

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

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IN THE MATTER OF:                   :  
  :  
Sahara Market, LLC,                :  
t/a Sahara Market                   :  
1901 Michigan Ave NE               :  
Retailer B/CR - ANC 5B             :  
Licenses #128673 and               :  
#128674                               :  
Cases #24-PRO-00075 and           :  
#24-PRO-00076                       :  
  :  
(Application for a                   :  
New License)                         :  
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Wednesday  
September 18, 2024

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
SILAS GRANT, JR., Member  
JAMES SHORT, JR., Member

## ALSO PRESENT:

TERRY "ROB" BURKA, Witness  
EMMANUEL IRONO, Applicant  
JEFF JACKSON, Applicant's Counsel  
CHARLOTTE LEWIS, Protestant, Queens Chapel Civic  
Association  
JERRITA MILLINGTON, DC ABCA Investigator  
JOSE ORELLANA, DC ABCA Staff  
STEPHANIE RONES, Counsel for Protestant Queens  
Chapel Civic Association  
DERRELL SIMPSON, Witness

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

2 1:52 p.m.

3 CHAIR ANDERSON: All right, our next  
4 and last case on our calendar this afternoon is a  
5 protest hearing.

6 This is Case Number 24-PRO-00075 and  
7 Case Number 24-PRO-00076, Sahara Market, License  
8 Number 128763 and 128674.

9 Mr. Orellana, good afternoon, again.  
10 Can you please elevate the rights of  
11 the parties in this case?

12 MR. ORELLANA: Sure thing.

13 Jeff Jackson, your access has been  
14 elevated.

15 Dr. Emmanuel Irono, your access has  
16 been elevated.

17 Stephanie Rones, your access has been  
18 elevated.

19 Charlotte Lewis, your access has been  
20 elevated.

21 Sorry -- there we go.

22 And Investigator Jerrita Millington,  
23 your access has been elevated.

24 That is all, Chair.

25 CHAIR ANDERSON: All right.

1                   Mr. Jackson, before we started, are  
2 all those all of your witness or are they  
3 accounted for, sir?

4                   MR. JACKSON: Yes, I believe so,  
5 Chairman.

6                   CHAIR ANDERSON: All right.

7                   Ms. Rones, are all your witnesses  
8 accounted for, ma'am?

9                   (NO AUDIBLE RESPONSE)

10                  CHAIR ANDERSON: All right, hold on,  
11 hold one moment.

12                  I can't hear you. I'm going to ask  
13 you to either turn your volume up or get closer.

14                  But me introduce this case.

15                  So, this is Case Number 24-CIT -- I'm  
16 sorry -- 24 -- I'm sorry.

17                  This Case 24-PRO-00075 and Case  
18 24-PRO-00076, Sahara Market.

19                  It's a restaurant and I think for a B  
20 and CR license.

21                  And it's an application for new  
22 license.

23                  Mr. Jackson, can you please identify  
24 yourself for the record?

25                  MR. JACKSON: Yes, Jeff Jackson,

1 J-E-F-F J-A-C-K-S-O-N, representing the --

2 (SIMULTANEOUS SPEAKING)

3 CHAIR ANDERSON: I'm sorry, Mr.  
4 Jackson?

5 MR. JACKSON: Representing the  
6 Applicant.

7 CHAIR ANDERSON: Is the Applicant here  
8 this afternoon?

9 MR. JACKSON: Yes, Dr. Irono.

10 CHAIR ANDERSON: Dr. Irono, can you  
11 come on camera, please? I need you to identify  
12 yourself for the record, sir?

13 (NO AUDIBLE RESPONSE)

14 CHAIR ANDERSON: In the interim, why  
15 don't you spell and state your name for the  
16 record, sir. I see you have a working camera.

17 DR. IRONO: Yes, my name is De.  
18 Emmanuel Irono. I'm the owner of the Sahara  
19 Market.

20 CHAIR ANDERSON: Spell your name for  
21 the record, sir.

22 DR. IRONO: E-M-M-A-N as Nancy, U-E-L,  
23 that last name Irono, I-R-O-N-O, owner of the  
24 Sahara Market.

25 CHAIR ANDERSON: All right, sir, you

1 can work on your camera, sir.

2 Ms. Rones, can you identify yourself  
3 for the record, ma'am?

4 MS. RONES: Yes, my name is Stephanie  
5 Rones. I am the attorney for the Queens Chapel  
6 Civic Association.

7 CHAIR ANDERSON: All right, Ms. Rones,  
8 hold on.

9 All right, so this is a -- all right,  
10 so, let me just put this in and before -- you  
11 probably have some representation, too, Ms.  
12 Rones.

13 But let me just update for the record  
14 where we are today.

15 This is a protest hearing for -- this  
16 has been -- this matter's being protested by the  
17 Queens Chapel Civic Association.

18 The Civic Association has filed  
19 several motions.

20 The most recent motion -- I'm sorry,  
21 well, one of the motions that was addressed  
22 earlier today was there was a motion for  
23 reconsideration for a Board order --

24 Hold on one -- I just want to bring  
25 you up to date because we voted on that matter

1 earlier. Hold on, please.

2 This morning, on our legal agenda,  
3 there was a -- you filed an opposition -- I'm  
4 sorry, I'm sorry.

5 There was a motion for  
6 reconsideration, I'm sorry, that was filed by the  
7 Queens Chapel Civic Association for a Board  
8 order.

9 And the Board voted this morning to  
10 deny that reconsideration motion.

11 I believe that -- I think there might  
12 be another pending motion.

13 There's a motion to continue.

14 And I see there's a motion to -- I see  
15 a motion regarding Mr. Jackson's representation.

16 Do you have any preliminary matters  
17 that you want to address -- that you want to  
18 bring to the attention of the Board, Ms. Rones?

19 MS. RONES: Yes, I did file a motion  
20 for a continuance and I would like to express my  
21 reasons for doing so.

22 CHAIR ANDERSON: Go ahead, ma'am, go  
23 ahead.

24 MS. RONES: I was recently retained by  
25 the Queens Chapel Civic Association and I have,

1 therefore, requested a continuance of 30 days so  
2 that I can explore the record through discovery  
3 and interview witnesses.

4 In addition, I'm presently out of the  
5 country.

6 CHAIR ANDERSON: All right.

7 Mr. Jackson, do you have a position on  
8 the motion, sir?

9 MR. JACKSON: Yes, I'm not in  
10 agreement with the motion and I expressed that to  
11 the representation on Saturday when she contacted  
12 me by phone.

13 So, I would like to move forward.

14 CHAIR ANDERSON: All right.

15 Ms. Rones, unfortunately, the Board  
16 cannot grant the motion.

17 And the main reason why the Board  
18 cannot grant the motion, this is a new license.

19 I think if you're not speaking, I need  
20 everyone to mute their line.

21 Yes, this is a new license. The Board  
22 has a specific period of time to issue licenses.

23 So, within -- if we have a protest  
24 hearing for a new license, the license -- the  
25 Board has to issue its Board order within 75 days



1 from the -- it's a 75-day process for new  
2 licenses.

3 And unless the licensee -- the  
4 applicant agrees to a continuation motion, the  
5 Board cannot unilaterally grant a motion because,  
6 by statute, we have to issue our decision within  
7 75 days.

8 And that would take us beyond the 75  
9 days, ma'am.

10 And I believe this motion was filed,  
11 I think, yesterday. But it doesn't matter when  
12 the motion was filed because, by statute, we have  
13 to issue our decision within 75 days from  
14 application for the -- from the -- we have to  
15 issue a decision within 75 days.

16 And so, therefore, unless the  
17 applicant has -- agrees to the continuance, the  
18 Board will have to deny the request for  
19 continuance.

20 So, we'll have a -- if you have any --

21 So, I'm going to make a motion that  
22 the Board deny your request because there's  
23 really not much -- nothing the Board can do to  
24 unilaterally grant a continuance motion for a new  
25 application when the applicant doesn't consent to

1 the continuance.

2 Okay?

3 So, I, therefore, make a motion that  
4 the continuance motion be denied.

5 Is there a second?

6 MEMBER GRANT: Mr. Grant, I second the  
7 motion.

8 CHAIR ANDERSON: Mr. Grant has  
9 seconded the motion.

10 We'll have a roll call vote.

11 Mr. Short?

12 (NO AUDIBLE RESPONSE)

13 CHAIR ANDERSON: Mr. Short?

14 MEMBER SHORT: Mr. Short, I agree.

15 CHAIR ANDERSON: Mr. Grant?

16 MEMBER GRANT: Mr. Grant, I agree.

17 CHAIR ANDERSON: Mr. Anderson, I  
18 agree.

19 The matter passes 3-0.

20 Any other issue you want to bring to  
21 the attention of us -- to the Board, Ms. Rones?  
22 Preliminary?

23 I think there was a motion regarding  
24 -- I'm sorry, there was a motion regarding Mr.  
25 Jackson's representation.

1 I don't -- I think that's just  
2 something that we need to move on from. That's  
3 not a motion that we will entertain.

4 Okay?

5 Are there any other preliminary  
6 matters that need to be brought to the attention  
7 of the Board before moving forward?

8 MR. JACKSON: Yes, I have to -- one  
9 matter I'd like to recommend.

10 CHAIR ANDERSON: What is that, Mr.  
11 Jackson?

12 MR. JACKSON: That the protest be  
13 dismissed based upon the fact that the protestant  
14 never entered into a verbal conversation with us  
15 as to the protest issues.

16 Everything that was submitted as far  
17 as the exhibits and the documentation has been  
18 basically protesting the authenticity of the  
19 application, which isn't a protest issue.

20 To this date, we haven't seen any  
21 documentation to support the protest issues of  
22 peace, order, and quiet.

23 In addition, on, I believe it was  
24 September or August the 14th, the Board entered  
25 an order, Order Number 2024-543, consolidating

1 the protest because the civic -- the Queens  
2 Chapel Civic Association and the ANC5 agreed to  
3 consolidate the protest because of the same  
4 protest issues.

5 So, the consolidation was done and  
6 approved.

7 We entered into a settlement agreement  
8 with 5B to address their concerns.

9 So, if the Queens Chapel Association  
10 had the same issues and concerns as 5B which is  
11 stated in this order, then the protest is moot  
12 because we reached the settlement agreement.

13 And I think it's just a waste of  
14 government time and resources because they keep  
15 protesting the authenticity of the application.

16 CHAIR ANDERSON: What do you mean by  
17 the authenticity of the application, Mr. Jackson?

18 MR. JACKSON: The two or three motions  
19 of the representation, I should say, I'm sorry,  
20 Commissioner.

21 So, they kept providing exhibits and  
22 protesting my representation.

23 But they keep sending me documents to  
24 appear before meetings so, if I'm not legally  
25 representing them, why keep sending me documents?

1 CHAIR ANDERSON: Okay.

2 Any other representation you want to  
3 make, sir?

4 MR. JACKSON: No, that's it.

5 CHAIR ANDERSON: Ms. Rones, I know  
6 that you had stated that you were recently  
7 retained.

8 Are you able to respond? I don't  
9 know.

10 MS. RONES: Well, I am.

11 First of all, there has been meetings  
12 between the Queens Chapel Civic Association and  
13 the Applicant.

14 I believe the Applicant was invited to  
15 address the Civic Association on two occasions.

16 So, in addition, I'm not certain about  
17 any motion to dismiss Mr. Jackson's  
18 representation. I'm not familiar with that  
19 issue.

20 However, the Queens Chapel Civic  
21 Association has broken ties with the ANC and we  
22 didn't agree with the settlement order.

23 Therefore, we elected not to sign off  
24 on it, not to be party to the settlement  
25 agreement.

1                   CHAIR ANDERSON: I mean, the only  
2 think I'll state, Mr. Jackson, on that issue is  
3 that, as you're aware, the ANC has jurisdiction  
4 to protest a matter.

5                   If the ANC signs the settlement  
6 agreement, then, if there's a group of five or  
7 more, then the group of five or more filed.

8                   If there is abundant property owner or  
9 a civic association and they do not sign on to  
10 the agreement, they still can move forward with a  
11 hearing which is basically the representation  
12 you're saying is that you have a settlement agree  
13 with the ANC, but the Civic Association has not  
14 -- did not sign off on it, so, we still have a  
15 live protest.

16                   But you're saying that -- but you are  
17 -- the argument you're making is that you're  
18 saying that they are not -- the protest issues  
19 for peace, order, and quiet, that has not been  
20 presented. There are no issues regarding that  
21 factor, is that what you're saying, sir?

22                   MR. JACKSON: Yes, sir.

23                   CHAIR ANDERSON: Are you prepared to  
24 respond to that, Ms. Ronas?

25                   (NO AUDIBLE RESPONSE)

1 CHAIR ANDERSON: I can't -- you need  
2 to turn your phone -- your volume up, ma'am.

3 MS. RONES: Can you hear me better  
4 now?

5 CHAIR ANDERSON: I can hear you now,  
6 ma'am.

7 MS. RONES: Okay.

8 Can you repeat what you said? I'm  
9 sorry, I didn't hear you.

10 CHAIR ANDERSON: Mr. Jackson talked --  
11 has stated that the protest issues on peace,  
12 order, and quiet, that your client has not made  
13 any arguments on the protest issues, which is  
14 peace, order, and quiet, that that has not been  
15 supported.

16 The motions that were filed were of a  
17 more so his representation and not to the  
18 appropriateness standards as per the statute.

19 MS. RONES: Well, I'm not familiar  
20 with what protest letter he's referring to.

21 However, I do know that the peace and  
22 quiet issue was repeated in the protest letter on  
23 several occasions along with noise, traffic, and  
24 some of the other concerns.

25 CHAIR ANDERSON: What we're going to

1 Mr. Jackson, the Board is not going to make a  
2 motion -- a ruling on that issue currently.

3 We'll take it under advisement and we  
4 will address your motion in our final decision.

5 So, are the parties -- I know that,  
6 Ms. Rones, you stated that you're new. You're  
7 also out of the country.

8 But we are going to move forward with  
9 the protest hearing.

10 So, are you able to -- are you -- do  
11 you have witnesses available to testify this  
12 afternoon at this protest hearing, ma'am?

13 MS. RONES: Yes, I do.

14 I would like to get clarification on  
15 one issue, however.

16 CHAIR ANDERSON: Yes, ma'am.

17 MS. RONES: We are prepared to move  
18 forward.

19 CHAIR ANDERSON: What is the issue?

20 MS. RONES: So, my understanding is  
21 that the ABC regulations require a complete  
22 application with all of the exhibits.

23 And the applicant did not submit a  
24 complete application.

25 I understand that you have said that



1 you have a responsibility to move forward in 75  
2 days, but the 75 days wouldn't start until after  
3 that submitted application was complete.

4 Is that not correct?

5 CHAIR ANDERSON: Ms. Rones, the Board  
6 has a -- the way the process -- how the process  
7 works, ma'am, the applicant applies for the  
8 license.

9 The Board will make a determination  
10 whether or not we're going to approve the license  
11 or reject the license.

12 Approval is not issuance.

13 The Board, however, the Agency,  
14 however, will not issue the license until all  
15 required documentation are provided.

16 So, for example, they might have  
17 applied for --

18 I need everyone to mute their lines  
19 because I'm getting feedback. So, I need you to  
20 mute your line, Ms. Rones.

21 And so, I'll give an example.

22 The applicant might file for a summer  
23 garden. And a summer garden, it's -- I'm sorry,  
24 not a -- a sidewalk caf,, I apologize.

25 So, they might apply for a sidewalk

1       caf,. But in order for them to actually operate  
2       a sidewalk caf,, they have to apply and get a  
3       permit from another agency.

4               And so, before the Board would issue  
5       the license to say that they can operate a  
6       sidewalk caf,, we would have -- they would have  
7       to provide us with approval from another agency  
8       to state that they were approved for that.

9               Also, we will not -- although we might  
10       have approved the license, we would not issue the  
11       license without receiving a certificate of  
12       occupancy.

13               So, yes, we might vote to approve the  
14       license, but the license will not be issued until  
15       we have received a certificate of occupancy or  
16       whatever other information that's required by  
17       another agency.

18               So, there is no requirement that when  
19       they apply for the license that they need to have  
20       a certificate of occupancy, that they have to  
21       have all the approvals from all the other  
22       agencies.

23               The only requirement, at least where  
24       we're concerned, is that they can apply.

25               We will say what the needed

1 applications are.

2 The Board will move forward.

3 But the Board, however, the Agency,  
4 however, will not issue the license until all the  
5 required documents are provided.

6 So, the argument that you're making,  
7 ma'am, it's not an argument for us not to move  
8 forward with approving or denying the license.

9 The argument is more so whether or not  
10 we're going to issue the license because, as you  
11 stated, they have not provided us with all the  
12 required documents.

13 MS. RONES: Mr. Anderson, I understand  
14 what you're saying, but your regulation, the ABC  
15 regulations themselves say that no placard will  
16 be issued until all of the application and  
17 exhibits are submitted.

18 CHAIR ANDERSON: Well, if I -- I'm  
19 sorry, are you done, ma'am? I'm sorry.

20 MS. RONES: The application, in our  
21 opinion, is substantially incomplete.

22 You're asking us to protest an  
23 applicant who hasn't provided us with rudimentary  
24 information.

25 For example, there is a lot of

1 contradictions in the application.

2 And we, frankly, we don't know what is  
3 he's asking for. We don't know if it's going to  
4 be a market, if it's going to be carry out  
5 liquor, if it's going to be a liquor store, if  
6 it's going to be a summer garden.

7 We have no idea because there's  
8 contradictory documents in the record.

9 So, we're not sure what it is he's  
10 asking for.

11 And I suggest to you that that's an  
12 issue of fact.

13 CHAIR ANDERSON: If I remember  
14 correctly, ma'am, your client has filed a  
15 significant amount of motions.

16 And I believe the argument that you're  
17 making currently, ma'am, that was an argument  
18 that was made before the Board and the Board  
19 denied the motion.

20 So, we have already -- if I remember  
21 reading the motion and one of the many motions  
22 that were filed, and that was one of the issues  
23 that was raised.

24 And I also believe, when the Board  
25 denied earlier today the reconsideration of your

1 reconsideration motion, it was on that same  
2 issue.

3 So, the Board, we have -- we've heard  
4 the arguments that were made by the Civic  
5 Association, and we have decided to deny those  
6 motions and we decided that this case is ripe to  
7 move forward to have a protest hearing, ma'am.

8 You're now on mute. You need to turn  
9 your microphone on, ma'am, back on, ma'am.

10 MS. RONES: We take exception to your  
11 ruling and we will be filing interlocutory  
12 appeal.

13 The regulation is clear on its face.  
14 It says an applicant cannot move forward unless  
15 all of the application is complete, all of the  
16 documents and exhibits are complete.

17 So, we don't understand how you decide  
18 by fiat that you're not going to abide by that  
19 regulation.

20 We need to know exactly what this  
21 applicant is asking for.

22 And right now, it's not clear. Right  
23 now, it's a moving target.

24 We have no indication of menus, floor  
25 plans, or security. We just don't have enough

1 information to effectively protest this license.

2 And that's a disservice to my client  
3 and to my neighborhood.

4  
5 CHAIRPERSON ANDERSON: Well, with all  
6 due respect, ma'am, we also had the ANC protested  
7 this matter and, yes, you do have -- you are  
8 right to move forward.

9 The ANC has the same amount of  
10 information that you had and the ANC determined  
11 that they had enough information to move forward.

12 I think one of the things that you can  
13 -- the guidelines, ma'am, is that you have the  
14 placard in the placard notice.

15 And so, the notice that you received,  
16 the placard in this matter, that is specifically  
17 what was applied by -- applied for by the  
18 licensee.

19 What was -- so, you have the placard  
20 notice, ma'am.

21 MS. RONES: And for --

22 CHAIRPERSON ANDERSON: And so the  
23 placard is specifically -- hold on, ma'am.

24 The placard notice specifically states  
25 what was being protested.

1                   Now, I think you're saying that they  
2 -- yes, they're saying that -- you're saying that  
3 they did not -- yes, you, yes.

4                   You're saying that you did not have  
5 all the documents that you require.

6                   But our -- as I stated, ma'am, the  
7 Board, we have received all this, the motions  
8 that were filed, and the Board has ruled on those  
9 motions and the Board has denied your motions.

10                  And so, we're going to move forward  
11 with the hearing.

12                  So, I hear you. I hear your objection  
13 to the record, ma'am.

14                  And if you believe that you have  
15 sufficient information to move -- to go to the  
16 Court of Appeals to appeal this matter, which is  
17 your next option, you do have that right to go to  
18 the Court of Appeals to review the decision by  
19 the Board to deny your motion.

