Inc., :
t/a Roha Liquors :
620 Kennedy Street NW : Roll Call
Retailer A - ANC 4D : Hearing
License #60496 :
Case #24-PRO-00083 :
 :
(License Renewal) :
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Monday
September 16, 2024

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

PRESENT:

LAVERNE FLETCHER, ABC Board's Agent

ALSO PRESENT:

ABEL AMENE, ANC 4D
KASSA ARAGAW, Applicant
EMANUEL MPRAS, Applicant's Counsel

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

2 10:00 a. m.

3 MS. FLETCHER: Good morning, everyone.

4 Thank you for participating in ABCA's public
5 roll call hearings via the WebEx platform. My
6 name is Laverne Fletcher. I'll be conducting the
7 roll call hearings as the board's agent. I'm
8 going to get us live streamed to YouTube and then
9 we'll get started.

10 (Whereupon, the above-entitled matter
11 went off the record at 10:00 a.m. and resumed at
12 10:03 a.m.)

13 MS. FLETCHER: Okay, we can now get
14 started. There are four cases on the calendar
15 today. There are actually three cases on the
16 calendar today.

17 The first case on the calendar is Roha
18 Liquors, case number 24-PRO-00083, LAL, Inc. 620
19 Kennedy Street, Northwest, license number ABRA-
20 060496. This is a retailer class A liquor store
21 for a license renewal.

22 The protest issues are adverse impact
23 on peace, order, and quiet, real property values,
24 over-concentration, proximity to schools,
25 recreation centers, daycare centers, libraries,

1 and similar facilities.

2 My name is Laverne Fletcher,
3 conducting the roll call hearing as the board's
4 agent. Is anyone present on behalf of the
5 applicant?

6 MR. MPRAS: Emanuel Mpras, present on
7 behalf of Roha Liquors.

8 MS. FLETCHER: Thank you. Mr. Mpras,
9 would you spell your name for the record, please?

10 MR. MPRAS: Yes. First name,
11 E-M-A-N-U-E-L. Last name, M-P-R-A-S.

12 MS. FLETCHER: Mr. Mpras, just so that
13 you know, the applicant is also present. He
14 appeared in the office in person. I will spell
15 his name for the record. I did let him know that
16 we conduct hearings virtually, but since he's
17 here, I had him to introduce himself to me.

18 Mr. Kassa Aragaw, I may be
19 mispronouncing that, but I'll spell it for the
20 record. It is spelled K-A-S-S-A A-R-A-G-A-W,
21 and he is present.

22 Is anyone present on behalf of ANC 4D?

23 MR. AMENE: Hello there. I am
24 Commissioner Abel Amene, on behalf of ANC 4D.
25 That's spelled A-B-E-L, Amene, A-M-E-N-E.

1 MS. FLETCHER: Thank you very much,
2 Mr. Amene. One second, please. ANC 4D does have
3 standing as a protestant.

4 MR. MPRAS: MS. Fletcher, I would like
5 to object to that standing. They do have
6 standing, but it is conditioned for DCMR
7 23-1602.3 specifically. Wanted to bring that to
8 your attention.

9 Protests submitted by ANC or community
10 or civic association shall be signed by the
11 presiding officer or any authorized person in
12 accordance with the entity's bylaws or other
13 governing documents.

14 Protests shall state the name and
15 position of the designated representative who
16 shall receive correspondence from the board on
17 behalf of the ANC or community or civic
18 association.

19 Now, pursuant to the standing rules of
20 ANC 4D, specifically page 2, number 1(e)(2),
21 notification of D.C. government, the written
22 position must be signed by the chair or vice
23 chair in the chair's absence and include the
24 official's officially reported vote, date of
25 meeting at which the position was taken, and

1 indicate that a quorum was present. That's the
2 relevant parts.

3 The protestant's question was not
4 submitted or signed by the chair or vice chair,
5 thus is in violation of the standing rules of ANC
6 4D. It is also in violation of the ANC 4D
7 bylaws, specifically page 6, article 5, section
8 5.01-L.

9 The duty of the chair, sign and submit
10 the commission resolutions to government entities
11 only designated to the chair pursuant to their
12 bylaws. Thus, pursuant to 23-1602.3, this protest
13 must be dismissed as it is in violation of both
14 the ANC bylaws and their standing rules.

15 MS. FLETCHER: Thank you, Mr. Mpras.
16 Any response from Mr. Amene?

17 MR. AMENE: I'm sorry, I was not able
18 to hear half of that. Could you repeat the first
19 part of --

20 MS. FLETCHER: Okay, you're asking Mr.
21 Mpras to repeat?

22 MR. MPRAS: Which part, Ms. Fletcher?

23 MS. FLETCHER: Mr. Amene, you'll have
24 to say what part.

25 MR. AMENE: It was the beginning that

1 I missed because of a connection issue, but I
2 heard --

3 MS. FLETCHER: Are you referring to
4 the standing rules? The beginning was a
5 reference to the standing rules of ANC 4D. Are
6 you referring to those?

7 MR. AMENE: Yes, I did not hear that
8 argument in the beginning, specifically the
9 mention of which bylaws sections you're
10 referencing.

11 MS. FLETCHER: Well, Mr. Amene, can I
12 ask you something? Do you have any response to
13 anything that you were able to hear?

14 MR. AMENE: Correct. I am able to
15 respond. It is within our regular orders for the
16 designated person for the protest to submit the
17 protest letter. If there is any discrepancy in
18 the filing of that, it is largely technical and
19 not substantive.

20 The Board did meet -- the ANC did
21 meet. There was a quorum. There was a vote, and
22 the vote is recorded in the protest letter. And
23 everything is in order for us to be represented
24 here by me on behalf of the ANC.

25 MR. MPRAS: Ms. Fletcher, the issue at

1 hand has not been addressed, and, correct, the
2 law is technical. So, based and in accordance
3 with the law, this protest must be dismissed
4 because they have not complied with their own
5 bylaws and standing orders in the submission of
6 it, pursuant to 23-1602.3, as is mandatory.

7 MS. FLETCHER: Anything more that you
8 would like to say, Mr. Amene, before I respond?

9 MR. AMENE: We are perfectly in line
10 with the board's rules on submission of protests.
11 I specifically asked the Board's legal staff on
12 what is required to indicate protests, and that
13 is exactly what I submitted per the template
14 provided by the Board.

15 MS. FLETCHER: Thank you. My response
16 to what Mr. Mpras has said is that, in looking at
17 the standing rules of the Advisory Neighborhood
18 Commission 4D, in the first paragraph, the second
19 sentence says the rules can be adopted or amended
20 by majority vote at any commission meeting.

21 So, I have no way of knowing if any
22 such meeting occurred, and the protest letter
23 itself does meet our requirements, and it is
24 presented in a format that has customarily been
25 accepted by the Board, and is not --

1 Mr. Mpras, you're right, is not signed
2 by the chair or the vice chair, but the Board has
3 accepted protest letters signed by commissioners
4 in the past when they have provided the
5 information inside the letter related to the fact
6 that there was a meeting scheduled, a notice
7 meeting, quorum present, vote taken, so all the
8 appropriate language is in the protest letter.
9 And for that reason, I'm going to grant standing
10 to ANC 4D.

11 MR. MPRAS: No problem. I'll take it
12 up with the Board by motion.

13 MS. FLETCHER: Okay, thank you. I'll
14 make a note of that, Mr. Mpras, that a motion is
15 forthcoming. We need to set a date for a
16 mediation, a status hearing, and a protest
17 hearing. I'll give you the dates for the status
18 and protest hearing first. The status hearing is
19 scheduled for October 9.

20 MR. MPRAS: October 9?

21 MS. FLETCHER: October 9, 2024 at
22 10:30 a.m. The protest hearing is set for
23 November 20, 2024 at 1:30. I will give you the
24 next available day for mediation.

25 The next available day for mediation

1 is Wednesday, September 25. Well, that may not
2 be a good day for you, Mr. Mpras. Do you have
3 any hearings before the Board on the 25th? It's a
4 Wednesday.

5 MR. MPRAS: No, I don't have any
6 hearings before the Board. I do have a conflict
7 with Homeland Security. Would you have something
8 available on the 2nd?

9 MS. FLETCHER: Yes. October 1st and
10 2nd are available. Both days, any time between
11 10:30 and 1:30.

12 MR. MPRAS: October 1st at 11 if
13 that's convenient for everybody.

14 MS. FLETCHER: Mr. Amene, would that
15 be okay for you, September 1st at 11 for
16 mediation? October 1st at 11. Is that okay for
17 you, Mr. Amene?

18 MR. AMENE: October 1st at 11 a.m.
19 works for me.

20 MS. FLETCHER: Okay. Okay, so
21 mediation is set for Tuesday, October 1 at 11:00.
22 And I will send out the way back to the
23 invitations.

24 Mr. Mpras, do you intend to file your
25 motion prior to that?

1 MR. MPRAS: Yes, I do.

2 MS. FLETCHER: And Mr. Amene, Mr.
3 Mpras is going to file a motion to dismiss the
4 protest. You will receive a copy of the motion.
5 If the board decides to grant the motion to
6 dismiss the protest, then there won't be a
7 mediation. But we'll have to wait and see what
8 the board ultimately decides. Any questions?

9 MR. AMENE: I believe I will have a
10 chance to respond to the motion.

11 MS. FLETCHER: Yes.

12 MR. AMENE: What is the number of days
13 from the submission of the motion?

14 MS. FLETCHER: I believe it's seven,
15 but you'll get that information at the time.

16 MR. AMENE: Understood. Thank you.

17 MS. FLETCHER: Okay. You're very
18 welcome. In the meantime, I provided the dates.
19 If the Board's decision changes those dates, then
20 they will all be canceled. Any questions at all?

21 MR. MPRAS: No, ma'am.

22 MS. FLETCHER: Well, thank you for
23 coming. The roll call hearing on the matter of
24 Roha Liquors is concluded.

25 MR. MPRAS: Thank you.

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MS. FLETCHER: Thank you.

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

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Roha Liquors

Before: DC ABCA

Date: 09-16-24

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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