20                  Okay?

21                  So, we're going to move forward with  
22 our hearing today.

23                  Any other preliminary matters from --  
24 by either side prior to us starting?

25                  MR. JACKSON: No, Applicant has none.

1 CHAIRPERSON ANDERSON: Okay.

2 Ms. Rones, any other issue?

3 (NO AUDIBLE RESPONSE)

4 CHAIRPERSON ANDERSON: You're on mute,  
5 Ms. Rones.

6 I need to remind you to be on mute,  
7 but I also have to remind you to unmute your  
8 phone, ma'am.

9 MS. RONES: I will need just a minute  
10 to pull up my opening statement.

11 CHAIRPERSON ANDERSON: All right.

12 Well, Mr. Jackson's going to go first,  
13 ma'am, so you'll --

14 MS. RONES: Okay.

15 CHAIRPERSON ANDERSON: The process is  
16 -- this -- okay.

17 So, this is the process of how the  
18 hearing goes now.

19 The -- both parties will have an  
20 opportunity, starting with the Applicant. The  
21 Applicant will have an opportunity to do an  
22 opening statement.

23 Then the protester will have an  
24 opportunity to do an opening statement.

25 The Board will call its first witness,



1 which is our investigator.

2 The investigator will go through her  
3 report that -- the case report.

4 The Board will ask questions of the  
5 investigator of her case report.

6 Once the Board has asked questions of  
7 the investigation of her case report, the protest  
8 -- I'm sorry, the Applicant will have an  
9 opportunity to ask questions of the investigator  
10 on the case report.

11 Once the Applicant asks questions of  
12 the investigator of her case report, then, the  
13 protesters will have an opportunity to ask  
14 questions of the case report.

15 Once both sides have asked questions,  
16 then the Applicant will present his case.

17 Once the Applicant presents his case,  
18 then the protester will present its case.

19 It's 2:19 currently. I don't see the  
20 protestant providing call in witness until maybe  
21 about 4:00 at the earliest.

22 So, I just wanted to let you know,  
23 it's 2:19, just to let you know that I don't  
24 believe that maybe 3:30, 4:00 is when the  
25 protestant will be able to present its case.

1                   Okay?

2                   Just to give you a time line of when  
3 is it that you'll be able to present your case.

4                   So, the first thing we'll do now is to  
5 have the licensee -- the Applicant do an opening  
6 statement if he so desires.

7                   And then, you'll have an opportunity  
8 to do an opening statement.

9                   And then, the Board will call its  
10 first witness.

11                   Okay?

12                   So, any questions before we start?

13                   MR. JACKSON: No.

14                   MS. RONES: No.

15                   CHAIRPERSON ANDERSON: All right,  
16 fine.

17                   Mr. Jackson, do you have an opening  
18 statement you wish make, sir?

19                   MR. JACKSON: Yes.

20                   In representing Sahara Market, we  
21 would show that Sahara Market does not present an  
22 adverse effect of peace, order, and quiet in the  
23 community.

24                   And in addition, we will show that the  
25 protestants failed to communicate their protest

1 issues with us and enter into some sort of  
2 conversation or agreement as to what their issues  
3 were to resolve them so we can move forward.

4 Thank you.

5 CHAIRPERSON ANDERSON: All right.

6 Ms. Rones, do you have an opening  
7 statement you wish to make?

8 (NO AUDIBLE RESPONSE)

9 CHAIRPERSON ANDERSON: You need to now  
10 unmute yourself. You were unmuted, now you need  
11 to unmute your phone back, Ms. Rones.

12 MS. RONES: Okay.

13 The Queens Chapel Civic Association  
14 has made it abundantly clear as to what their  
15 issues are with the Applicant and the application  
16 for the Sahara Market.

17 We have invited the Applicant to  
18 address the members of our Civic Association on  
19 two occasions.

20 We had conversation and made him aware  
21 of what our issues were.

22 So, I think that the statement made by  
23 Mr. Jackson is in dispute.

24 We will be presenting testimony to  
25 elaborate on what our issues are as it pertains

1 to the application and what our concerns are.

2 Thank you.

3 CHAIRPERSON ANDERSON: Okay, thank  
4 you.

5 All right, thank you.

6 The Board will call its first witness  
7 and that is Ms. Millington.

8 Ms. Millington, can you please spell  
9 and state your name for the record?

10 INVESTIGATOR MILLINGTON: Jerrita,  
11 J-E-R-R-I-T-A, last name Millington,  
12 M-I-L-L-I-N-G-T-O-N.

13 CHAIRPERSON ANDERSON: And where are  
14 you currently employed, Ms. Millington?

15 INVESTIGATOR MILLINGTON: With ABCA.

16 CHAIRPERSON ANDERSON: And how long  
17 have you been employed with the Agency?

18 INVESTIGATOR MILLINGTON: About a year  
19 and a half now.

20 CHAIRPERSON ANDERSON: And what are  
21 your duties and responsibilities as --

22 I'm sorry, what's your position with  
23 Agency, ma'am?

24 INVESTIGATOR MILLINGTON: I'm an  
25 investigator.

1 My duties are to conduct and inspect  
2 ABCA approved establishments.

3 CHAIRPERSON ANDERSON: And are you  
4 familiar with Sahara, these two licenses -- this  
5 -- the two applications that we have in front of  
6 us for this protest hearing -- for this -- the  
7 protest hearing?

8 INVESTIGATOR MILLINGTON: Certainly,  
9 yes, from the protest.

10 CHAIRPERSON ANDERSON: All right.  
11 Did you draft a case report?

12 INVESTIGATOR MILLINGTON: Yes, I did.

13 CHAIRPERSON ANDERSON: Do you have  
14 access to the case report so you can put it on  
15 line?

16 INVESTIGATOR MILLINGTON: Yes.

17 CHAIRPERSON ANDERSON: Mr. Orellana,  
18 can you please allow Ms. Millington to share her  
19 case report?

20 Thank you.

21 INVESTIGATOR MILLINGTON: I'm not sure  
22 if it's -- is it --

23 CHAIRPERSON ANDERSON: Yes, ma'am.

24 INVESTIGATOR MILLINGTON: Okay.

25 CHAIRPERSON ANDERSON: Ms. Millington,

1 can you please identify the document that's on  
2 our screen?

3 INVESTIGATOR MILLINGTON: So, this is  
4 my protest case report for Sahara Market.

5 CHAIRPERSON ANDERSON: Okay.

6 Let's go through your report. So, go  
7 through the next -- scroll up, please, ma'am.

8 INVESTIGATOR MILLINGTON: All right.

9 So, this is Sahara Market, LLC.

10 Actually, let me go to a better -- one  
11 second.

12 All right, Sahara Market, location  
13 1901 Michigan Avenue, Northeast, License Class B  
14 and CR.

15 Their License Number is ABRA 128673  
16 and also 128674. It's a new application.

17 CHAIRPERSON ANDERSON: So, what's been  
18 applied for? A new application for what? What  
19 specifically what is being applied for today?

20 INVESTIGATOR MILLINGTON: For a  
21 license for their grocery store, for a Class B.

22 And then, for the restaurant section,  
23 I'm sorry, I'm sorry, for a CR.

24 CHAIRPERSON ANDERSON: Okay, fine, go  
25 ahead, ma'am.

1 All right, so, who are the -- who's  
2 the protestant currently?

3 INVESTIGATOR MILLINGTON: The protest  
4 current is -- well, it was ANC5B Commissioner,  
5 Commissioner Prita Piekara, but they recently  
6 settled into a settlement agreement with Sahara  
7 Market.

8 So, currently, we have the Queens  
9 Chapel Civic Association.

10 CHAIRPERSON ANDERSON: Now, did you  
11 have an opportunity to speak to anyone from the  
12 Civic Association?

13 INVESTIGATOR MILLINGTON: Yes, I did.

14 CHAIRPERSON ANDERSON: And -- well,  
15 let me ask this. Let me start off from, did you  
16 speak to the Applicant first?

17 INVESTIGATOR MILLINGTON: Yes, I spoke  
18 to the Applicant first, yes.

19 CHAIRPERSON ANDERSON: And so, what  
20 information, if any, regarding did you receive  
21 from the Applicant.

22 INVESTIGATOR MILLINGTON: The  
23 Applicant was Mr. Jackson, we spoke on August  
24 15th.

25 He advised that the location is not

1 open, it's still under construction and it wasn't  
2 safe to conduct a walk through.

3 He advised that the location would  
4 have one side being something like a Wegmans, a  
5 grocery store, a mini-market.

6 And then, the other side would be a  
7 restaurant where they offer food and also have a  
8 bar.

9 That's why they need the two licenses.

10 He also advised that he was in the  
11 works of agreeing with the settlement agreement  
12 coming to a negotiation and they were in the  
13 works of finalizing everything.

14 And then, he also advised that the  
15 food would be American style food.

16 CHAIRPERSON ANDERSON: All right.

17 So, did you have an opportunity to  
18 speak to the Civic Association?

19 INVESTIGATOR WELLINGTON: Yes, I did.

20 I spoke to them on October 19th -- I'm  
21 sorry, October 20th. Oh, I'm sorry, August 20th.

22 CHAIRPERSON ANDERSON: And so, what  
23 did information, if any, did you gather based on  
24 your conversation with the Civic Association?

25 INVESTIGATOR WELLINGTON: I met with



1 the president and I met with also a member of the  
2 Civic Association.

3 They both expressed that they felt as  
4 if, like they said before, that the application  
5 was incomplete and shouldn't have been accepted  
6 due to the missing documents and the multiple  
7 inconsistencies.

8 They also stated that the ANC does not  
9 live close enough to the establishment to have a  
10 solid opinion on the protest.

11 And they both stated that the shopping  
12 center will not be able to accommodate the  
13 establishment due the additional foot traffic and  
14 parking and as well as the noise.

15 The parking issue, the traffic, and  
16 the shopping center.

17 Oh, I'm sorry, and also the negative  
18 impact that it could have on the youth in the  
19 area.

20 And they also brung up the negative --  
21 I'm sorry, the negative history of the owner's  
22 business practices.

23 CHAIRPERSON ANDERSON: All right.

24 So, tell us what type of -- tell us  
25 the characteristics of what zoning the area --

1 the proposed area?

2 INVESTIGATOR MILLINGTON: So, the  
3 zoning is a MU3A. It's a mixed unit zoning area  
4 where you can have commercial and institutional  
5 and multiple dwelling units.

6 It's a residential development area.

7 CHAIRPERSON ANDERSON: Okay.

8 Are there schools in the area?

9 INVESTIGATOR MILLINGTON: So, there is  
10 no schools in the area, but there is a daycare  
11 that sits directly behind the shopping center.

12 So, the establishment will be inside  
13 of a shopping center and it would be businesses  
14 on both sides.

15 CHAIRPERSON ANDERSON: So, are there  
16 -- okay, go ahead.

17 INVESTIGATOR MILLINGTON: So, yes, it  
18 would be just one daycare in the area.

19 There isn't any ABRA approved  
20 establishments nearby.

21 CHAIRPERSON ANDERSON: Okay.

22 INVESTIGATOR MILLINGTON: And it is  
23 Ward 5 parking in the Ward 5 area.

24 (SIMULTANEOUS SPEAKING)

25 CHAIRPERSON ANDERSON: I'm sorry, go

1 ahead, ma'am.

2 INVESTIGATOR MILLINGTON: I'm sorry.

3 It is Metro accessible as well. It  
4 was multiple bus stops on Michigan Avenue and  
5 Eastern Avenue.

6 CHAIRPERSON ANDERSON: All right.

7 INVESTIGATOR MILLINGTON: And then --  
8 I'm sorry, go ahead.

9 CHAIRPERSON ANDERSON: All right.

10 So, what are the hours? What hours  
11 were placarded for this establishment?

12 INVESTIGATOR MILLINGTON: So, there  
13 hours were going to be from 11:00 a.m. to 12:00  
14 a.m. Monday through Sunday.

15 CHAIRPERSON ANDERSON: All right,  
16 fine.

17 Did you get a chance to visit the  
18 area?

19 INVESTIGATOR MILLINGTON: Yes.

20 I was able to visit and as well as  
21 other colleagues from me, about five different  
22 times from the month August 12th to September  
23 9th.

24 CHAIRPERSON ANDERSON: So, can you  
25 tell us each -- what is it that ABRA was able to

1 see when they went to visit on each occasion?

2 So, go -- tell us when either yourself  
3 or another member of your team who went to visit  
4 the establishment, what is it that they were able  
5 to see?

6 INVESTIGATOR MILLINGTON: It was no  
7 noise in the residential area.

8 There was no loitering.

9 There was no parking issues.

10 There was significant amount of  
11 parking available during the times that we  
12 visited the location.

13 As well as the surrounding area was  
14 clean and organized. It was well lit.

15 The shopping center provided, like I  
16 said, sufficient parking.

17 And also had street parking as well.

18 But there was businesses that were  
19 still open during the times that we went to visit  
20 the location.

21 So, they were -- it was foot traffic  
22 not but not as much foot traffic.

23 CHAIRPERSON ANDERSON: All right.

24 You said it was a shopping center.

25 Tell us -- explain the shopping center to us, if

1 you can?

2 INVESTIGATOR MILLINGTON: The shopping  
3 center has about, I would -- like I say about six  
4 businesses in this complex.

5 CHAIRPERSON ANDERSON: Do you know  
6 what type of businesses are in this complex?

7 INVESTIGATOR MILLINGTON: There's a  
8 Dollar Tree, a Subway, there's a tobacco store,  
9 and then, Sahara Market would be on the end. And  
10 if I'm not mistaken, there is a hair store as  
11 well, but that store was closed when we visited.

12 So, a majority of times when I did  
13 visit, the Dollar Tree was open. The tobacco  
14 store and the Subway were -- would be open.

15 CHAIRPERSON ANDERSON: Okay.

16 INVESTIGATOR MILLINGTON: And we  
17 didn't have any noise complaints on record for  
18 them.

19 And I did reach out to OUC and there  
20 were from August of 2023 to August of 2024, there  
21 were six calls of service, one being a person  
22 with a weapon, one being assault that passed, and  
23 then, one was a miscellaneous suicide threat, one  
24 was a phone call with an open line, and then, one  
25 was a disorderly disturbance.

1 CHAIRPERSON ANDERSON: But you're  
2 saying that --

3 INVESTIGATOR MILLINGTON: That is the  
4 history.

5 CHAIRPERSON ANDERSON: But you're  
6 saying the establishment is not open, so  
7 therefore --

8 INVESTIGATOR MILLINGTON: Yes.

9 CHAIRPERSON ANDERSON: -- if there was  
10 any noise or any records, they would not be  
11 attributed to this establishment, is that  
12 correct?

13 INVESTIGATOR MILLINGTON: Exactly.

14 CHAIRPERSON ANDERSON: Okay, okay.  
15 In need you to -- so, can you tell us  
16 -- go through the exhibits and I need you to  
17 just, for the record, just tell us what exhibits  
18 that you have attached to your report?

19 INVESTIGATOR MILLINGTON: All right.

20 My first exhibit will be the protest  
21 letter from the group of five or more.

22 From the ANCB protest letter.

23 (Whereupon, the  
24 above-referenced document was marked as Exhibit  
25 No. 1 for identification.)

1 CHAIRPERSON ANDERSON: Okay.

2 INVESTIGATOR MILLINGTON: And then,  
3 the Queens Chapel Civic Association protest  
4 letter.

5 (Whereupon, the  
6 above-referenced document was marked as Exhibit  
7 No. 2 for identification.)

8 CHAIRPERSON ANDERSON: Okay.

9 INVESTIGATOR MILLINGTON: And then,  
10 this is correspondence from me reaching out to  
11 both parties requesting a conference call with  
12 the ANC B5 and also the Civic Association and as  
13 well as the Applicant, Mr. Jackson.

14 (Whereupon, the  
15 above-referenced document was marked as Exhibit  
16 No. 3 for identification.)

17 CHAIRPERSON ANDERSON: I need you to  
18 state specifically what exhibit that is for.

19 INVESTIGATOR MILLINGTON: Okay.

20 This first on is the correspondence  
21 with Mr. Jackson.

22 CHAIRPERSON ANDERSON: Okay.

23 INVESTIGATOR MILLINGTON: We set up a  
24 -- for a later date, to have a phone conference.

25 CHAIRPERSON ANDERSON: Okay.

1                   INVESTIGATOR MILLINGTON: And then,  
2 this one, the second exhibit is me --  
3 I'm sorry.

4                   CHAIRPERSON ANDERSON: Go ahead.

5                   INVESTIGATOR MILLINGTON: Okay.

6                   Me reaching out to ANC 5B. I was  
7 talking to, like I said, Ms. Prita at first, but  
8 she pointed over to Mr. Edward Porito because he  
9 was heading the protest.

10                  So, we set up a date and time for us  
11 to get on a call -- conference call.

12                  And then, this is my correspondence  
13 with the Civic Association.

14                  CHAIRPERSON ANDERSON: I need you to  
15 -- no, what I need you to do, ma'am, is to say  
16 Exhibit 3 is or Exhibit 2 is, please.

17                  INVESTIGATOR WELLINGTON: Okay.

18                  That was Exhibit 3.

19                  CHAIRPERSON ANDERSON: Okay.

20                  INVESTIGATOR WELLINGTON: We're going  
21 to Exhibit 4 now.

22                  This is the GP -- so this is -- I'm  
23 sorry, let me rotate this.

24                  All right, all right, this is the GP  
25 printout of the schools and the daycare that's in



1 the area.

2 And like I said, there -- within the  
3 area, there's one daycare.

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

7 CHAIRPERSON ANDERSON: Okay.

8 INVESTIGATOR WELLINGTON: And this is  
9 a GI, the next Exhibit 5, of the other  
10 establishments, the ABRA approved establishments.  
11 There aren't any.

12 (Whereupon, the  
13 above-referenced document was marked as Exhibit  
14 No. 5 for identification.)

15 CHAIRPERSON ANDERSON: Within what --

16 INVESTIGATOR WELLINGTON: Within 1,200  
17 feet --

18 CHAIRPERSON ANDERSON: Okay, that's  
19 fine.

20 INVESTIGATOR WELLINGTON: -- of the  
21 establishment.

22 CHAIRPERSON ANDERSON: Okay.

23 INVESTIGATOR WELLINGTON: And then, we  
24 have Exhibit 6, this is the front of what would  
25 be Sahara Market.

1                   They don't have any current logos or  
2 anything up right now.

3   (Whereupon, the  
4 above-referenced document was marked as Exhibit  
5 No. 6 for identification.)

6                   CHAIRPERSON ANDERSON: Okay.

7                   So, do you know what was previously in  
8 that establishment?

9                   INVESTIGATOR WELLINGTON: This is Ekos  
10 Price Market, an international market.

11                   CHAIRPERSON ANDERSON: Okay.

12                   INVESTIGATOR WELLINGTON: Then, we  
13 have Exhibit 7.

14                   This is more of a layout view of this  
15 shopping center.

16                   So, there's a cleaners. There's a  
17 carry out, a nail salon, a wireless store, and  
18 the Dollar Tree on the left.

19                   We have Exhibit 8. This is another  
20 view of the shopping center, Avondale Shops is  
21 the name of the center.

22                   Exhibit 9 is another view of the  
23 shopping center to give a better wide view.

24                   Exhibit 10 is another angle of the --  
25 of where the location would be exactly at.

1                   Exhibit 11 is the parking lot, it's  
2 one side -- it's the left side of the -- the left  
3 side to the middle of the parking lot area.

4                   Exhibit 12 is the right side of the  
5 parking lot.

6                   Exhibit 13 is a cross street, Allison  
7 Street where the daycare would be on the back  
8 side.

9   (Whereupon, the  
10 above-referenced documents were marked as Exhibit  
11 Nos. 7, 8, 9, 10, 11, 12, and 13 for  
12 identification.)

13                   CHAIRPERSON ANDERSON: Let's go back  
14 to 12.

15                   INVESTIGATOR MILLINGTON: Exhibit 12?

16                   CHAIRPERSON ANDERSON: Yes.

17                   How large is the parking lot?

18                   INVESTIGATOR MILLINGTON: The parking  
19 lot is very large.

20                   CHAIRPERSON ANDERSON: Do you have any  
21 idea of approximately how many cars --

22                   INVESTIGATOR MILLINGTON: I think I  
23 might have another angle of the next exhibit.

24                   CHAIRPERSON ANDERSON: Okay, all  
25 right, go ahead.

1                   INVESTIGATOR MILLINGTON: This is  
2 Exhibit 13, Allison Street --

3                                   (Whereupon, the  
4 above-referenced document was marked as Exhibit  
5 No. 13 for identification.)

6                   CHAIRPERSON ANDERSON: Okay.

7                   INVESTIGATOR MILLINGTON: -- with a  
8 bus stop view --

9                   CHAIRPERSON ANDERSON: Okay.

10                  INVESTIGATOR MILLINGTON: -- on both  
11 sides.

12                  Exhibit 14, this is the angle of the  
13 daycare that sits on the back side.

14                  Exhibit 15 is on Eastern Avenue, the  
15 intersection.

16                  Exhibit 16 is another view of the  
17 parking lot.

18                  And Exhibit 17 is the observations  
19 from me and my colleagues.

20                                   (Whereupon, the  
21 above-referenced documents were marked as Exhibit  
22 Nos. 14, 15, 16, and 17 for identification.)

23                  CHAIRPERSON ANDERSON: Can you -- let  
24 -- hold on a minute, please.

25                  I need you to -- can you go through

1 the notes? I need that to reflect in the record.

2 So, why don't you just tell us what is  
3 it that was seen on each occasion?

4 INVESTIGATOR MILLINGTON: On Monday,  
5 August 12th, there was one store open, the  
6 Subway.

7 The parking lot was not full. There  
8 were only two cars in the parking lot.

9 There was no foot traffic, pedestrians  
10 were walking through the parking lot.

11 There was noise, no loitering, and  
12 there was open street parking.

13 On Friday, August 23rd, there was --  
14 it was busy in the daytime, it was more traffic.

15 The parking was not full, though. It  
16 had moderate cars parked and moderate foot  
17 traffic with average amount of noise considering  
18 that it was during the daytime and no loitering  
19 of -- and customers were shopping.

20 And then, on Wednesday, September 4th,  
21 there was no activity.

22 There was food pick up from the  
23 Subway, patrons purchasing from the tobacco store  
24 and the wireless shop.

25 The Subway is 24 hours and the tobacco

1 store closed by 11:00.

2 On Friday, the Subway and tobacco  
3 store were open again, only -- those are the only  
4 two establishments that were open.

5 There were three cars in the parking  
6 lot, observed four people on foot. Two went to  
7 the tobacco store and two were walking through  
8 the parking lot.

9 There was only one delivery person  
10 which was on a bike picking up food from the  
11 Subway.

12 And There was no noise or loitering  
13 observed and there were five cars parked outside  
14 in front of the tobacco store.

15 And then, on Monday, it was three  
16 stores opened, sorry, that's August 19th, I'm  
17 sorry.

18 Three stores open, the Subway, the  
19 Dollar Tree, the tobacco store.

20 The parking lot was not full. There  
21 were two cars parked. There was very low foot  
22 traffic. Pedestrians were walking through the  
23 parking lot.

24 There was noise again, no loitering,  
25 and open street parking.

1                   And Exhibit 18 is from me reaching out  
2 to OUC and the calls of service -- for the calls  
3 of service.

4                                   (Whereupon, the  
5 above-referenced document was marked as Exhibit  
6 No. 18 for identification.)

7                   CHAIRPERSON ANDERSON: Okay.

8                   Was that the extent of your exhibits?

9                   INVESTIGATOR MILLINGTON: Yes.

10                  CHAIRPERSON ANDERSON: Okay, take that  
11 off your screen, ma'am.

12                  INVESTIGATOR MILLINGTON: Okay.

13                  CHAIRPERSON ANDERSON: Any questions  
14 by any Board Members?

15                  Go ahead, Mr. Short.

16                  MEMBER SHORT: Good afternoon,  
17 Investigator Millington.

18                  INVESTIGATOR MILLINGTON: Good  
19 afternoon.

20                  MEMBER SHORT: Right.

21                  It looks like you submitted a pretty  
22 well written report.

23                  And you mentioned the parking lot, did  
24 you get the number of cars that possibly could be  
25 parked there?

1                   INVESTIGATOR MILLINGTON: You said the  
2 number of cars?

3                   MEMBER SHORT: Yes.

4                   INVESTIGATOR MILLINGTON: Yes, on the  
5 days, yes.

6                   So, it ranged between two to five at  
7 most.

8                   And then, the one day that it was  
9 busy, I wasn't able to get an exact number, it  
10 was a moderate amount of cars parked because it  
11 was during the day. It was all the shops seemed  
12 to be open.

13                  MEMBER SHORT: Okay.

14                  Well, again, the pictures that showed  
15 in the exhibits, starting with Exhibit 6 through  
16 14, you took some very explicit pictures of the  
17 parking lot.

18                  And I know you're not a parking  
19 specialist, but just ballpark figure, how many  
20 cars do you think could comfortably be in that  
21 parking lot without it being overcrowded or over  
22 capacity?

23                  INVESTIGATOR MILLINGTON: I would say  
24 maybe over 30.

25                  MEMBER SHORT: You could park 30 cars,



1 in your opinion?

2 INVESTIGATOR MILLINGTON: In my  
3 opinion, the parking lot is pretty wide and  
4 large.

5 MEMBER SHORT: Okay.

6 So, and I know you're not a person who  
7 knows statistically the number of residences in  
8 the community, but within 500 feet what you  
9 showed us with your map, what other businesses  
10 were in that area other than the shopping center?

11 INVESTIGATOR MILLINGTON: It was the  
12 church.

13 MEMBER SHORT: Okay.

14 So, I'm just talking about other  
15 businesses, not churches or schools.

16 What other businesses are in that  
17 area?

18 INVESTIGATOR MILLINGTON: That was the  
19 only business. The shopping center is the only  
20 actual business in the area.

21 MEMBER SHORT: How about the number of  
22 residences or homes or --

23 INVESTIGATOR MILLINGTON: The  
24 residents, it seems to be multiple neighborhoods  
25 from the Eastern Avenue side and then, on the

1 back side of Michigan Avenue and then on the back  
2 side of Allison Street as well.

3 MEMBER SHORT: So, there are no  
4 businesses within that area other than the  
5 shopping center?

6 INVESTIGATOR MILLINGTON: No, you have  
7 to go all the way down the street and then you  
8 would have other businesses down the street.

9 MEMBER SHORT: How far away would you  
10 say?

11 INVESTIGATOR MILLINGTON: I would say  
12 about maybe about three blocks.

13 Because there's a big strip of land on  
14 Eastern Avenue that runs down in order for you to  
15 even get to the next stop light.

16 MEMBER SHORT: Eastern Avenue is the  
17 line between the District of Maryland, is that  
18 correct?

19 INVESTIGATOR MILLINGTON: Yes.

20 MEMBER SHORT: On the Maryland side,  
21 are there any businesses on Eastern Avenue?

22 INVESTIGATOR MILLINGTON: Yes, that's  
23 on the Maryland side.

24 MEMBER SHORT: Any businesses over  
25 there?

1 INVESTIGATOR MILLINGTON: Yes.

2 MEMBER SHORT: What kind of  
3 businesses?

4 INVESTIGATOR MILLINGTON: If I'm not  
5 mistaken, it's a gas station.

6 MEMBER SHORT: Any other businesses?

7 INVESTIGATOR MILLINGTON: No.

8 MEMBER SHORT: How about residences?

9 INVESTIGATOR MILLINGTON: On the  
10 Maryland side?

11 MEMBER SHORT: Yes.

12 INVESTIGATOR MILLINGTON: Yes.

13 MEMBER SHORT: How many residences  
14 would you estimate?

15 INVESTIGATOR MILLINGTON: Between the  
16 houses and the -- I think those were apartment  
17 units, I would say over 20.

18 MEMBER SHORT: So, percentage wise,  
19 would you surmise that it might be 80 to 90  
20 percent residential that 500 -- at least the  
21 circumference that you showed in your exhibits?

22 INVESTIGATOR MILLINGTON: Yes, yes.

23 MEMBER SHORT: Very quiet  
24 neighborhood?

25 INVESTIGATOR MILLINGTON: Yes.

1 MEMBER SHORT: Now, in your  
2 investigation or your knowledge of the area, are  
3 there any other ABC establishments within the  
4 area there?

5 INVESTIGATOR MILLINGTON: No.

6 MEMBER SHORT: That you could see?

7 INVESTIGATOR MILLINGTON: No.

8 MEMBER SHORT: So, there are houses  
9 and homes all through that other area also,  
10 correct?

11 INVESTIGATOR MILLINGTON: Yes.

12 MEMBER SHORT: Would you say it's a  
13 middle class type community?

14 INVESTIGATOR MILLINGTON: Yes, I  
15 believe so.

16 MEMBER SHORT: Okay.

17 All right, well, in keeping with my  
18 theme and what I've always done since I've been a  
19 Board Member, this is my third term, I really  
20 believe in strong, vibrant communities.

21 And I also believe that solid and well  
22 established businesses can -- and it sounds like  
23 that's what's going to happen if this license is  
24 granted.

25 Would you say that my summation is

1 clear?

2 INVESTIGATOR MILLINGTON: Yes, I  
3 agree.

4 MEMBER SHORT: Okay.

5 Well, again, thank you very much for  
6 your report and thank you for your time today and  
7 your testimony.

8 That's all I have at this time, Mr.  
9 Chairman.

10 Thank you.

11 INVESTIGATOR MILLINGTON: Thank you.

12 CHAIRPERSON ANDERSON: Any other  
13 questions by any other Board members? Go ahead,  
14 Mr. Grant.

15 MEMBER GRANT: Good afternoon. And I  
16 wanted to also echo Mr. Short's comments. Thank  
17 you for the report.

18 I just have one question. During your  
19 testimony, you stated that there were  
20 inconsistencies, I believe, in the application.

21 Was that you repeating the perspective  
22 of the protestant, or was that your own finding?  
23 And if so, can you elaborate on the  
24 inconsistencies?

25 INVESTIGATOR MILLINGTON: Those are

1 the findings that I got from the protestants.  
2 That's what they voiced. I personally did not  
3 find any consistencies, because it's out of my  
4 range. I did give them a contact to follow up on  
5 their concerns with the legal department.

6 MEMBER GRANT: Okay. Thank you for  
7 that clarification. Those are all my questions  
8 for now, Mr. Chair.

9 CHAIRPERSON ANDERSON: Thank you. Mr.  
10 Jackson, any questions of the investigator?

11 MR. JACKSON: Thank you, Investigator  
12 Millington, for doing an excellent report.

13 At the beginning of your testimony,  
14 you stated that you spoke to two members from the  
15 Queens Chapel Citizens Association. Is that  
16 correct?

17 INVESTIGATOR MILLINGTON: Yes.

18 MR. JACKSON: And do you recall the  
19 names of the people that you spoke to?

20 INVESTIGATOR MILLINGTON: Yes. That  
21 was Charlotte B. Lewis and Dr. Lawrence Thurston.  
22 Yes, Thurston. I think that's how you pronounce  
23 it.

24 MR. JACKSON: Okay. And do you know  
25 their relationship to the businesses, or the

1 Queens Chapel Association?

2 INVESTIGATOR MILLINGTON: Ms. Lewis is  
3 the president and Dr. Lawrence is a member.

4 MR. JACKSON: A member of?

5 INVESTIGATOR MILLINGTON: The  
6 association.

7 MR. JACKSON: Okay. Also, do you  
8 recall an exhibit being sent to you concerning --  
9 I'm showing you a diagram of as to how the  
10 establishment will be looking.

11 INVESTIGATOR MILLINGTON: A diagram.  
12 Yes, I was sent over a picture of a concept.

13 MR. JACKSON: Yes. Do you happen to  
14 have that picture of the concept?

15 INVESTIGATOR MILLINGTON: Yes, I'll  
16 have access to it. Yes.

17 MR. JACKSON: Could you share that, or  
18 show that concept? Do you have it available?

19 INVESTIGATOR MILLINGTON: Yes. I  
20 didn't use it as an exhibit, but I can pull it  
21 up. Give me one second.

22 I'm going to share my screen. Is it  
23 viewing?

24 CHAIRPERSON ANDERSON: Yes, ma'am.

25 INVESTIGATOR MILLINGTON: Okay. This

1 is the concept that was sent over to me. I'm not  
2 sure if I can zoom in any further than this.

3 CHAIRPERSON ANDERSON: Is there a  
4 question that's been asked? I mean, the question  
5 was, do you have it? You said you have it. So,  
6 is there a pending question, Mr. Jackson?

7 MR. JACKSON: Yes. I just want it on  
8 record that her concept of the location and how  
9 the build-out would look is on record. That's  
10 all.

11 CHAIRPERSON ANDERSON: It's not in the  
12 record because it's not in the record, sir. But  
13 if there's something that you need to do -- I  
14 mean, do you want to have her describe what it  
15 is? I don't know that it's on record.

16 MR. JACKSON: It's also part of my  
17 exhibit. So, I can discuss it at that time.

18 CHAIRPERSON ANDERSON: All right,  
19 fine. That's fine.

20 MR. JACKSON: That's all the questions  
21 I have. Thank you, Investigator Millington.  
22 Excellent report.

23 INVESTIGATOR MILLINGTON: Thank you.

24 CHAIRPERSON ANDERSON: Ms. Rones, do  
25 you have any questions of the investigator?



1 MS. RONES: I do.

2 CHAIRPERSON ANDERSON: Go ahead,  
3 ma'am.

4 MS. RONES: Ms. Millinran -- how do  
5 you pronounce your name again? Sorry.

6 INVESTIGATOR MILLINGTON: It's  
7 Millington.

8 MS. RONES: Millington. What shift do  
9 you work?

10 INVESTIGATOR MILLINGTON: I work the  
11 night shift. I'm a night investigator.

12 MS. RONES: Isn't it true that you're  
13 not familiar with any of the parking during the  
14 day?

15 INVESTIGATOR MILLINGTON: No, that  
16 isn't true. One of the times that we monitor the  
17 location was during the day.

18 MS. RONES: And did you see an  
19 abundance of cars and very little vacant spaces?

20 INVESTIGATOR MILLINGTON: I saw a  
21 moderate amount of cars being parked. People  
22 were shopping, like I said in the report.

23 MS. RONES: Would you say that the  
24 shopping center is well-patronized?

25 INVESTIGATOR MILLINGTON: Yes.

1 MS. RONES: So, when you did your  
2 investigation during the day, what was the reason  
3 you didn't take any pictures?

4 INVESTIGATOR MILLINGTON: I don't have  
5 to take pictures during my monitoring. I took  
6 notes.

7 MS. RONES: You took pictures at what  
8 time?

9 INVESTIGATOR MILLINGTON: Are you  
10 asking me for my exhibits? What time did I take  
11 my pictures?

12 MS. RONES: And the exhibits. What  
13 time did you take the pictures?

14 INVESTIGATOR MILLINGTON: Most of  
15 those were during the -- all of them were during  
16 the evening hours, because that's my shift hours.

17 MS. RONES: And that was when most of  
18 the businesses were closed?

19 INVESTIGATOR MILLINGTON: Most of  
20 them, yes.

21 MS. RONES: Okay. So, the residential  
22 area, do you have any idea how close it is on  
23 Eastern Avenue on the Washington side?

24 INVESTIGATOR MILLINGTON: I'm sorry,  
25 can you explain your question?

1 MS. RONES: You were asked how many  
2 residents existed on Eastern Avenue on the  
3 Washington side. Are you familiar with the  
4 number of homes that are in that area?

5 INVESTIGATOR MILLINGTON: On Eastern  
6 Avenue?

7 MS. RONES: Yes, on the Washington  
8 side.

9 INVESTIGATOR MILLINGTON: On the  
10 Washington side, it was approximately, maybe  
11 about ten homes, I would say, further down on  
12 Eastern Avenue. Not on the 4500 block of where  
13 the establishment will be located, intersection  
14 of where the establishment will be located.

15 MS. RONES: Are you familiar with the  
16 blocks that are 20th Street and 21st Street, and  
17 the homes in --

18 CHAIRPERSON ANDERSON: Ms. Rones? It  
19 appears that Ms. Rones is having some technical  
20 difficulties.

21 MR. JACKSON: Good afternoon. I just  
22 --

23 CHAIRPERSON ANDERSON: I'm sorry.  
24 Only Ms. Rones can speak. I mean, I see Ms.  
25 Rones is now back. Are you back, Ms. Rones?

1 MS. RONES: Yeah, and I'm sorry. Did  
2 you have a chance to observe the residents in  
3 that area on Eastern Avenue, on 20th Street?

4 INVESTIGATOR MILLINGTON: So, I can't  
5 -- I'm not sure about 20th Street. But any  
6 residents that were on the back side of Allison  
7 Street or Michigan Avenue, and on Eastern Avenue,  
8 yes.

9 MS. RONES: Are you referring to  
10 Allison Street where the daycare is located?

11 INVESTIGATOR MILLINGTON: Yes, and the  
12 neighborhood that sits on the backside.

13 MS. RONES: There's no homes on the  
14 backside.

15 INVESTIGATOR MILLINGTON: There are  
16 residential homes on the backside --

17 MS. RONES: It's a church.

18 INVESTIGATOR MILLINGTON: It's the  
19 church, and then there's homes.

20 CHAIRPERSON ANDERSON: I'm sorry.  
21 Hold on, hold on, hold on, hold on, hold on.

22 Okay. Ms. Rones is asking a question and  
23 Investigator Millington is just answering the  
24 question.

25 Everyone should be on mute. No one

1 else should be speaking. So, I don't need to  
2 hear anyone else speak. No one should be putting  
3 any information in the chat.

4 And so, therefore, if I hear one other  
5 outburst and if I'm able to find out who it is, I  
6 will ask that our IT person not elevate that  
7 person until they're called for -- until a  
8 witness. Okay? Is it clear? All right.

9 Go ahead, Ms. Rones. You have another  
10 question. You have a question you're asking.

11 MS. RONES: Okay. So, did you have  
12 any occasion to observe the condition of the  
13 houses on Eastern Avenue or 21st Street?

14 INVESTIGATOR MILLINGTON: I'm not sure  
15 your question when you say the condition of the  
16 homes. What exactly are you asking?

17 MS. RONES: Were they single-family  
18 homes? Were they well-kept? Were the lawns cut?  
19 Was it peaceful and quiet when you made your  
20 observations?

21 INVESTIGATOR MILLINGTON: Yes. Yes.

22 MS. RONES: Did you refer to an  
23 apartment building somewhere in the vicinity?

24 INVESTIGATOR MILLINGTON: Yes. I  
25 think that was Eastern Avenue side.

1 MS. RONES: There are no apartments on  
2 Eastern Avenue. These are all single-family  
3 residences.

4 CHAIRPERSON ANDERSON: Ms. Rones,  
5 please ask her a question, ma'am. This is not --  
6 (Simultaneous speaking.)

7 CHAIRPERSON ANDERSON: Please ask her  
8 a question.

9 MS. RONES: Okay. Where exactly was  
10 the apartment building that you talked about?

11 INVESTIGATOR MILLINGTON: Like I  
12 stated, I assume that that's Eastern Avenue. The  
13 homes, they seemed to be very close together.

14 So, I'm not familiar exactly what  
15 style homes those could have been, if they were  
16 single-family, or if they were row homes. But  
17 they seemed to be apartments. But maybe they  
18 weren't. So, if you're saying that they're  
19 homes, you live in the neighborhood?

20 CHAIRPERSON ANDERSON: This is not a  
21 back and forth question, Ms. Millington.

22 INVESTIGATOR MILLINGTON: I'm just --  
23 sorry, yes.

24 CHAIRPERSON ANDERSON: Ms. Millington,  
25 she'll ask you a question, you answer to the best

1 of your ability. If you can't answer the  
2 question, say, I don't have an answer, ma'am.  
3 Ms. Rones, any questions you need to ask?

4 MS. RONES: Yes. Were you able to  
5 ascertain -- in fact, I believe you stated that  
6 you believe this was a middle-class neighborhood.  
7 What leads you to believe that?

8 INVESTIGATOR MILLINGTON: Because the  
9 homes were nicely kept, like we just discussed,  
10 and the neighborhood seemed clean, and like I  
11 said, put together.

12 MS. RONES: And do you have any idea  
13 how long the average resident has lived in this  
14 neighborhood?

15 CHAIRPERSON ANDERSON: Ms. Rones, I  
16 don't think this is relevant. That's not  
17 relevant to our hearing, whether or not these are  
18 older residents or newer transplant. I don't  
19 think that's relevant at this junction, ma'am.  
20 Let's move on.

21 MS. RONES: Well, if I could, I'm  
22 trying to elicit the fact that most of the people  
23 are long-term residents who moved to the area  
24 because of the fact that it's quiet and peaceful,  
25 and people keep their homes up.

1           She testified that she thought it was  
2 a middle-class neighborhood. So, I think it's  
3 extremely relevant.

4           CHAIRPERSON ANDERSON: I think we're  
5 aware of the zoning of the area, ma'am. You're  
6 protesting this on peace, order and quiet, ma'am.  
7 And I think that, please ask, there is really  
8 nothing in her report -- and I'm allowing you to  
9 even ask questions because, as you are aware,  
10 ma'am, as an attorney, when you cross-examine a  
11 witness, you're cross-examining the witness on  
12 testimony that was elicited during direct.

13           You're way far afield of asking her  
14 questions that was not in her report and she did  
15 not testify to. So, can you stick more to her  
16 testimony, ma'am? And also to relevant testimony  
17 that's in her case report.

18           MS. RONES: Yes, I will do so,  
19 Chairman Anderson. However, she did testify that  
20 she believed this was a middle-class neighborhood  
21 --

22           CHAIRPERSON ANDERSON: That's was  
23 based on a question that you asked her, ma'am.  
24 But I'm saying --

25           MS. RONES: No, that's a component of



1 her prior testimony.

2 CHAIRPERSON ANDERSON: Okay. All  
3 right, ma'am. I've allowed you to ask many  
4 questions, ma'am. So, it's fine. I'm just  
5 saying, just let's be focused on what we're  
6 trying to get at, ma'am.

7 To represent your case, ma'am, I think  
8 that will be a better place for you if you have  
9 community residents who can testify. They can,  
10 of course, testify how long they've lived in the  
11 neighborhood, and they can talk about the nature  
12 of the community.

13 I think what the investigator -- it  
14 appears that she's not that familiar with the  
15 neighbors. And I think you can get better  
16 testimony from your witnesses, ma'am, who  
17 actually live in the area. Okay?

18 You're on mute, Ms. Rones, if you're  
19 speaking to us.

20 MS. RONES: Ms. Millington, did you  
21 say that there were no ABC licenses in the area?

22 INVESTIGATOR MILLINGTON: Yes.

23 MS. RONES: Were you familiar with the  
24 liquor store that previously occupied a space  
25 near the daycare?

1 INVESTIGATOR MILLINGTON: Not aware.

2 MS. RONES: I'm sorry, I didn't hear  
3 your.

4 INVESTIGATOR MILLINGTON: I'm not  
5 aware.

6 CHAIRPERSON ANDERSON: You're on mute,  
7 Ms. Rones.

8 MS. RONES: Were you able to ascertain  
9 whether or not there were any incident reports  
10 when the liquor store was in existence next to  
11 the daycare?

12 CHAIRPERSON ANDERSON: Ms. Rones,  
13 there is nothing in her testimony -- she stated  
14 the fact there are no other ABC establishments  
15 within 1200 feet of this establishment. And so,  
16 I don't understand -- I don't know why we're  
17 asking questions about a liquor store that I  
18 don't have -- there's no documentation in any  
19 record that's in evidence today, that there was a  
20 liquor store there, ma'am.

21 If you have testimony and if you have  
22 a witness that you want to testify about that,  
23 and if you have disclosed documents about that,  
24 that's more appropriate for your witnesses to  
25 bring forward.

1 MS. RONES: Okay.

2 CHAIRPERSON ANDERSON: But the  
3 investigator stated that there is no other  
4 establishment within 1200 feet. And so, that's  
5 not a question to ask her, ma'am.

6 MS. RONES: Okay. Were you aware that  
7 there was an additional school located next to  
8 the Y and the daycare program?

9 INVESTIGATOR MILLINGTON: I am not.

10 MS. RONES: Did you inquire as to what  
11 uses were made on the back of the shopping  
12 center?

13 (Simultaneous speaking.)

14 INVESTIGATOR MILLINGTON: From the GIS  
15 request that I sent in, the daycare was the only  
16 daycare or school in the area.

17 MS. RONES: So, you weren't aware of  
18 the fact that Rhema Church rents space for their  
19 school in the YWCA property?

20 INVESTIGATOR MILLINGTON: The YWCA?  
21 Is that the YMCA? Is that what we're talking  
22 about?

23 MS. RONES: Right.

24 INVESTIGATOR MILLINGTON: So, I listed  
25 the YMCA as the -- is that the same daycare that

1 I listed in the report? Is that what you're --

2 MS. RONES: It's not the same school.  
3 The church across the street, Rhema Church rents  
4 space and conducts a school in their property.

5 INVESTIGATOR MILLINGTON: Oh. It  
6 didn't come up on the GIS request.

7 MS. RONES: So, if it were to come up,  
8 how close would that be to this establishment?

9 INVESTIGATOR MILLINGTON: I'm not sure  
10 how close that would be. Because I don't have  
11 that information.

12 MS. RONES: How close is the Y?

13 INVESTIGATOR MILLINGTON: It's within  
14 the -- 400 feet.

15 MS. RONES: Okay. So, within 400  
16 feet. Now, you also testified that there was a  
17 tobacco shop in the shopping center. Is that  
18 correct?

19 INVESTIGATOR MILLINGTON: Yes.

20 MS. RONES: Were you aware that this  
21 tobacco shop also sells cannabis?

22 INVESTIGATOR MILLINGTON: No.

23 MS. RONES: And how close is this  
24 so-called tobacco shop to the proposed  
25 establishment?

1                   INVESTIGATOR MILLINGTON: I would say  
2 about three doors down.

3                   MS. RONES: Did you observe the fact  
4 that it's exactly next door to the proposed  
5 establishment?

6                   INVESTIGATOR MILLINGTON: No. From my  
7 findings, I did not see that. I can go back to  
8 my exhibits.

9                   MS. RONES: Okay, let's go back to  
10 your exhibits. The exhibit that shows the  
11 exterior of the proposed store -- market, grocery  
12 store -- the exterior. We'll get back to this  
13 exhibit in a moment but I was referring to the  
14 exterior.

15                   Okay, this picture will suffice.  
16 Could I call your attention to the door  
17 immediately adjacent to the market in the  
18 picture?

19                   CHAIRPERSON ANDERSON: All right, is  
20 there a question? I mean, is there a pending  
21 question? Is there a question that you're  
22 asking, Ms. Rones?

23                   MS. RONES: I'm asking her is this the  
24 location of where the tobacco store is located.

25                   INVESTIGATOR MILLINGTON: Well, I

1 can't confirm if this is the actual location.  
2 They sign that they have displayed is next door  
3 to the sign where the Sahara Market would be  
4 located.

5 MS. RONES: So, you would suggest  
6 there's been a change of usage?

7 INVESTIGATOR MILLINGTON: No, I did  
8 not say that.

9 MS. RONES: Where did you say the  
10 tobacco store was?

11 INVESTIGATOR MILLINGTON: I said  
12 possibly three doors down. So, I went to my  
13 exhibits to display, and I can't confirm if it's  
14 next door or a few doors down. But the sign is  
15 next door to the location where Sahara Market  
16 would be. Let me see if I can -- do you still  
17 need the exhibit?

18 MS. RONES: I got kicked off. Hold on  
19 a minute, please. Okay. So, I see your exhibit.  
20 Can you hear me?

21 CHAIRPERSON ANDERSON: No.

22 INVESTIGATOR MILLINGTON: No.

23 CHAIRPERSON ANDERSON: Was there a  
24 question that you asked, Ms. Rones?

25 MS. RONES: Yes. Can you hear me now?

1 CHAIRPERSON ANDERSON: I can hear you,  
2 ma'am.

3 MS. RONES: Okay. Can you look at  
4 this picture and tell me, three doors down, what  
5 exists?

6 INVESTIGATOR MILLINGTON: I'm going to  
7 estimate that the cell lays three doors down.

8 MS. RONES: And the store that's two  
9 doors down, what is that?

10 INVESTIGATOR MILLINGTON: My picture  
11 isn't picking up on the logo.

12 MS. RONES: Are you referencing a nail  
13 salon --

14 INVESTIGATOR MILLINGTON: Yes.

15 MS. RONES: -- in your previous  
16 testimony? Is that where the nail salon's  
17 located?

18 INVESTIGATOR MILLINGTON: Possibly,  
19 yes.

20 MS. RONES: Okay. So, is it your  
21 gestimate that the only place that the tobacco  
22 shop and the cannabis shop would be located is  
23 adjacent to the proposed market/beer and wine  
24 store?

25 INVESTIGATOR MILLINGTON: That's my

1 guess.

2 MS. RONES: Okay, very good. Now, I  
3 want to ask you something and I know this wasn't  
4 a part of your exhibit. But can you please pull  
5 up the schematic drawing of the proposed market?

6 INVESTIGATOR MILLINGTON: Give me one  
7 second. I just exited out. All right, here is  
8 the concept.

9 MS. RONES: Okay. In this exhibit do  
10 you see any grocery shelves?

11 INVESTIGATOR MILLINGTON: This isn't  
12 one of my exhibits. Just to clarify.

13 MS. RONES: Okay. But just asking you  
14 the question, since you introduced this. Are  
15 there any grocery stores in this schematic  
16 picture?

17 INVESTIGATOR MILLINGTON: Is there any  
18 grocery stores inside of the picture?

19 MS. RONES: Grocery shelves. I'm  
20 sorry.

21 INVESTIGATOR MILLINGTON: Oh, grocery  
22 shelves?

23 MS. RONES: Grocery shelves. Is there  
24 fresh fruit?

25 INVESTIGATOR MILLINGTON: From this



1 picture, there are shelves in the picture. But  
2 grocery items? No, I do not see any grocery  
3 items.

4 MS. RONES: I don't see any grocery  
5 shelves. Can you tell me where the shelves are?

6 INVESTIGATOR MILLINGTON: So, it looks  
7 like right here at the bottom-right, these seem  
8 to be shelves. And on the back wall as well.

9 MS. RONES: Okay. Well, they don't  
10 look like grocery shelves to me. But if you  
11 think they are, then that's fine.

12 One last question. When you visited  
13 the shopping center during the day, can you  
14 reiterate what you thought the noise level was?

15 INVESTIGATOR MILLINGTON: It was  
16 moderate.

17 MS. RONES: Moderate. What do you  
18 base that upon?

19 INVESTIGATOR MILLINGTON: From just  
20 average noise from people shopping, talking,  
21 patrons walking. Just average-day noise.

22 MS. RONES: And I believe you were  
23 asked the question regarding parking spaces. Do  
24 you know how many parking spaces are actually at  
25 the shopping center?

1 INVESTIGATOR MILLINGTON: No, I do  
2 not.

3 MS. RONES: Okay, no further  
4 questions.

5 CHAIRPERSON ANDERSON: Thank you.  
6 Close your screen, please. Any questions by any  
7 Board members before we dismiss this witness?

8 All right, Ms. Millington, thank you  
9 very much for your testimony today. You are free  
10 to go.

11 INVESTIGATOR MILLINGTON: Thank you.

12 CHAIRPERSON ANDERSON: Where's Mr.  
13 Jackson? Where's Mr. Jackson? Did we lose Mr.  
14 Jackson? Mr. Jackson? Mr. Jackson?

15 MR. JACKSON: I'm still here. Yes,  
16 I'm here.

17 CHAIRPERSON ANDERSON: Well, I can't  
18 see you, Mr. Jackson.

19 MR. JACKSON: Oh, okay. I'm sorry.  
20 I'm sorry.

21 CHAIRPERSON ANDERSON: All right.  
22 It's now your chance to call your first witness,  
23 sir. Who's your first witness?

24 MR. JACKSON: Yes. My first witness  
25 would be Dr. Irono.

1 CHAIRPERSON ANDERSON: Dr. Irono, can  
2 you raise your right hand, please?

3 Do you swear or affirm to tell the  
4 truth and nothing but the truth?

5 DR. IRONO: Yes.

6 CHAIRPERSON ANDERSON: All right, your  
7 witness, sir. Go ahead.

8 MR. JACKSON: Yes, Dr. Irono, how are  
9 you doing, sir?

10 DR. IRONO: Oh, very good.

11 MR. JACKSON: Can you speak briefly  
12 about your experience in the restaurant business  
13 and how many restaurants you currently own?

14 DR. IRONO: Yes, thank you very much.  
15 I want to say that I've been in the restaurant  
16 food business for over twenty years and I have  
17 restaurant on Capitol Hill. The address is 1500  
18 East Capitol Street, NE.

19 And also, we have a restaurant in  
20 about five other locations, including H Street  
21 and Skyland, and I have been part of the food  
22 service at the DC Corrections, and also St.  
23 Elizabeths Hospital. I've been in the District  
24 for over 45 years doing business.

25 I also, in my business life, I'm a

1 graduate of LA program, a program that certify  
2 authentic small businesses within the federal  
3 government sector, and I been to the program for  
4 over nine years and graduated with over \$50  
5 million in revenue.

6 Some of my clientele have been the  
7 GSA, the White House, to all the logistics for  
8 the White House. We service the Pentagon when  
9 the hearing, my engineering group, who are the  
10 people that did the first respond to the Pentagon  
11 renovation.

12 And also, the Fort Myer, Fort Belvoir,  
13 Arlington Cemetery, and Oceana in Virginia Beach,  
14 and all the health and human services within the  
15 DMV. And also, I have been in the Convention  
16 Center for over twenty years.

17 MR. JACKSON: Dr. Irono, thank you for  
18 that. You mentioned that you have a contract  
19 with the White House. Did they do a background  
20 check on you?

21 DR. IRONO: Absolutely, yes. And all  
22 my people have to be cleared, including all my  
23 contracts for Arlington Cemetery, with the change  
24 flag every hour. All my contracts have to be --  
25 Eighty percent of my contract is military-based

1 operations, NGA, and we have serviced the  
2 military headquarters, including Pentagon.

3 We have done work at West Point, New  
4 York, and we have service for the biz operations  
5 at the NIH and other areas.

6 MR. JACKSON: Dr. Irono, could you  
7 speak to the meeting that we attended at the  
8 Queens Chapel Citizens Association meeting, and  
9 what occurred in that meeting?

10 CHAIRPERSON ANDERSON: Was this -- oh,  
11 this is just a meeting?

12 MR. JACKSON: Yes, it was just a  
13 meeting that we went to.

14 CHAIRPERSON ANDERSON: Okay, go ahead.

15 MR. JACKSON: And the relevance of the  
16 question --

17 CHAIRPERSON ANDERSON: I want to make  
18 sure it wasn't mediation. It was just a meeting.

19 MR. JACKSON: No, no, it wasn't  
20 mediation, sir.

21 CHAIRPERSON ANDERSON: Okay, go ahead.  
22 Go ahead.

23 MR. JACKSON: Dr. Irono, so, could you  
24 explain what transpired in the meeting?

25 DR. IRONO: Yes. In that meeting we

1 had it at the church across the street. And I  
2 think it's over about maybe two to three hundred  
3 residents that came to the meeting.

4 I explained to them what we are doing.  
5 I introduced myself. I also let them understand  
6 that I'm a longtime resident in the District. I  
7 own businesses, and also support workforce  
8 development.

9 And my intention of bringing this  
10 grocery store in combination of a market, is to  
11 be able to empower the community through my  
12 entrepreneur development and building a local  
13 business, and a transformational agenda for the  
14 nutrition food for our people.

15 And in that meeting, it was a little  
16 hostile because they didn't give me a chance to  
17 say a lot of things. That was negative  
18 presumption attack on my personal self and my  
19 business.

20 And I remind them that the DC Chamber  
21 of Commerce have voted me the Company of the Year  
22 in 2019, and also, I have several regional  
23 accolade of the business.

24 I'm the only small business that  
25 started in Southeast and was able to expand my

1 business through the mentorship of U.S. Army  
2 Corps of Engineers, the top brass, and they led  
3 my business to multiple states as a  
4 mission-critical support agency.

5 So, my clientele is not only United  
6 States Government, but I do also advise the  
7 clients, Fort McPherson in Atlanta, Fort Belvoir,  
8 Dover Air Force Base, West Point, New York.

9 I'm one of the few small business that  
10 started in Southeast and was able to scale to  
11 over 800 employees.

12 So, my intention was to be able to  
13 make sure that as we grew, we provide capacity  
14 and sustainability and training, inclusive of the  
15 community that we serve.

16 So, my diversity into food and  
17 nutrition is extremely very important for me  
18 because of the food service. And my wife, who is  
19 a co-partner on this, is a physician, and she  
20 understand the health of the community.

21 So, I been in the medical side, and I  
22 been in the food side, and also in the training  
23 side. I currently have contracts with different  
24 organization within the District.

25 MR. JACKSON: Thank you. Dr. Irono,

1 also, do you recall inviting several members of  
2 the community, as well as the Queens Chapel Civic  
3 Association, to your other restaurant for a food  
4 tasting?

5 DR. IRONO: Yes. There were doubts  
6 about what kind of restaurant, or they were  
7 confusing it between have been a restaurant, a  
8 grocery store, which is, we mimic it from Wegman  
9 -- it's from the mini Wegman that has fruits and  
10 hot food.

11 You can pick up, and also it have a  
12 small area -- very small area -- where people can  
13 dine in the community or have community meetings,  
14 just like what we have on Capitol Hill. I invite  
15 them to see the space because it's a little  
16 combination of both that makes Sahara Market a  
17 unique and much better for the community.

18 So, we invited them, they taste all  
19 the food, and they were very happy and satisfied,  
20 because it's a healthy food with diversity, in  
21 the community.

22 MR. JACKSON: Do you recall about how  
23 many residents or members of the Queens Chapel  
24 Association attended the food tasting, and what  
25 their response was?



1 DR. IRONO: After they came to the  
2 restaurant, we also do a road show, where we came  
3 in to the community, and we brought the food over  
4 there and did food tasting, so that they can get  
5 a chance to make sure that a lot of people tasted  
6 the food and that we would be comfortable with  
7 the nutritional value what we provide.

8 So, about 90 people attended from the  
9 community. And they came there, they taste the  
10 food, they write their names and their phone  
11 numbers that live in the community, plus we take  
12 the road show into the community.

13 Because we don't just want to invite  
14 the people that came from the church to the  
15 restaurant, but some of them in the community, we  
16 want to give them a chance to bring it to the  
17 community and let them have opportunity to test  
18 it, so that we are doing above and beyond to  
19 explain to them, this is the concept, this is the  
20 food, this is what we are trying to do. And I  
21 have been in business in the District for over 40  
22 years. So, this is what I'm trying to do.

23 MR. JACKSON: Okay. Lastly, Dr.  
24 Irono, during the meeting and the conversation  
25 that was had with the Queens Chapel Citizens

1 Association, was it ever discussed what their  
2 issues with the restaurant would be?

3 DR. IRONO: We met with the pastor  
4 over at the church to include in the meeting.  
5 It's about the meeting of maybe about fourteen  
6 people, including the main pastor, Charlotte, and  
7 the other stakeholders in the community.

8 So, I brought a detailed graphic  
9 design of the entire structure that shows the  
10 mobility -- working with what we just seen is  
11 just a section of the restaurant. But the other  
12 section is in the back.

13 We had the grocery and the food in a  
14 pantry that fresh produce would be, because it  
15 has to have a sprinkler that spray the vegetables  
16 from time to time what is there. So, it's in the  
17 back.

18 So, I brought this concept and I share  
19 it with Ms. Charlotte, I share it with other  
20 people in the community. And what the only thing  
21 that she mention is that on the placard we are  
22 asking for 3:00 a.m., and that I committed to  
23 make sure that we change it to 11:00. Something  
24 like that.

25 And she was okay with it. She say we

1 can change it, that would be good, because we  
2 don't want people late at night.

3           However, I give her couple of those  
4 pictures, graphic, and items that we can --  
5 because the whole table was full of presentations  
6 that we did for them, including the manual, and  
7 some of the people that came to the store on  
8 Capitol Hill.

9           So, I share that with them and they  
10 took almost about ten pieces of documented items  
11 with them, including the young girl that have  
12 graduation ceremony at the Capitol Hill.

13           I say that it has become the community  
14 center where people congregate for birthday, for  
15 graduation, for kindergarten, for elementary  
16 school around us, just like Capitol Hill.

17           So, just to give an example what kind  
18 of organization we are and what we are bringing  
19 to the table, to the community. We got programs  
20 run better than whatever that people match up in  
21 center right now.

22           MR. JACKSON: Okay, Dr. Irono. Thank  
23 you for your testimony. I have no other  
24 questions for Dr. Irono, Commissioner.

25           DR. IRONO: Thank you.

1 CHAIRPERSON ANDERSON: Ms. Rones, do  
2 you have any questions?

3 MS. RONES: I do. Thank you very much  
4 for the opportunity. Dr. Irono -- did I  
5 pronounce your name correctly?

6 DR. IRONO: Yes. Yes, ma'am.

7 MS. RONES: Oh. How long have you  
8 been in the restaurant business?

9 DR. IRONO: I been in the business --  
10 in the restaurant business for about twenty  
11 years. And I just open DC Capitol Square Bar &  
12 Grill for the District for about just a little  
13 bit over two years of opening the Capitol Hill.

14 (Simultaneous speaking.)

15 DR. IRONO: And we have a backlog for  
16 that location within the District.

17 MS. RONES: And you said you own the  
18 restaurant on H Street. What's the name of that  
19 restaurant?

20 DR. IRONO: It's called Community  
21 Capitol Square on H Street.

22 MS. RONES: On H Street?

23 DR. IRONO: Yes.

24 MS. RONES: You're not referring to  
25 the 1500 East Capitol Street location, are you?

1 DR. IRONO: We have the 1500 East  
2 Capitol that is on Capitol Hill. We have, I told  
3 you, H Street. That one is under construction,  
4 about maybe 80 percent complete.

5 We have the Sahara Market, we have  
6 another Sahara Market on Capitol Hill coming up.  
7 Then, we have one there in Southeast. We have  
8 another one that is scheduled on that design.  
9 So, we have about six locations with the District  
10 of Columbia.

11 MS. RONES: Okay. And you were  
12 referring to your qualifications. I didn't quite  
13 understand that you were talking about a  
14 certified program. Is that through the SBA or  
15 something?

16 DR. IRONO: Well, it is certification.  
17 It's a program by the federal government that  
18 takes small business through a nine-years  
19 program. And after nine years, they can accept  
20 the business and know whether the business is  
21 sustainable, or is one of those businesses that's  
22 not going good.

23 So, I was one of the successful ones  
24 that got it. Over 15 million in revenue.

25 MS. RONES: Okay. And you said you

1 won some award. What was that award for? Best  
2 business of the year or something? What was that  
3 for?

4 DR. IRONO: I won Administrator's  
5 Award of Excellence in SBA. I won DC Chamber  
6 Company of the Year award in 2019. I won the  
7 regional award of the most trusted grocery store  
8 business (audio interference) in the region.

9 I won the small business award of the  
10 regional Who-is-Who in Small Business Modest  
11 Advantage business. And other awards. I can't  
12 remember all of them, but it was a lot.

13 MS. RONES: Okay. Did I understand  
14 you to say that you invited members of Queens  
15 Chapel Civic Association to visit a food tasting  
16 at your restaurant on East Capitol Street?

17 DR. IRONO: Yes. I invited not just  
18 member but the entire community. Because there  
19 were doubts, Ms. Rones. There was a lot of doubt  
20 about who I am, and I felt so that because I'm a  
21 visible person and I'm one of the only few  
22 restaurants that is on Capitol Hill and I will  
23 not do few commercial owner on Capitol Hill.

24 So, I'm not a fly-by-night person.  
25 Everything that I've done been in partnership

1 with the city, or in partnership with the federal  
2 government.

3 So, I ask them to come in and have a  
4 conversation with me and get to see what I have  
5 done. I took a building on 1500 that was built  
6 in 1700.

7 And they take you to look at this now.  
8 I invested money to break it up to \$2.8 million.

9 And I intend to do the same thing, if  
10 you see the condition of the shopping center  
11 where we are. I will come there. I will design  
12 DOD and bring it to a sustainable mini-grocery  
13 and marketplace where the community can  
14 congregate and have friendship there.

15 Because we are update for the  
16 community, because when I finish that place, it  
17 will be the only best thing in that shopping  
18 center. My determination to do best is all I do,  
19 I make social impact.

20 And that place may create about 80  
21 jobs on those teams, seven days a week.

22 MS. RONES: Well, it sounds very  
23 impressive. You also stated that you do business  
24 with DC government, including the Corrections  
25 Facility, and I believe a hospital. Is that

1 correct?

2 DR. IRONO: Yes.

3 MS. RONES: Wasn't it true that you  
4 were disbarred from doing business with DC  
5 government on account of a fraudulent  
6 application?

7 DR. IRONO: Yes. Ms. Charlotte  
8 brought it up the first day and I challenge her,  
9 because I filed a lawsuit against -- it's a  
10 fraudulent, false against my company, against my  
11 name, because the person that accuse me, the  
12 allegation, was my former employee that work for  
13 DC government.

14 So, they decided to, after three years  
15 of investigation, they decided, they alert me  
16 that that is null and void, that I'm negotiating  
17 with them to take off the lawsuit against the  
18 city, so that I can be able to regain my name.

19 Because what the -- my former employee  
20 did was horrible. Because he wants to damage my  
21 image.

22 I was the largest medical staff that  
23 handled the DC government medical facilities,  
24 including Unity Healthcare, St. Elizabeths.

25 With the city in partnership with the



1 federal government. So, I asked them to come in  
2 and have a conversation with me and get to see  
3 that I am -- what I have done. I took a building  
4 on 1500. It was built in 1700 and they came to  
5 where it is now. I invested money to bring it up  
6 just over \$2.8 million.

7 Then I intend to do the same thing if  
8 you see the condition of the shopping center  
9 where we are. I will come there. I will design,  
10 build it, and bring it to a systemic group of  
11 mini grocery and marketplace where the community  
12 can congregate and have fellowship there.

13 We are an update for the community,  
14 because when I finish that place, it will be the  
15 only best thing that is in that community, in  
16 that shopping center. My determination to do  
17 best is all I do. I'm a social impact, and that  
18 place will create about 80 jobs on both, seven  
19 days a week.

20 MS. RONES: Well, it sounds very  
21 impressive. You also stated that you do business  
22 with the D.C. government, including the  
23 corrections facility and I believe a hospital, is  
24 that correct?

25 DR. IRONO: Yes.

1 MS. RONES: Wasn't it true that you  
2 were disbarred from doing business with D.C.  
3 government on account of a fraudulent  
4 application?

5 DR. IRONO: Yes, Ms. Charlotte brought  
6 it up the first day and I challenged her because  
7 I filed a lawsuit against the -- it's fraudulent,  
8 false against my company, against my name,  
9 because the person that accused me, the  
10 allegation, was my former employee that worked  
11 for D.C. government.

12 So, they decided to, after three years  
13 of investigation, they decided -- they wrote me  
14 that it's null and void, and they were checking  
15 with them to take off the lawsuit against the  
16 city so that I can be able to regain my name.  
17 Because what my former employee did was horrible  
18 because he wants to damage my image.

19 I was the largest medical staffing  
20 that handled the D.C. government medical  
21 facilities, including Unity Healthcare, St.  
22 Elizabeth's, and all of the places on New York  
23 Avenue where they stood before they had COVID and  
24 died.

25 My company is the only mission

1 critical company that have medical facility, have  
2 deep cleaning, and we are the people that, when  
3 people expire in the hotel, we wrap them up and  
4 then where they need to go into the morgue.

5 So, after doing all of these things,  
6 the revenue was wide, but they need me in the  
7 city because I do it on federal. We are the  
8 largest small business --

9 (Simultaneous speaking.)

10 CHAIRPERSON ANDERSON: Hold on, hold  
11 on a minute. I'm sorry to interrupt. Ms. Rones,  
12 your -- hold on, hold on, sir. Ms. Rones?

13 MS. RONES: Yes?

14 CHAIRPERSON ANDERSON: There is  
15 interference. There is somebody talking. I  
16 don't know what you're doing, but you need to  
17 then, once he is -- if you're not speaking,  
18 ma'am, just mute your line because I'm getting  
19 interference from your end, okay? All right, go  
20 ahead, sir. I apologize.

21 DR. IRONO: So, during the COVID, I'm  
22 the only single-handed small business that  
23 delivered over 750 location of vaccine throughout  
24 the region, okay, and I did almost 80 percent to  
25 support all of the D.C. Health organization.

1           So, what happened to me was out of my  
2 former disgruntled employee that make allegation  
3 that was false, then I launched a lawsuit against  
4 them because he could have recused himself from  
5 my contract, and my contract was doing extremely  
6 very well.

7           I was servicing over 900 employees,  
8 including when we turned the convention center  
9 into a hospital. It's my company that did that,  
10 that did that work. So, the envy because of my  
11 former employee escalated to the point that  
12 they're looking for something to shut down my  
13 company, and that's what they did.

14           My company was doing about \$4 million  
15 in business a month, and that's why I take it to  
16 Ms. Charlotte, because she is the first person  
17 that accused me of that. Then I shared with her,  
18 I said come in. I'll show you the document where  
19 the District said there are evidence that this  
20 happened. So, we are in negotiation with my  
21 lawyer to withdraw the lawsuit so that my name  
22 can be cleared.

23           So, all I'm saying is that that  
24 misconduct was allegation, and it is false, and  
25 it did not happen. It's just my former employee

1 that worked for the D.C. government. They want  
2 to damage my 36 years of credibility with the  
3 federal government.

4 Eighty percent of my contract is with  
5 the federal and everything is cleared. I ask  
6 constantly why is this happening? I still have a  
7 contract with the District at the convention  
8 center, and that contract has been over 20 years.

9 MS. RONES: Well, isn't it a fact that  
10 you're still under disbarment until 2026 by D.C.  
11 government?

12 DR. IRONO: No, that has now buried in  
13 another D.C. lawsuit that lead to the one to  
14 negotiate with me to take off the lawsuit before,  
15 in exchange, because they have found that it's  
16 false, and I told Ms. Charlotte exactly that.

17 So, if you like, I can be able to  
18 share the document from the D.C. government where  
19 the OAG, he actually came to find out why this is  
20 going on at my restaurant, okay? The mayor was  
21 there, was at my restaurant last week.

22 And all I'm saying is that all of  
23 these allegations, because as a minority small  
24 business, if you're doing well, something happen  
25 that is beyond your control, I know that it's

1 easy for everybody to say yes. This is not my  
2 life. I live my life with the highest integrity  
3 and I support it. I've gone through five mayors,  
4 from Mayor Berry to all of the mayors up to date.

5 So, I came to the District when D.C.  
6 was under receivership. That's why the U.S. Army  
7 Corps of Engineers was managing the city, and  
8 they picked me up in the '90s, and from there,  
9 they take me to all over the country as a small  
10 business that has credibility, working in the  
11 White House, Pentagon, all of the places that I  
12 have gone.

13 I am an economist by trade, by  
14 training, and I have absolutely nothing that --  
15 God's blessing that has blessed me, I want to  
16 bless all of the people. To come to my name and  
17 to say that I have to bribe to get work is not in  
18 my nature, and you can tell what is going on now.  
19 There is no single Black-owned business that has  
20 five or six restaurants going to open in six  
21 months. It's me that has it.

22 If these issues wouldn't happen, the  
23 1901 should have been almost open. They are  
24 holding the funding down because of all of this  
25 back and forth with the community, which all I'm

1 trying to do is to do the best thing that would  
2 happen to that shopping center, including the  
3 dollar stores and all of those things will be  
4 exemplary, wants the community treated.

5 I want to bring good food. I want to  
6 bring nutritious food. I want to have the  
7 community center where people can come in and  
8 congregate, and this is walking distance because  
9 right now, we have what is called glorious  
10 Sundays. The pastors within the Capitol Hill  
11 area, they come.

12 CHAIRPERSON ANDERSON: Ms. Rones?  
13 Mute your line, Ms. Rones.

14 DR. IRONO: So, I'm a community-based  
15 organization. I'm a social impact, and I believe  
16 that everything that you heard, if you get to  
17 know who I am, you know that I'm not a fly by  
18 night. God has blessed me and I want to bless  
19 the community if I go out. Thank you so much.

20 MS. RONES: Well, I'd like to ask my  
21 question again. Are you currently disbarred by  
22 the D.C. government from doing business with the  
23 District?

24 DR. IRONO: It's under a decision. I  
25 told you that I have a lawsuit.

1 CHAIRPERSON ANDERSON: Ms. Rones, he  
2 answered the question. Let's move on, ma'am.

3 MS. RONES: He did not answer the  
4 question.

5 CHAIRPERSON ANDERSON: Why is that  
6 relevant here, ma'am? Why is that relevant? You  
7 asked the question and he answered it.

8 MS. RONES: Well, he is disbarred by  
9 the D.C. government. It goes to his character.  
10 And according to the ABC rules and regulations,  
11 character is a specific issue that will not allow  
12 the board to approve his license. It's a very  
13 salient issue.

14 DR. IRONO: They just renewed my  
15 license on the Capitol Hill, okay? All I'm  
16 saying to you, everything that you are saying is  
17 personal. I understand. I know the feelings. I  
18 spoke to Ms. Charlotte. I spoke to about ten of  
19 them. I take a road show to them. I give them  
20 all of my biography, okay? I'm not a fly by  
21 night person.

22 I started from southeast when things  
23 were bad in the city, so I know how this city --  
24 I help build the city. I help to create jobs.  
25 I'm bringing about 80 jobs in that community that



1 had absolutely nothing in that shopping center.  
2 There is nothing in that shopping center can  
3 compare to what investment I'm going to make  
4 there.

5 I just want it to be rest assured that  
6 whatever happened to me is not by my mind. It's  
7 because of something that somebody accused me,  
8 and I'm in a relentless pursuit to clear my name.

9 And it's under negotiation because  
10 they want me to drop the lawsuit, but I have the  
11 paper that the government stated that I did not  
12 have any evidence such as it happening. I have  
13 it. I can give it to you. You're on mute. Ms.  
14 Rones, you're on mute.

15 MS. RONES: Okay, am I on mute now?

16 DR. IRONO: Yes, I can hear you.

17 MS. RONES: Okay, all of your  
18 background and your contributions are commendable  
19 for the city. However, isn't it true that the  
20 D.C. Office of Procurement conducted an  
21 investigation and found that you submitted  
22 fraudulent applications and that was the reason  
23 why you are disbarred and have been disbarred for  
24 the last four years?

25 DR. IRONO: Which one is it? Is it

1 the bribery or is it -- I don't know which one  
2 that you're talking about.

3 MS. RONES: You tell me which one.

4 (Simultaneous speaking.)

5 DR. IRONO: It's the same question.

6 MS. RONES: -- bribery.

7 DR. IRONO: Okay, Ms. Rones, please  
8 listen to me. It is the same person, my  
9 ex-employee, somebody that worked for me that  
10 went in there and did an allegation that is  
11 false, and that I have a document from the D.C.  
12 government saying that they have found no  
13 evidence from the Office of the Attorney General.

14  
15 The attorney general came and opened  
16 my restaurant two years ago. The mayor was at my  
17 restaurant about two weeks ago. All I'm saying  
18 is that anybody can come after me and they try to  
19 go. I have absolutely nothing to hide. My life  
20 is 100-percent. I want to invest in that  
21 community, 1901.

22 What is that shopping center is a  
23 mess. When I finish with them, they will know  
24 and appreciate me just like what I have done in  
25 Capitol Hill. I took a building, that is

1 building 1700, and turned it into a modern  
2 building with everything, bells and whistles on  
3 it, and I intend to do the same at that shopping  
4 center.

5 So, that's why I'm spending time to  
6 convince each and every one of them to give me a  
7 chance to be a part of the success, and the  
8 livelihood, and the good food, and the workforce,  
9 and training, and vegetables, and all of the  
10 things that I have done in life, I want to bring  
11 it to that community.

12 So, I have about six locations under  
13 my belt right now, under contract moving forward  
14 to help the city from all of the, you know, food  
15 and nutrition issues. We just acquired the  
16 largest kitchen on New York Avenue, which is  
17 about 35,000 square feet of kitchen that we  
18 produce kitchen for the seniors and also the  
19 at-risk families in the community.

20 So, all I'm saying to you, ma'am, is  
21 I pleaded with the community. I am not their  
22 enemy. I have absolutely nothing to do with  
23 anything. Everywhere I have gone, I am the only  
24 person on Capitol Hill that has a wonderful  
25 commercial building, seven stories, so it's very

1 important to me.

2 How I live, where I live, and what I  
3 deliver speaks for itself. So, I'm not going to  
4 come into any place and leave it as -- I leave it  
5 better than what it is.

6 So, I'm sorry that it's a  
7 miscommunication. I requested for Ms. Charlotte  
8 to come and the pastor who was there that day. I  
9 pleaded with them and she told me what she wants.  
10 The only thing that she said, the hours. I said  
11 I'm going to make it go away and we changed the  
12 hours. Everything was changed.

13 I say whatever you guys need, it  
14 doesn't matter. I just want to be a part of the  
15 good community that you guys have. I'm not --  
16 anything in that shopping center, I will compete  
17 with them to give you the best value for what --  
18 you deserve it.

19 Whatever is there now is reckless.  
20 They are not investing anything. They are not  
21 doing anything. They are not cleaning.  
22 Everything is just the way it is. I'm going to  
23 invest a lot of money and bring 80 jobs in that  
24 community, part-time and full-time.

25 MS. RONES: I just have one question

1 about disbarment and then I would like to move  
2 onto a few other --

3 CHAIRPERSON ANDERSON: Well, actually,  
4 Ms. Rones, Ms. Rones, you have asked that  
5 question three or four times. He has answered  
6 the question. Let's move on, ma'am. I'm not  
7 going to -- you have asked the question.

8 He has given you an answer and we have  
9 spent about the last 15 minutes over that issue.  
10 Let's move on, ma'am. I'm not going to allow you  
11 to ask any other question about disbarment, that  
12 issue. Move onto another area, ma'am.

13 MS. RONES: Okay, well, Chairman  
14 Anderson, I take exception because if, in fact,  
15 he's still on the disbarment list --

16 CHAIRPERSON ANDERSON: But you're  
17 asking --

18 (Simultaneous speaking.)

19 MS. RONES: -- the ABC Board cannot --

20 CHAIRPERSON ANDERSON: Ms. Rones? Ms.  
21 Rones?

22 MS. RONES: -- issue him a license.

23 CHAIRPERSON ANDERSON: Ms. Rones? Ms.  
24 Rones? You have asked the question and he has  
25 answered. The board will make a decision whether

1 or not -- the board will determine, but I'm  
2 saying you're beating a dead horse, ma'am. Let's  
3 move on.

4 You've asked the question like three  
5 or four times. He has answered the question, so  
6 let's move on. Let's move onto another question,  
7 ma'am.

8 MS. RONES: Okay, we can move on, but  
9 the answer to the question would have been a yes  
10 or a no. I didn't hear that at any time. Dr.  
11 Irono, let me ask you about the placards. Isn't  
12 it true that groceries are nowhere mentioned on  
13 your placards? A grocery store is nowhere  
14 mentioned on the placards?

15 CHAIRPERSON ANDERSON: Ms. Rones, he  
16 applied for a B license, ma'am. A B license is a  
17 grocery store. I'm sorry, he applied for -- I'm  
18 sorry, Ms. -- the placards that -- hold on, hold  
19 on. This is elementary. This is rudimentary,  
20 okay. Just hold on, hold on.

21 Let me go -- he applied for a retailer  
22 B license, ma'am, and he applied for a CR  
23 license, ma'am, okay? A CR license is a  
24 restaurant. A B license is a grocery, okay,  
25 ma'am? That's what was placarded. We don't need

1 to -- you don't need to ask that question, ma'am,  
2 okay?

3 MS. RONES: Okay, let me ask you a  
4 question about your lease. You signed a lease  
5 for ten years, is that correct? Can you hear me?

6 DR. IRONO: Okay, what's the question?  
7 I'm sorry.

8 MS. RONES: You signed a lease for ten  
9 years for this location on 1901 Michigan Avenue,  
10 is that correct?

11 DR. IRONO: I know it's ten and ten.  
12 I don't -- you know, whatever it is. I don't  
13 have it in front of me.

14 MS. RONES: Are you familiar with the  
15 restrictions on the times that you can be open  
16 according to your lease?

17 DR. IRONO: Whatever the time that's  
18 -- we abide by it. There's not any question. We  
19 will abide by whatever that time is.

20 MS. RONES: Well, did you represent to  
21 the ANC that you would agree to the hours that  
22 they proposed?

23 DR. IRONO: We have a community  
24 agreement which is managed by Mr. Jackson.

25 MS. RONES: Are you aware of the fact

1 that the hours your lease limits you to are in  
2 contradiction with the settlement agreement?

3 DR. IRONO: I'll let Mr. Jackson  
4 handle all of that stuff. I don't -- what I'm  
5 going is that certain things, as an owner, I give  
6 it to the people that are consultants to be able  
7 to manage that aspect of it.

8 But whatever it is, I just want to put  
9 a little grocery store and be a happy place, you  
10 know, for the community. So, I'm not worried  
11 about restrictions or what they -- you know,  
12 those things can be -- it's cosmetics. We will  
13 make it work. Whatever they need, we'll make it  
14 work.

15 MS. RONES: Okay, let me just ask you,  
16 what percentage of space are you going to use to  
17 sell groceries?

18 DR. IRONO: It's going to be almost 80  
19 percent because the seating area will be small.  
20 It will be small. It's a very small space. All  
21 of that area will be the grocery, the frozen  
22 food, and the other things that we are bringing  
23 to the, you know, and also some household stuff  
24 that people can come in and get like, you know,  
25 toilet tissue or something, and the store is



1 going to be --

2 It's not something that is strictly --  
3 we are going to have like enough space for  
4 everything. The engineer is doing the floor plan  
5 that I sent to you guys, that we cannot show the  
6 front end. The back is where the grocery will  
7 be. I'm sorry about that, that it didn't show it  
8 before.

9 MS. RONES: So, you're describing what  
10 I would label a convenience store?

11 DR. IRONO: Say it again? I'm sorry.  
12 It's a market and caf,. Just, you know, just  
13 call it a mini Wegmans.

14 MS. RONES: Well, Wegmans is a grocery  
15 store. Do you intend to have --

16 (Simultaneous speaking.)

17 DR. IRONO: We have a place where you  
18 see a little wine, where you see hot food people  
19 can come and grab and go. That's the kind of,  
20 you know, environment we want to create, but in a  
21 very small setting for the community.

22 MS. RONES: How many seats are you  
23 proposing for the interior?

24 DR. IRONO: Whatever they approve. I  
25 don't have control of the -- once the

1 construction is 100 percent, they will come and  
2 give us the approval of whatever the -- I don't  
3 control that. Whatever they approve by the city,  
4 that's what we're going to have.

5 MS. RONES: Didn't you, in fact,  
6 represent that you would agree to have ten seats  
7 on the interior?

8 DR. IRONO: I can't remember what --  
9 like I said, those sitting capacity is also, they  
10 have to take into consideration the small -- they  
11 have to configure where people will need to sit,  
12 also the bar area, the cash register area, the  
13 dry goods area, the frozen food area. All of  
14 those things will be -- what is left will be the  
15 seating capacity.

16 And like I said, you know, they will  
17 issue us the occupancy capacity after we're  
18 finished. They will tell us exactly how much  
19 people they want inside or outside, so we don't  
20 even control that.

21 MS. RONES: Well, didn't you sign a  
22 settlement agreement with the ANC that stipulated  
23 how many seats you would have inside as well as  
24 outside?

25 DR. IRONO: It can be less. It can

1 be, you know, less or whatever it is that is  
2 there. That's just an agreement that we signed,  
3 but it cannot be more than that. It has to be  
4 whatever that is convenient for us. Like for  
5 instance, let me give an example. Our license  
6 allows us in Capitol Hill to stay until 2:00  
7 a.m., but we never stay until 12:00.

8 We close at 11:00 because the  
9 neighborhood, there is no sales after. From 6:00  
10 to about 8:30, everybody comes for dinner. They  
11 eat and they close, and so there is nothing to  
12 do, so we don't even maximize that, so that's how  
13 it is.

14 MS. RONES: Let me ask you a question  
15 about this caf, that you're proposing. Do you  
16 have control over that particular lot?

17 DR. IRONO: Which lot are you talking  
18 about?

19 MS. RONES: The lot that you're  
20 proposing to open a caf,, a garden, a caf,, an  
21 outdoor patio, is that a part of your lease?

22 DR. IRONO: Well, when you say do I  
23 have control, what do you mean, control of the  
24 lot, parking lot? What do you mean by that?

25 MS. RONES: Do you have a lease for

1 that --

2 DR. IRONO: Yes.

3 (Simultaneous speaking.)

4 DR. IRONO: I will let Mr. Jackson  
5 explain those details because that's what I hired  
6 him to do. Mr. Jackson --

7 (Simultaneous speaking.)

8 MS. RONES: Well, this is a central  
9 detail. Either you do or you don't. You have a  
10 lease or you don't have a lease.

11 DR. IRONO: I know, but I'm not the  
12 expert in those regulatory things. His job is to  
13 make sure we abide by the community agreement,  
14 and we make sure that we abide by the ABRA  
15 agreement, and Department of Health agreement.  
16 So, I'm not an expert in it. That's why I hire  
17 consultants. We engage them to do this work.

18 MS. RONES: Well --

19 MR. JACKSON: I can answer that  
20 question for you if I may.

21 CHAIRPERSON ANDERSON: No, Mr.  
22 Jackson. You know better than that, Mr. Jackson.

23 MR. JACKSON: Okay, all right, all  
24 right, sir, no problem.

25 MS. RONES: Did Mr. Jackson sign the

1 agreement with the ANC?

2 CHAIRPERSON ANDERSON: Ms. Rones, the  
3 board approved a settlement agreement with the  
4 establishment, okay? Let's move on.

5 MS. RONES: I know that the board  
6 signed an agreement. I was not under the  
7 impression that it had been ruled acceptable to  
8 the board.

9 CHAIRPERSON ANDERSON: All right, if  
10 you follow our agenda, ma'am, you'll notice on  
11 our agenda that a settlement agreement was  
12 approved. We reviewed the settlement agreement  
13 and the board signed off on the settlement  
14 agreement, but that doesn't mean that the board  
15 is going to issue the license because we are  
16 having this protest hearing today and maybe you  
17 can present information where the board will  
18 determine that this is not an appropriate license  
19 to issue.

20 However, there is a settlement  
21 agreement that the board has reviewed and we have  
22 approved, and so therefore, if the license is  
23 issued, this establishment would have to abide by  
24 whatever conditions are in the settlement  
25 agreement, plus if there are any additional

1 conditions the board approves at this hearing, or  
2 the board can decide in this hearing, at the end  
3 of this hearing, that we're not going to issue  
4 the license, that we're not going to approve the  
5 license, and so therefore, the settlement  
6 agreement is null and void, okay? Let's move on.

7 MS. RONES: Chairman Anderson, let me  
8 ask you a question. Did you, in fact, read the  
9 settlement agreement, particularly the provision  
10 that said the applicant does not have to sweep in  
11 front of the building or behind the building? Is  
12 that something that you approve?

13 CHAIRPERSON ANDERSON: Ms. Rones,  
14 earlier this afternoon, I personally reviewed the  
15 settlement agreement. I did also refresh, but  
16 our legal office reviews the settlement agreement  
17 and the legal office will recommend to the board  
18 whether or not there are provisions within the  
19 agreement, whether or not the provisions within  
20 the settlement agreement are enforceable.

21 And if our legal office determines  
22 that the provisions within the agreement are  
23 enforceable, then the board will vote to approve  
24 an agreement if we are informed by our legal  
25 office that the agreement, the terms in the

1 agreement are enforceable, that we can enforce  
2 the terms, okay?

3 MS. RONES: Well, I'm kind of  
4 confused. Did you say you had already voted to  
5 approve the agreement?

6 CHAIRPERSON ANDERSON: Yes --

7 MS. RONES: Now you're saying that it  
8 goes before legal. I'm kind of confused. Can  
9 you clarify that for me, please?

10 CHAIRPERSON ANDERSON: You asked a  
11 question and I was sharing with you the process,  
12 ma'am. Yes.

13 MS. RONES: Okay.

14 CHAIRPERSON ANDERSON: The board  
15 voted, I don't remember, probably maybe a couple  
16 of weeks ago. The board voted in public to  
17 approve the settlement agreement that was  
18 provided, ma'am.

19 MS. RONES: And now you say it goes  
20 before legal to review it?

21 CHAIRPERSON ANDERSON: No, no, ma'am,  
22 I said to you that when settlement agreements are  
23 negotiated between the parties, the settlement  
24 agreements are provided to our legal office for  
25 review.

1           Our legal office will review the  
2 settlement agreement, and if the legal office  
3 determines that the terms are enforceable, then  
4 the agreement will be submitted to the board for  
5 the board to make its decision whether or not  
6 we're going to vote to approve it or disapprove  
7 it.

8           But what I stated to you, ma'am, prior  
9 to the board voting to approve or disapprove any  
10 agreement, our legal office has reviewed it and  
11 our legal office has discussed whether or not the  
12 terms are enforceable for us to respond, for us  
13 to vote, okay?

14           MS. RONES: Thank you. Well, I have  
15 one other question that I would like to ask the  
16 doctor.

17           CHAIRPERSON ANDERSON: Dr. Irono, you  
18 are on the telephone, sir, and I know that we  
19 were having discourse with Ms. Rones, but please  
20 do not take any telephone conversations while you  
21 are testifying, sir. Go ahead.

22           DR. IRONO: I'm sorry.

23           MS. RONES: Who did you talk to in  
24 this particular community that said that they  
25 wanted the type of restaurant, bar, or carryout



1 that you're proposing?

2 DR. IRONO: No, what we did is that we  
3 invited the community to come to our restaurant  
4 and do a survey and then, you know, look at the  
5 environment and look at what we are trying to  
6 bring, and the menu, the cuisine, and let the  
7 chef talk to them.

8 So, after that, we take a road show  
9 into the community for those who may or may not  
10 have the opportunity to come into the restaurant,  
11 so that we can bring it to them. The food is  
12 prepared by the chef and then they have tastings.  
13 And they come in and they sign their name and  
14 their phone number.

15 We have about 80, over 80 of them that  
16 tasted and they loved the food. They said this  
17 is beautiful. For documentation's sake, you sign  
18 your name and your phone number or address, you  
19 know, then you take some food with you, so that  
20 we can just let them know this is what we are  
21 bringing.

22 Because there's a lot of confusion  
23 between whether we are going to get good food or  
24 liquor store or, just too confusing, so we come  
25 to make sure that we do above and beyond to take

1 the grocery, you know, into the community.  
2 That's what -- there are so many of them and the  
3 record speaks for itself.

4 MS. RONES: Well, were you aware that  
5 the Queens Chapel Civic Association conducted a  
6 survey and 80 percent of the respondents  
7 expressed a desire not to approve your liquor  
8 license at this location?

9 DR. IRONO: Well, that was earlier.  
10 That's why we had to educate them, because  
11 through education, a lot of them started coming  
12 back to us and saying you know what? This is  
13 wonderful.

14 Because they compare and contrast what  
15 is it in that shopping center that's worth  
16 keeping other than bringing this nutritious food  
17 and convenience to the community, walking  
18 distance where they can go, and after church,  
19 they can have their lunch and dinner with family  
20 and friends, or something that they need for  
21 their house, they can pick it up and get it.

22 So, that's why we went to make sure  
23 that we explain ourselves. We educate them  
24 because that was -- the first time was very  
25 harsh, hostile. It was almost like a shouting

1 match. I would be like okay. I don't know  
2 what's going on, but we pressed a reset button.  
3 We bring our menu.

4 We do all of the things necessary and  
5 start making sure that we invite them to know who  
6 we are and what we can do for the community. So,  
7 we are not what they think and they all signed  
8 and left their phone numbers.

9 So, what you are talking about is  
10 earlier in the presentation. They were worried  
11 about whether there's a license. They don't know  
12 what it is that there is some indoor and other,  
13 so we went above and beyond to not only invite  
14 them, but we take it to the community, yes,  
15 ma'am.

16 MS. RONES: Well, were there any of  
17 the 300 members that were at the Civic  
18 Association meeting that you attended at the  
19 church, were any of them in favor of your -- and  
20 did they sign? Did they visit your restaurant?  
21 Did they taste the food? Did any of those  
22 members agree to approve your license?

23 DR. IRONO: Of course, they did.  
24 They're saying the misgiving, Ms. Charlotte was  
25 very angry initially, but I asked her a specific

1 question. I said what is the issue? She said  
2 the issue that she wants is the hours, okay? And  
3 then I said it's done. We need to find means and  
4 ways to give you the hours, and the same thing  
5 with 5D. We said what is the issue? We went  
6 ahead and do everything, cross T and dot all the  
7 Is.

8 Because we want the community to know  
9 that this is for them. We can't do it without  
10 the community, so we want to please them, bend  
11 over backwards to make sure that they're  
12 educated, because education is the key. You can  
13 see someone and then destroy them because you  
14 don't know exactly what you're getting.

15 Fear is the worst thing that will  
16 happen, so I told all of my staff to make sure  
17 that we educate the community. We bring them in  
18 because this is for them. We can only succeed if  
19 they are patronizing us, so that we don't bring  
20 any outside people.

21 So, all of their birthdays, all of  
22 their anniversaries, all of their graduations,  
23 you know, kindergarten, elementary school, you  
24 know, any promotional going on in the community,  
25 there are people that get promotions and they

1 come and celebrate, grandmother's birthday, all  
2 of those things.

3 I brought teachers to everyone when we  
4 had the pastor. So, I brought some of the  
5 graduation pictures for, you know, kids that  
6 play, and above all of those things, they wish  
7 they come there because we treat people with  
8 dignity, good food, nutritious, grocery,  
9 take-home, and that's what it's all about, Ms.  
10 Rones.

11 MS. RONES: Again, can you cite any  
12 person that's a member of the Civic Association  
13 that tasted your food, that approved your menu,  
14 who visited your Capitol Hill restaurant? Can  
15 you give me the names?

16 DR. IRONO: I can only give you people  
17 that we serve. I can't tell you whether they  
18 belong to this or that, but we just -- we are not  
19 trying to narrow it down to the civic community.  
20 We want to, you know, make sure the community  
21 within the three-mile radius can come there and  
22 taste of every function.

23 But the most important experience I  
24 have is with the pastor. He was just an amazing  
25 pastor across the street. He asked one of the

1 most eloquent questions, whether -- what is the  
2 -- what bag are we bringing to the community?  
3 There is nothing. We are not doing anything.  
4 Our liquor is very limited. Our food is 80  
5 percent. Our grocery is 80 percent.

6 So, we have seating where people can  
7 congregate. Because we are meeting at the church  
8 because there is not really any convenient place  
9 for people to meet and greet, so we want that  
10 platform to be where the community can gather.

11 That's why it's very important for us  
12 to make it nice and conducive. It's not really a  
13 typical restaurant that doesn't have that  
14 community friendliness. We want people to come  
15 in as you are, relax, get hot food, get grocery,  
16 take something home and good for your family.

17 We have frozen meat. We have frozen  
18 fish. We have beautiful spices from Africa, and  
19 then we have what is called Sahara coffee.  
20 You're going to love it. It's amazing. So, this  
21 coffee is the coffee that we are bringing into  
22 the community for the first time.

23 So, I just want to let you know, Ms.  
24 Rones, we continue to educate the community to  
25 earn their support, and I will be there for the

1 long haul for them.

2 MS. RONES: Well, let me ask you,  
3 since you brought up a menu, did you provide the  
4 menu to the meeting at the Michigan Park Civic  
5 Association?

6 DR. IRONO: Yes, I give the menu to  
7 Ms. Charlotte and the other lady that was at the  
8 meeting. They saw it, it's on a stretch. They  
9 see everything. I brought even the food, the  
10 presentation of the food I give to her.

11 MS. RONES: Now, was that from your  
12 Capitol Hill restaurant?

13 DR. IRONO: Yes, because that's a  
14 similar menu that we're going to have.

15 MS. RONES: You're going to copy the  
16 menu from the Capitol Hill restaurant at this new  
17 location, proposed location?

18 DR. IRONO: The menu will be similar.  
19 We are serving those African, American, and  
20 Caribbean foods.

21 MS. RONES: By the way, who is your  
22 chef at the Capitol Hill restaurant?

23 DR. IRONO: Me, I'm the chef. No, I'm  
24 just kidding.

25 (Laughter.)

1 DR. IRONO: No, I'm just kidding. No,  
2 we have an African chef, we have a Caribbean  
3 chef, and also we have an American chef. Our  
4 unique restaurant brings the spirit of our  
5 African American history and heritage. We want  
6 to be able to tell our own story.

7 We want to be able to make sure that  
8 our people are healthy. We want to make sure  
9 that we are not selling frozen food they dump in  
10 the fryer and give it to the community. We want  
11 to build it from scratch. Our testament of our  
12 ingredients is impeccable.

13 That's why our health beings with what  
14 we put inside our body. So, because my wife is a  
15 physician, she is into health empowerment,  
16 something that has a face for the community, so  
17 we are bringing back issues that matter.

18 MS. RONES: Isn't it a fact that you  
19 represented that Mr. Robinson was your executive  
20 chef at the Capitol Hill location?

21 DR. IRONO: Say it again?

22 MS. RONES: Isn't it a fact that you  
23 represented that Mr. Robinson is the executive  
24 chef at your East Capitol Street location?

25 DR. IRONO: I represent him?



1 MS. RONES: Yes, in newspaper --

2 DR. IRONO: What do I need to  
3 represent him for? I don't work for --

4 (Simultaneous speaking.)

5 MS. RONES: You represented that not  
6 only was he going to be your chef, but he was  
7 also joining your partnership, is that correct?

8 DR. IRONO: Well, basically, some  
9 Black chefs have come around because of some of  
10 the segregation and some of the -- they tell me  
11 their stories, and anything that I can do to help  
12 them, I help them, and sometimes they want to do  
13 a pop-up to be able to do food tasting.

14 There is a lady that is just coming  
15 from Atlanta. Her name is Chef Barrett. She  
16 wants to do a tasting of food and wine. I would  
17 like if you can be able to join us today.  
18 Because they don't have a platform where they can  
19 showcase our minority specialties and expertise,  
20 so especially when it comes to hospitality, when  
21 it comes to the cuisine.

22 So, they don't have control of those  
23 things, so our focus is to be able to tell our  
24 story, to, you know, share our plight, our ups  
25 and downs, and the market will be where the

1 community can come together and have meetings, a  
2 meeting place.

3 We host nonprofits. We'll be part of  
4 the community. We want to invest in what is  
5 going on in the community. We do serious food  
6 preparation. We deliver the food free to the  
7 seniors. So, it's our, you know, our function  
8 and our integrity to make sure that we maintain a  
9 certain ingredient level, to be able to have the  
10 grade A when it comes to our food status.

11 So, I'm very, very happy that, if you  
12 can join us this evening, because we have Chef  
13 Barrett. She's coming from Atlanta. She just  
14 flew in. She's in there preparing what is called  
15 the best barbecue that you can ever eat. She won  
16 the food competition. I can't see you, Ms.  
17 Rones. I need to see you.

18 MS. RONES: You can't see me?

19 CHAIRPERSON ANDERSON: Okay, go ahead,  
20 sir. Go ahead.

21 DR. IRONO: So, Ms. Rones, this lady  
22 is amazing. You can Google her. She's just one  
23 of the best. So, she flew from Atlanta to have a  
24 platform to be able to display her specialty as  
25 an empowering woman that won the national

1 barbecue competition. We give her the platform  
2 for free, and we do that for different minority  
3 chefs that have no place to go.

4 So, our platform is to celebrate the  
5 food as nutritious as it is, to make sure that  
6 our seniors, our people, they begin to think  
7 about their health towards what they eat instead  
8 of anything coming into the community that has no  
9 bearing, no structure, no chef, no nothing. So,  
10 we want to be part of you in terms of what you  
11 eat in the community. I can't see your face, Ms.  
12 Rones.

13 CHAIRPERSON ANDERSON: Hold on, hold  
14 on.

15 MS. RONES: Can you see me?

16 CHAIRPERSON ANDERSON: Do you have  
17 another question, Ms. Rones?

18 MS. RONES: I do. Does this  
19 celebrated chef have a D.C. food handlers  
20 certificate license?

21 CHAIRPERSON ANDERSON: Ms. Rones, Ms.  
22 Rones, let's move on. He just threw that out. I  
23 don't know. That's not relevant to this case if  
24 the restaurant -- we have not approved this  
25 contract. I'm sorry, we have not approved this

1 license, so that's not relevant. Let's move on,  
2 ma'am. You can have that conversation offline,  
3 ma'am, if you want to, all right.

4 MS. RONES: He brought it up. I would  
5 like to request the names of the people that you  
6 say requested that you open a restaurant of this  
7 nature from this immediate community. If you  
8 could provide that, that would be helpful to us.

9 CHAIRPERSON ANDERSON: All right, do  
10 you have another question, ma'am?

11 MS. RONES: No, I don't.

12 CHAIRPERSON ANDERSON: Thank you,  
13 ma'am. Any questions by the board members? And  
14 after this, I'm going to take a break. Any  
15 questions by any board members? Go ahead, Mr.  
16 Short.

17 MEMBER SHORT: Dr. Irono, I am  
18 familiar with the location you have at 15th and  
19 East Capitol Street. I went to Eastern High  
20 School at 17th and East Capitol years ago, and  
21 I've attended Brown Memorial AME Church at North  
22 Carolina Avenue and 14th Street since 1966, so I  
23 know a lot about the neighborhood there.

24 And there have been nothing but raves.  
25 I've heard nothing but raves about your location

1 there. I wish I could have gotten a little more  
2 information before today, but I did receive a  
3 copy of the, a written copy today of the  
4 agreement that you made with the ANC, and again,  
5 as the Chairman said, we went over it a couple of  
6 weeks ago, but at any rate --

7 CHAIRPERSON ANDERSON: Ms. Rones, Ms.  
8 Rones, I need you to mute your line, ma'am.  
9 There is a whole lot of interference coming on  
10 from your end, ma'am. Clearly, you are not in a  
11 room where -- there is a significant amount of  
12 interference in your area, ma'am, okay? So, I  
13 need you to always have your phone muted unless  
14 you're speaking.

15 MS. RONES: I apologize. I'm the only  
16 one in the room, so I'm not sure what you're  
17 referring to, but I'll certainly agree by muting  
18 my --

19 CHAIRPERSON ANDERSON: Thank you,  
20 ma'am. Okay, go ahead, Mr. Short.

21 MEMBER SHORT: Thank you very much,  
22 Mr. Chairman. Again, growing up in that area of  
23 East Capitol Street in that part of Southeast, I  
24 can tell you that that corner at 15th and East  
25 Capitol Street at one time was one of the most

1 crime-ridden areas in all of Washington, D.C.,  
2 and your restaurant has transformed it. Although  
3 I've never been in your establishment, I've heard  
4 nothing but raves from the community. What part  
5 of Africa are you from, sir?

6 DR. IRONO: I'm original from Nigeria.  
7 My -- I'm a child born out of war in Nigeria  
8 called the Biafran War. I was one of the  
9 survivors and I was brought to this country by  
10 the charities, and in North Carolina, I lived in  
11 the church, and they put me through Elizabeth  
12 City State University. So, I studied there, then  
13 I was able to pass exam --

14 MEMBER SHORT: Okay, I don't mean to  
15 cut you off, but you've been testifying now for  
16 about three hours, and I know other people want  
17 to speak besides myself, but --

18 DR. IRONO: Okay, sir.

19 MEMBER SHORT: -- I've visited five  
20 different countries in Africa and --

21 DR. IRONO: Yes, sir.

22 MEMBER SHORT: -- I've loved every  
23 moment I was there, and I'm looking to go back as  
24 soon as I finish my duties here with the board,  
25 but at any rate, again, sir, thank you for what

1 you do with the community there on East Capitol  
2 and 15th Street, and if I had this information  
3 today earlier, I would not have had a lot of  
4 questions that have been answered since you've  
5 been testifying.

6 DR. IRONO: Thank you, sir.

7 MEMBER SHORT: And again, kudos to  
8 you, and if the ANC commissioners there in  
9 Michigan Park have given you the go-ahead, I  
10 think that's a great thing. That means that you  
11 are a business that they want in the community,  
12 and they're going to work with you and I know  
13 you're going to work with them.

14 Mr. Chairman, that's all I have at  
15 this time. Thank you very much. And I wish  
16 again I had this information prior to this  
17 hearing today, but at any rate, I'm glad that I  
18 got it.

19 DR. IRONO: Thank you, sir.

20 CHAIRPERSON ANDERSON: Well, as you're  
21 aware, Mr. Short, I mean, we have a little bit  
22 more information about this case because we had a  
23 settlement agreement, but typically, it's when we  
24 sit at a hearing and we elicit testimony from the  
25 community, that's how we are provided all of the

1 information for us to make a decision, okay? All  
2 right, and do you have a question? Go ahead, Mr.  
3 Grant.

4 MEMBER GRANT: Thank you for being  
5 with us this afternoon.

6 DR. IRONO: Thank you, sir.

7 MEMBER GRANT: I have a couple of  
8 questions. One is about the capacity inside the  
9 establishment for the sit-down portion of your  
10 plan. It seems like you haven't finalized that,  
11 but I wanted to get a sense of if you have a  
12 general direction of where you want to go as far  
13 as the range proceeding?

14 DR. IRONO: Right now, because we are  
15 in the process of programming the floor plan and  
16 the kind of equipment and seating, and the  
17 balance of the area would be now for the seating  
18 area, but we are bringing in some  
19 state-of-the-art equipment in terms of some of  
20 the pastries that we want.

21 Because we want to offer like Sahara  
22 coffee, pastries, and breakfast grab and go. So,  
23 our chef and our program managers is just  
24 programming everything to fit into the small  
25 space that we have, so the balance of that space



1 will be the capacity of the seating.

2 So, the number will change depending  
3 on one or two things after the inspection, that  
4 they will come, the District will come and then  
5 give us the number based on the programming of  
6 what is there.

7 So, I don't want to jump out and say  
8 one number and then it means that everything is  
9 just a focus that we may be between this range  
10 and that range, but nothing will be final until  
11 the government comes and do the final inspection  
12 for certificate of occupancy.

13 MEMBER GRANT: Just a quick follow-up  
14 on that, but is there a number for you that is  
15 like a sweet spot, or if you came back with the  
16 number that was too low, is there a range that  
17 for you it doesn't make sense?

18 DR. IRONO: Well, the restaurant  
19 business is kind of -- that story will be very  
20 diverse to cater to the community. It's not just  
21 the food from the restaurant. We want to be able  
22 to give them toilet tissues, lightbulbs,  
23 something that you can, you know, when you can  
24 grab and go, when you can go into the store and  
25 grab it. So, we are looking for means and ways

1 to survive in the community that are addressing  
2 the community needs.

3 So, but like I said, what we have now,  
4 I defer to Mr. Jackson. He kind of has the more  
5 in-depth understanding of how the programming  
6 works as a consultant, but I'm flexible with  
7 whatever works for the community is all I want,  
8 because without the community, we cannot succeed,  
9 and we are blessed to have that.

10 We go above and beyond to explain to  
11 them who we are, what we do, and how we're going  
12 to do it, and the jobs, you know, walking  
13 distance jobs that we can bring into that  
14 community, because we want to 90 percent hire  
15 people within the walking distance so they don't  
16 have to catch a bus.

17 CHAIRPERSON ANDERSON: Mr. Grant, just  
18 to interject, of course, the certificate of  
19 occupancy will determine what the occupancy will  
20 be for the restaurant, but as per the settlement  
21 agreement, the number will not exceed 60 and the  
22 number will not exceed 20. So, irrespective of  
23 what the --

24 DR. IRONO: Okay.

25 CHAIRPERSON ANDERSON: -- certificate

1 of occupancy states, the number cannot exceed 60  
2 as per the settlement agreement that they signed  
3 with the ANC. The occupancy cannot exceed 60 and  
4 the seating cannot exceed 20. So, it will be 60  
5 or lower as per the settlement agreement, which  
6 will --

7 DR. IRONO: Yes, sir.

8 CHAIRPERSON ANDERSON: So, the  
9 certificate of occupancy, if a certificate of  
10 occupancy is lower than that number, that's what  
11 it will be, but if the certificate of occupancy  
12 is higher than the number that's in the  
13 settlement agreement, the settlement agreement  
14 will control if the license is approved.

15 DR. IRONO: Okay, sir, thank you. I  
16 agree.

17 MEMBER GRANT: Just a question about  
18 engagement with the community. Ms. Rones  
19 mentioned your effort to reach out to the  
20 community. Did you or your legal representation  
21 make any attempt to have any of those people  
22 testify today?

23 DR. IRONO: Well, we engaged a few  
24 people that reach out to the community, and not  
25 my personal self, but I think Mr. Jackson has a

1 few people that are familiar with the community  
2 and would like to testify, but my thing is this,  
3 I'm very confident that we have most educated the  
4 community about where we are and what we are  
5 bringing to the community, and we believe by  
6 God's grace, that they will understand that we  
7 will compete to the best in that shopping center  
8 for them, and for more convenience, and for more  
9 job creation, and for more opportunity for  
10 seniors.

11 MEMBER GRANT: Okay, that is all of my  
12 questions, Mr. Chair. Thank you.

13 CHAIRPERSON ANDERSON: Thank you. I  
14 don't see Mr. Jackson. What happened to Mr.  
15 Jackson? Dr. Irono, can you call to see what  
16 happened to Mr. Jackson that he is not online?

17 DR. IRONO: Yeah, I'm texting him now.

18 CHAIRPERSON ANDERSON: I see that he  
19 -- I see he just popped back up.

20 DR. IRONO: Okay.

21 CHAIRPERSON ANDERSON: Mr. Jackson?  
22 Mr. Jackson?

23 DR. IRONO: I'm texting him.

24 CHAIRPERSON ANDERSON: He popped back  
25 up, but then disappeared again. I'm looking at

1 the panelists for this case and his name is  
2 missing, so let's pause and let's wait a couple  
3 of minutes until he comes back. Mr. Jackson?

4 MR. JACKSON: Connection issues. I'm  
5 sorry.

6 CHAIRPERSON ANDERSON: All right, Mr.  
7 Jackson. All right, I don't have any questions I  
8 need to ask. Do you have another witness, Mr.  
9 Jackson?

10 MR. JACKSON: Yes, I thought you were  
11 going to take a break. Do you want to take it  
12 now or --

13 CHAIRPERSON ANDERSON: How many more  
14 witnesses do you have?

15 MR. JACKSON: I have two witnesses and  
16 --

17 CHAIRPERSON ANDERSON: You have two  
18 more witnesses?

19 MR. JACKSON: Yes, I have two  
20 witnesses left, yes.

21 CHAIRPERSON ANDERSON: Ms. Rones, how  
22 many witnesses do you have? You're on mute. You  
23 need to unmute yourself, Ms. Rones.

24 MS. RONES: I have three that are  
25 present to testify, and I wish to submit

1 testimony from one person who had an emergency,  
2 but she has prepared written testimony.

3 CHAIRPERSON ANDERSON: I mean, I'm not  
4 going to accept you to submit testimony because  
5 the person cannot be -- the person is not  
6 available for us to cross examine the person, so  
7 we're not -- the person has to testify live. All  
8 right, so, all right, it's 4:27. We're going to  
9 take a break until 4:40.

10 We're going to take a break until 4:40  
11 and then we'll decide whether or not we'll be  
12 able to complete this hearing today, okay. So,  
13 we're off the record until 4:40, okay. Thank  
14 you.

15 (Whereupon, the above-entitled matter  
16 went off the record at 4:27 p.m. and resumed at  
17 4:40 p.m.)

18 CHAIRPERSON ANDERSON: We are back on  
19 the record. We are back. Ms. Rones? Mr.  
20 Jackson? Mr. Jackson? Ms. Rones and Mr.  
21 Jackson? Mr. Jackson? You're not on camera --

22 (Simultaneous speaking.)

23 MR. ORELLANA: I'm about to get him.

24 CHAIRPERSON ANDERSON: I'm waiting for  
25 Mr. Short. So, you said you have two more

1 witnesses, Mr. Jackson, right?

2 MR. JACKSON: Yes, sir.

3 CHAIRPERSON ANDERSON: And Ms. Rones,  
4 that you have three witnesses. We're not going  
5 to complete this hearing today because the board,  
6 we have a hard stop at 6:00 and I doubt we'll be  
7 able to do five witnesses in an hour and 20  
8 minutes.

9 If you guys believe we can do that --  
10 Ms. Rones, you need to put your -- I don't know  
11 what's going on, Ms. Rones, but I can hear other  
12 voices when you open your line, ma'am. Okay,  
13 either you have -- you're on the phone with  
14 someone or something, but I can -- there is  
15 always interference coming from your end whenever  
16 you open your line, okay?

17 That's why I would say -- all right,  
18 so what we're going to do is that Mr. Jackson is  
19 going to present both of his witnesses, and once  
20 Mr. Jackson presents both of his -- Mr. Jackson,  
21 I'm glad you're wearing pants, sir, because, you  
22 know.

23 (Laughter.)

24 CHAIRPERSON ANDERSON: I said I'm glad  
25 you're wearing pants because you got up, and you

1 know when you're on these virtual calls, you  
2 can't get up, sir.

3 MR. JACKSON: Right, I just realized  
4 that, sir.

5 CHAIRPERSON ANDERSON: All right,  
6 thank you, all right.

7 (Laughter.)

8 CHAIRPERSON ANDERSON: I know I'm not  
9 getting up, okay? All right, but we're -- I'm  
10 going to have you present your two witnesses, and  
11 after you present your two witnesses, we're going  
12 to end the hearing for the day because --

13 MR. JACKSON: Okay.

14 CHAIRPERSON ANDERSON: -- we have to  
15 -- it has always been my intent to finish these  
16 hearings in one day, but it's not apparent that  
17 we'll be able to complete this hearing by 6:00,  
18 okay? All right, so.

19 MR. JACKSON: Okay.

20 CHAIRPERSON ANDERSON: All right, so  
21 who is your next witness, sir?

22 MR. JACKSON: Yes, my next witness is  
23 Derrell Simpson.

24 CHAIRPERSON ANDERSON: Where is  
25 Derrell Simpson? I guess, Mr. Orellana, we need



1 to elevate Mr. Darrell Simpson. All right, Mr.  
2 Simpson, do you have a camera you can turn on,  
3 sir?

4 MR. SIMPSON: Yes, I'm starting it  
5 now.

6 CHAIRPERSON ANDERSON: All right, all  
7 right.

8 MR. SIMPSON: Can you hear me?

9 CHAIRPERSON ANDERSON: Yes, sir. Mr.  
10 Simpson, you're not moving, right?

11 MR. SIMPSON: I am in transit at the  
12 moment. I've been sitting in my office since  
13 1:30.

14 CHAIRPERSON ANDERSON: Are you  
15 driving, sir?

16 MR. SIMPSON: No, I'm not.

17 CHAIRPERSON ANDERSON: Okay, all  
18 right, as long as you're not driving, I'm fine.  
19 Can you raise your right hand, sir? Do you swear  
20 or affirm to tell the truth and nothing but the  
21 truth?

22 MR. SIMPSON: Yes.

23 CHAIRPERSON ANDERSON: Your witness,  
24 Mr. Jackson.

25 MR. JACKSON: Yes, Mr. Simpson, could

1 you spell and state your first and last name,  
2 please?

3 MR. SIMPSON: My name is Derrell  
4 Simpson. My first name is D-E-R-R-E-L-L. My  
5 last name is Simpson, S-I-M-P-S-O-N.

6 MR. JACKSON: Okay, Mr. Simpson, are  
7 you familiar with Sahara Market and the location  
8 where it's proposed to be going to?

9 MR. SIMPSON: I am extremely familiar  
10 with the location and the market.

11 MR. JACKSON: And how are you familiar  
12 with the location and the market?

13 MR. SIMPSON: I'm familiar with the  
14 location. I grew up in this neighborhood. I  
15 attended Bertie Backus Middle School. I also had  
16 an office right there at 4101 South Dakota  
17 Avenue. It was at South Dakota and 18th for a  
18 very long time, and so I'm extremely familiar  
19 with the neighborhood and I grew up on Queens  
20 Chapel Road.

21 MR. JACKSON: Mr. Simpson, are you  
22 familiar with the arguments that's been presented  
23 so far?

24 MR. SIMPSON: Yes.

25 MR. JACKSON: Did you have a chance of

1 being or attending the Queens Chapel Citizens  
2 Association meeting?

3 MR. SIMPSON: Yes.

4 MR. JACKSON: Okay, after that  
5 meeting, do you recall Dr. Irono inviting people  
6 for a food tasting?

7 MR. SIMPSON: Yes, I attended as well.

8 MR. JACKSON: Can you tell me where  
9 the food tasting was?

10 MR. SIMPSON: The food tasting took  
11 place at the 1500 East Capitol Street location.

12 MR. JACKSON: Okay, can you tell me  
13 who was attendant at the meeting from the Queens  
14 Chapel Citizens Association?

15 MR. SIMPSON: Well, one is the vice  
16 president. Tim Thomas was there and his wife, as  
17 well as, you know, obviously, myself, folks like  
18 Rick Preston, who is a longtime member, former  
19 ANC commissioner that represented the Queens  
20 Chapel community, as well as his wife, Pearl  
21 Preston. He also had Mark Jones, the former  
22 president of the Board of Education and Ward 5  
23 school board member there, all members of this  
24 community.

25 MR. JACKSON: Okay, could you tell me

1 exactly what occurred at the food tasting?

2 MR. SIMPSON: Well, one, obviously, we  
3 had some good food. The food was really top  
4 notch. They brought out samples of everything on  
5 the menu. I had an opportunity to sit with Tim  
6 Thomas and Rick Preston, and after Dr. Irono came  
7 over, we took photos. We all took photos. We  
8 talked about the need for a restaurant like this  
9 in the community.

10 Tim, who was the vice president of the  
11 Queens Chapel Civic Association, also attends  
12 church right there. I believe it's the same  
13 church that Mr. Short mentioned he attends  
14 earlier right there on North Carolina Avenue, and  
15 he had said that he regularly attends the gospel  
16 brunch after church on Sundays.

17 MR. JACKSON: Now, did you have a  
18 chance of having a sign-in sheet of the  
19 participants that came to the food tasting?

20 MR. SIMPSON: Yes, and I think I  
21 provided you with that. It was -- you know,  
22 unfortunately, we weren't as organized, so there  
23 was no typed up sheet. We had Xerox paper where  
24 people wrote their name, telephone number, email  
25 address, who were in support of the restaurant

1 coming to the area or who attended the event.

2 MR. JACKSON: Do you recall how many  
3 people was in attendance that signed that sheet?

4 MR. SIMPSON: Between 80 to 100  
5 people. It was an extensive list. It should  
6 span, you know -- I think I gave you ten to 12  
7 pages full of names from that.

8 MR. JACKSON: At this time, I would  
9 like the board to look at Exhibit 2A, which was  
10 submitted with the PIP.

11 (Whereupon, the above-referred to  
12 document was marked as Applicant Exhibit 2A for  
13 identification.)

14 CHAIRPERSON ANDERSON: You have to  
15 show us the document, sir.

16 MR. JACKSON: I know. I'm having  
17 technical problems, but I submitted the Exhibit  
18 2A along with the names of the participants with  
19 the email address and everyone that attended the  
20 food tasting.

21 CHAIRPERSON ANDERSON: You said  
22 Exhibit 2A?

23 MR. JACKSON: Yes, sir, and that  
24 exhibit was submitted to the protestants as well.

25 CHAIRPERSON ANDERSON: So, what's

1 Exhibit 2A, sir?

2 MR. JACKSON: Exhibit 2A is the list  
3 of all of the individuals, of the names of the  
4 individuals, their location where they live,  
5 their email address, that was in support of  
6 Sahara Market Caf, coming to the establishment, I  
7 mean, coming to the location, and that was at the  
8 food tasting.

9 CHAIRPERSON ANDERSON: Do you have a  
10 copy of the exhibit with you, sir, you, Mr.  
11 Jackson?

12 MR. JACKSON: Yes, I do.

13 CHAIRPERSON ANDERSON: Well, can you  
14 read the document for the witness since you can't  
15 show it to us? You said that you had some  
16 technical difficulties, so can you just go over  
17 the document and ask the witness whether or not  
18 this is the document that he shared with you,  
19 sir?

20 MR. JACKSON: Sure, so Mr. Simpson,  
21 the document that you provided to me, it states  
22 that it's coming soon at the 1901 Shopping  
23 Center, Sahara Caf, Wine and Spirits, food  
24 tasting support. Do you recall you providing me  
25 with that document?

1 MR. SIMPSON: Yes, sir.

2 CHAIRPERSON ANDERSON: How many  
3 people, how many names are on the list, sir?

4 MR. SIMPSON: If I'm not mistaken, it  
5 should be about 97 to be exact, but you could --

6 MR. JACKSON: That's correct.

7 MR. SIMPSON: I also numbered them.  
8 You could go to the end page and let us know, Mr.  
9 Jackson.

10 MR. JACKSON: That's it. Ninety-seven  
11 is correct.

12 CHAIRPERSON ANDERSON: Mr. Jackson,  
13 are there -- okay, I'm sorry. All right, so tell  
14 me what information is it that the folks wrote on  
15 the paper?

16 MR. JACKSON: They wrote their name,  
17 their address, and their email address.

18 CHAIRPERSON ANDERSON: Okay, and you  
19 said there are 97 individuals on the list?

20 MR. JACKSON: Yes, sir.

21 CHAIRPERSON ANDERSON: Okay, fine.  
22 All right, go ahead.

23 MR. JACKSON: Okay, Mr. Simpson, you  
24 said that in attendance was the vice president to  
25 the civic association that was in attendance that

1 you spoke to?

2 MR. SIMPSON: Yes. And he tasted some  
3 of the food, yes, and he said he comes there  
4 regularly and he supports it. That's why I was  
5 shocked to learn when I looked at the resolution  
6 that it was zero to 80 in terms of the vote. It  
7 was very shocking because a lot of the members of  
8 the Queens Chapel Civic Association attended the  
9 food tasting and expressed support of it.

10 MR. JACKSON: Okay, I don't have no  
11 further questions.

12 CHAIRPERSON ANDERSON: Ms. Rones, do  
13 you have any questions? Ms. Rones? Ms. Rones,  
14 do you have any questions, ma'am?

15 CROSS EXAMINATION

16 MS. RONES: Questions, I'm sorry, I  
17 was trying to unmute. Mr. Simpson, where did you  
18 say you reside?

19 MR. SIMPSON: Where do I reside?

20 MS. RONES: Yeah, currently.

21 MR. SIMPSON: I was never asked that  
22 question.

23 MS. RONES: You talked about having a  
24 business and living in the community.

25 MR. SIMPSON: Yeah, I said I grew up



1 in the community.

2 MS. RONES: Well, where did you grow  
3 up?

4 MR. SIMPSON: I grew up on Queens  
5 Chapel Road.

6 MS. RONES: And when did you stop  
7 living on Queens Chapel Road?

8 MR. SIMPSON: I stopped living on  
9 Queens Chapel Road in maybe it was -- the early  
10 2000s, right after Bacchus, so probably about  
11 2004, 2003, 2002 in that time frame.

12 MS. RONES: So 20 years ago?

13 MR. SIMPSON: You said did I live in  
14 the community 20 years ago?

15 MS. RONES: That has been over 20  
16 years ago since you've lived in the community.  
17 Is that correct?

18 MR. SIMPSON: Yeah, that's correct.

19 MS. RONES: I'm hearing some feedback.  
20 Do other people hear the feedback?

21 (Simultaneous speaking.)

22 MR. SIMPSON: I'm in a car right now.  
23 I'm a driver, I'm in a Uber.

24 (Simultaneous speaking.)

25 MS. RONES: So you haven't lived in

1 the community for 20 years, are you a frequent  
2 visitor to the community?

3 MR. SIMPSON: Yes, I told you my  
4 children go to Bunker Hill Elementary School and,  
5 again, as I've said before, I have an office  
6 right there on -- I had an office right there on  
7 4101 South Dakota Avenue.

8 MS. RONES: I'm sorry, can you repeat  
9 that?

10 MR. SIMPSON: I had an office on --  
11 (Simultaneous speaking.)

12 MS. RONES: You had an office where?

13 MR. SIMPSON: 4101 South Dakota Avenue  
14 and my children, both my daughter and my son,  
15 attend -- my 10-year-old daughter and she's in  
16 the fifth grade, my son is in the second grade,  
17 attends Bunker Hill Elementary School on South  
18 Dakota, right there on Michigan Avenue.

19 MS. RONES: I'm not familiar of any  
20 office building on 2101 South Dakota Avenue.

21 MR. SIMPSON: 4101.

22 MS. RONES: 4101?

23 MR. SIMPSON: 18th and -- 18th Street  
24 and South Dakota Avenue, there's an office  
25 building right on the corner.

1 MS. RONES: Is that a small office  
2 building that hasn't been used for several years?

3 MR. SIMPSON: It had been used for  
4 several years because I just vacated the space  
5 last year.

6 MS. RONES: Okay.

7 MR. SIMPSON: And it's currently in  
8 operation.

9 MS. RONES: Is that Vincent Orange's  
10 Building?

11 MR. SIMPSON: Yes, it was at one point  
12 his building.

13 MS. RONES: Okay and what did you do  
14 in that building?

15 MR. SIMPSON: Conducted business.

16 MS. RONES: Did you interact with  
17 people in the immediate jurisdiction of proposed  
18 location?

19 MR. SIMPSON: Yes.

20 MS. RONES: Are you an active member  
21 of the Queens Chapel Civic Association?

22 MR. SIMPSON: No.

23 MS. RONES: Did you attend the meeting  
24 on June, let me see the date, did you attend in  
25 June that was held at the church?

1 MR. SIMPSON: Yes, I did.

2 MS. RONES: Is your name on the  
3 attendance sheet?

4 MR. SIMPSON: I don't recall if I  
5 signed in or not.

6 MS. RONES: Well, you were aware that  
7 there were 80 people in attendance and 80 people  
8 voted against the market, were you not?

9 MR. SIMPSON: Well, they didn't do a  
10 roll call or whatever, call was a show of hands  
11 and so it was an air count. Bill Lewis walked  
12 down the aisle and tried to count with a pen on  
13 his finger how many people was voting. So, there  
14 wasn't a roll call where you could say 80 people  
15 actually voted. So, if that what's you're asking  
16 me.

17 MS. RONES: Well, I'm asking you were  
18 you aware of the fact that there were 80 people  
19 that did not wish to have the market located in  
20 the shopping center?

21 MR. SIMPSON: I became aware of that  
22 when I read the resolution, but that wasn't  
23 expressed at the meeting at the time. There was  
24 a lot of people that -- what happened at the  
25 meeting was a survey was presented where they

1 asked the community what type of things they  
2 wanted to see in the community and what they'd  
3 like to see at that establishment and a lot of  
4 people expressed a market. A lot of people  
5 expressed a coffee shop. A lot of people  
6 expressed a sit-down restaurant where they didn't  
7 have to go and deal with the hassle of Mid  
8 Atlantic down the street and so they talked about  
9 that, that's what I recall from the meeting.  
10 Were you there?

11 MS. RONES: No, I wasn't, that's why  
12 I'm asking you questions.

13 MR. SIMPSON: Oh, okay.

14 MS. RONES: Because you were there.

15 MR. SIMPSON: Okay.

16 MS. RONES: Now, did anybody at that  
17 time at that meeting express a desire for liquor  
18 and retail liquor sales store?

19 MR. SIMPSON: Charging -- excuse me?

20 MS. RONES: Did anyone at that meeting  
21 express a desire to have a carry out liquor  
22 retailer and beer and wine retailer at that  
23 location?

24 MR. SIMPSON: I don't recall that type  
25 of language being used, no.

1 MS. RONES: So, you're saying Dr.  
2 Irono did not mention anything about selling  
3 alcohol and spirits when he visited?

4 MR. SIMPSON: No, you said did any  
5 express support for that and so I don't remember  
6 the people who expressed support and saying they  
7 expressed support explicitly for an alcohol  
8 place. What they said was they want a sit-down  
9 restaurant, they want a place to go have coffee,  
10 they want a place for pastries and bakery --  
11 pastries and get fresh bread and things of that  
12 nature. When I went and had the food tasting at  
13 Cap Square Bar & Grill, those are all the things  
14 that was there. You had an all-in-one shop. You  
15 had a bakery, I got fresh bread. You had a place  
16 to go get coffee because the Sahara coffee is  
17 amazing. It's really good, I can't wait for you  
18 to try it.

19 MS. RONES: Has he, to your knowledge,  
20 expressed an interested in replicating those  
21 things at this new market?

22 MR. SIMPSON: Has who?

23 MS. RONES: Replicating those bakery,  
24 did he express that he's going to have a bakery  
25 at this market? Did he express that he's going

1 to have coffee? Have you ever heard him express  
2 those things regarding this particular location?

3 MR. SIMPSON: Yes.

4 MS. RONES: And where did you hear him  
5 say that?

6 MR. SIMPSON: At the meeting when he  
7 talked about the market and how the market would  
8 have fresh baked bread, that it would also have  
9 coffee.

10 MS. RONES: So, you know, a bakery  
11 takes up quite a bit of space. Do you, in your  
12 opinion, think that this market can accommodate a  
13 bakery?

14 MR. SIMPSON: Well, not all bakeries  
15 cook in-house. A lot of places they go out and  
16 they use a third-party vendor to bring in fresh  
17 stuff every day. Just like 7-Eleven, every  
18 morning you get fresh doughnuts at 7-Eleven  
19 because a truck brings them in in the morning and  
20 if you get that early enough, about 5:00 a.m. to  
21 6:00 a.m., you'll see them unloading the truck.

22 MS. RONES: Well, he said he was going  
23 to have fresh food, not frozen or not  
24 pre-prepared, so does that mean that his location  
25 over on East Capitol has a bakery located within

1 the restaurant?

2 MR. SIMPSON: I don't understand the  
3 question. I don't work there, ma'am.

4 MS. RONES: You've visited it. You  
5 seem to be real knowledgeable about the  
6 operation. You didn't see a bakery there?

7 MR. SIMPSON: No, I didn't, not from  
8 where I was sitting, no, but I also didn't go  
9 through the entire establishment either, so.

10 MS. RONES: Did you see any groceries  
11 being sold?

12 MR. SIMPSON: Well, no, because that's  
13 a restaurant, it's not a market. So, they didn't  
14 -- I never went there to look for groceries, but  
15 what I expect at Sahara Market are groceries  
16 because it's a market.

17 MS. RONES: Okay, well, where did  
18 these people -- you said there were about 80 to  
19 100 people at the tasting?

20 MR. SIMPSON: Yes, ma'am.

21 MS. RONES: And where were those  
22 people from?

23 MR. SIMPSON: They were from the North  
24 Michigan Park Queens Chapel community, also North  
25 Woodridge community as well. That's that area --



1 (Simultaneous speaking.)

2 MS. RONES: Do you have their names  
3 and addresses on a list?

4 MR. SIMPSON: The names and, yep.

5 MS. RONES: And you could provide that  
6 list to us?

7 CHAIRPERSON ANDERSON: Ms. Rones, the  
8 list is Mr. Jackson, it's Exhibit 2A, Ms. Rones.  
9 If you in Exhibit 2A, you have it, the only  
10 reason why we didn't have it on screen today is  
11 because Mr. Jackson stated that he was having  
12 some technical difficulties, so therefore I had  
13 him go through the list and the witness confirmed  
14 it. So, you have the list, ma'am, as Exhibit 2A.

15 MS. RONES: I think that there's some  
16 authentication issues regarding this list as to  
17 the accuracy and how it was compiled and the  
18 chain of custody. I think there's a problem  
19 accepting this list.

20 CHAIRPERSON ANDERSON: Well, ma'am,  
21 it's part of the exhibit. It's part of the  
22 five-day so if you have issues then you can raise  
23 whatever issues you have with it, ma'am, but I  
24 don't have the document with me. It's a document  
25 that was provided by Mr. Jackson as part of his

1 exhibits. You have it within the seven days that  
2 it was supposed to be disclosed. Now, if there  
3 are other issues with it, you can raise those  
4 issues at the appropriate -- you can raise those  
5 issues, ma'am.

6 MS. RONES: Okay. Now, Mr. Simpson,  
7 you said there were approximately 80 to 100  
8 people at the tasting. Was that inside?

9 CHAIRPERSON ANDERSON: I'm sorry,  
10 okay, I believe -- I apologize, go ahead, go  
11 ahead, I'm sorry.

12 MR. SIMPSON: Say that again.

13 MS. RONES: You said there were  
14 approximately 80 to 100 people at the food  
15 tasting. Was that inside?

16 MR. SIMPSON: It spanned both inside  
17 and outside.

18 MS. RONES: Were the people sitting  
19 down?

20 MR. SIMPSON: Yes, some people.

21 CHAIRPERSON ANDERSON: You're breaking  
22 up, Mr. Simpson.

23 MR. SIMPSON: People were sitting and  
24 standing.

25 MS. RONES: What do you think would be

1 the capacity of the interior of the East Capitol  
2 Street location?

3 MR. SIMPSON: I don't know. When I  
4 went to college, I went to school for  
5 communications and history. I didn't go to be an  
6 engineer or architect.

7 MS. RONES: Well, that's very good, I  
8 hope you took escalation so that you could tell  
9 us, you, in fact, admitted that you said there  
10 were about 80 to 100 people.

11 MR. SIMPSON: Yeah, I said I went to  
12 school for communications and history, not  
13 engineering.

14 MS. RONES: It does not matter what  
15 you went to school for, you already --

16 (Simultaneous speaking.)

17 CHAIRPERSON ANDERSON: All right, Ms.  
18 Rones --

19 MS. RONES: If there were 80 to 100  
20 people present, was that not your testimony?

21 MR. SIMPSON: Yeah, that was my  
22 testimony.

23 (Simultaneous speaking.)

24 CHAIRPERSON ANDERSON: Ms. Rones. Ms.  
25 Rones. Ms. Rones.

1 MR. SIMPSON: What you're asking me,  
2 ma'am, you're asking me about the capacity of the  
3 building. I don't know the capacity. I'm not an  
4 engineer.

5 CHAIRPERSON ANDERSON: All right,  
6 thank you. Ms. Rones, please do not ask him the  
7 capacity of the building. You can ask him about  
8 how many people were there. He stated he went to  
9 a restaurant so it's irrelevant what the capacity  
10 of the building is. Let's move on, ma'am. If  
11 you want to ask him about the list, how many  
12 people were there, that's fair game. Asking him  
13 the capacity of the building that is not relevant  
14 for our purpose.

15 MS. RONES: Well, it goes to the  
16 management of the location to have an excessive  
17 number of people attend, but be that as it may --

18 CHAIRPERSON ANDERSON: Ms. Rones. Ms.  
19 Rones, I don't know what the capacity of the  
20 building is. I don't know if it's excessive and  
21 so let's move on from that and that is not  
22 relevant for our issue, ma'am. The issue, if you  
23 want to say wasn't that the people were actually  
24 there, but it's not relevant whether or not the  
25 numbers were excessive or what the capacity of

1 this restaurant is because we're not talking  
2 about the restaurant on East Capitol Street,  
3 ma'am. We're talking about a proposed restaurant  
4 off Michigan Avenue, ma'am. Let's go on, let's  
5 move on.

6 MS. RONES: Okay, Mr. Simpson, you're  
7 familiar with the people that are members of the  
8 Queens Chapel Civic Association, are you not?

9 MR. SIMPSON: I'm extremely familiar  
10 with a lot of the members, including the  
11 president and her husband.

12 MS. RONES: How many members did you  
13 say attended the food tasting?

14 MR. SIMPSON: I don't know, I didn't  
15 do a count.

16 MS. RONES: But you said at least  
17 three, Tim Thompson, Rip Preston and Mark Jones,  
18 and his wife, Rip's wife?

19 MR. SIMPSON: Yeah, if they're  
20 members, I don't know, I didn't ask for their  
21 card, but I know that Tim did represent that he  
22 was the Vice President of the Civic Association  
23 and I know Rip Preston, you know, since I was 9  
24 years old and I know where he lives at, so I know  
25 that he is a member of the Queens Chapel Civic --

1 he was the ANC for that area and he's a member of  
2 that community.

3 MS. RONES: Okay, was he at the  
4 meeting in which Dr. Irono invited people to a  
5 tasting?

6 MR. SIMPSON: Yes.

7 MS. RONES: Did you hear Dr. Irono  
8 absolutely extend the invitation at that meeting?

9 MR. SIMPSON: I don't recall all the  
10 words that were said at the meeting.

11 MS. RONES: So, how did you find out  
12 about the tasting?

13 MR. SIMPSON: I found out about the  
14 tasting from Tim Thomas and Rip Preston.

15 MS. RONES: So you weren't listening  
16 when you were attending the civic association  
17 meeting?

18 MR. SIMPSON: Well, as he was trying  
19 to talk Mishalla Lewis kind of kept -- he's the  
20 president, she was standing at the podium and she  
21 really didn't allow him to speak and then she  
22 told him to get out of the entire thing. So,  
23 there wasn't an opportunity for him to really  
24 present anything for the community, but, you  
25 know, so that's --

1 MS. RONES: When you say --

2 MR. SIMPSON: I hope that answers your  
3 question.

4 MS. RONES: Well, partially. Let me  
5 finish asking. So, was it a contentious meeting?

6 MR. SIMPSON: It was a meeting, yeah,  
7 it was the strangest meeting. It was a meeting  
8 where you have folks like Leroy Swain who is a  
9 member of the civic association, who tried to get  
10 up and speak and talk, but then the president  
11 wouldn't allow members from the community who  
12 supported the restaurant to speak and so a lot of  
13 the times in the meeting, she really dictated who  
14 had an opportunity to speak. She controlled their  
15 talk time and whether or not they got the  
16 microphone, so it was very hard to hear, you  
17 know, so if that makes it a contentious meeting,  
18 then yes.

19 MS. RONES: And why do you think she  
20 asked Dr. Irono to leave?

21 MR. SIMPSON: I don't know, probably  
22 the same reason she asked Leroy Swain, a member  
23 of the community, to sit down, you know, because  
24 she wanted to control the narrative of the  
25 meeting.

1 MS. RONES: It wasn't because they  
2 were being disruptive? And she wasn't led to  
3 believe that Dr. Irono wasn't telling the truth  
4 about what he was proposing at this location, was  
5 it?

6 MR. SIMPSON: I don't know, Leroy  
7 Swain has been a principal of a school here.  
8 He's been a teacher. He's been the assistant  
9 superintendent, I don't think he would be  
10 disruptive in voicing support. I think it's just  
11 the idea that he was voicing support.

12 MS. RONES: Okay, how did the people  
13 to Dr. Irono?

14 MR. SIMPSON: I don't know. I know  
15 that Ms. Lewis got on the microphone and tried to  
16 shut down the meeting so there really wasn't an  
17 opportunity to gauge anything from the community  
18 because she controlled the time and the mic and  
19 so you couldn't gauge the community support.

20 MS. RONES: Okay, last question. Does  
21 the East Capitol restaurant sell alcohol?

22 MR. SIMPSON: I've never purchased an  
23 alcoholic beverage from there.

24 MS. RONES: But you attended the food  
25 tasting. Were they serving alcohol?



1 MR. SIMPSON: I did attend the food  
2 tasting. I don't recall though. I got a soda  
3 that day, so.

4 MS. RONES: Okay, all right.

5 MR. SIMPSON: But they probably do, I  
6 mean it's a -- you know, I'm sure they do. I'm  
7 almost, you know, they probably do if it's a  
8 restaurant. Most restaurants in the District of  
9 Columbia serve wine or alcoholic beverages. I  
10 know like Highlands Caf,, which is on 14th  
11 Street, they serve wine and beverages, but they  
12 also are a deli.

13 CHAIRPERSON ANDERSON: Do you have any  
14 other questions, Ms. Rones?

15 MS. RONES: No, no further questions.

16 CHAIRPERSON ANDERSON: Any questions  
17 by any Board Members? Mr. Jackson, any redirect?

18 MR. JACKSON: No, sir.

19 CHAIRPERSON ANDERSON: Mr. Simpson,  
20 thank you very much for your testimony today.  
21 Have a great day.

22 MR. SIMPSON: Thank you.

23 CHAIRPERSON ANDERSON: Thank you. Do  
24 you have another witness?

25 MR. JACKSON: Yes, my last witness is

1 Rob Beruca or Burka.

2 CHAIRPERSON ANDERSON: Rob Burka, Mr.  
3 Orellana, can you please elevate that witness if  
4 that person's available? Is that person  
5 available? Ah, Mr. Burka, all right. Mr. Burka,  
6 can you raise your right hand please? Do you  
7 swear or affirm to tell the truth and nothing but  
8 the truth?

9 MR. BURKA: (No audible response.)

10 CHAIRPERSON ANDERSON: Okay, thank  
11 you. Your witness, Mr. Jackson.

12 MR. JACKSON: Yes, good afternoon,  
13 sir. Could you basically state and spell your  
14 first and last name, please?

15 MR. BURKA: Sure, my name is Terry  
16 Burka, T-E-R-R-Y B-U-R-K-A and I go by the name  
17 of Rob.

18 DIRECT EXAMINATION

19 MR. JACKSON: Okay, sir. What is your  
20 relationship to the property, 1901 Michigan  
21 Avenue?

22 MR. BURKA: I'm the senior property  
23 manager for Broad Street Realty at the Avondale  
24 Shopping Center and Broad Street Realty owns and  
25 operates 15 centers around the Washington, DC

1 area. I manage the center on their behalf.

2 MR. JACKSON: Did you have a chance  
3 during your vetting of the people that's coming  
4 into the shopping center or want to do business  
5 at the shopping center, did you have a chance to  
6 do a background check or look at some references  
7 of your people that you was interested in  
8 occupying the space there?

9 MR. BURKA: I do and all's well. The  
10 entire team evaluates and vets every perspective  
11 lessee or tenant and that scrutiny is very -- and  
12 there's a very high bar. I'm prepared to offer  
13 testimony in support of what that vetting  
14 actually entails.

15 MR. JACKSON: Could you do that,  
16 please?

17 MR. BURKA: With specifics. Sure. In  
18 evaluating a potential tenant, we take a look at  
19 tax returns, balance sheets, P&L statements,  
20 credit reports and any kind of active history of  
21 operating experiences of like kind and quality.

22 In this case, Mr. Irono presented with  
23 signed tax returns with favorable gross receipts.  
24 Each of those tax returns that we received, the  
25 10S and his personal 1040 were signed by

1 certified public accountants. As well, we  
2 analyzed his balance sheet and conformity with  
3 those tax returns, which he submitted in support  
4 of the lease application. We also performed a  
5 rigorous review of the profit and loss  
6 statements, which account for total income, net  
7 income, deductions and salary.

8           Moreover, we subscribe to the National  
9 Association of Independent Landlords and received  
10 a credit report for Mr. Irono personally. That  
11 report present an extensive financial and credit,  
12 (audio interference) page detail which presents  
13 favorable credit metrics, which includes a  
14 quality of trade lines, in this case, he had 32;  
15 delinquencies, collections, write offs, past  
16 dues, revolving credits. We analyzed the report  
17 to be favorable.

18           This is exactly the kind of  
19 sufficiency when confirming perspective tenants  
20 that we conduct in order to determine whether  
21 that perspective tenant will be able to satisfy  
22 his rental obligations as well as being able to  
23 maintain his business in a proper and appealing  
24 physical condition.

25           We also look at regulatory documents,

1 such as the Certificate of Organization to  
2 confirm their LLC registration and we focus on  
3 other regulatory requirements, which we hold  
4 compliance with to be very important. As well,  
5 we look at the website, often it betrays IT  
6 investment commitment, its business culture and  
7 the message one desires to communicate to the  
8 public at large.

9 We had observations of it. We took a  
10 look at the website and we saw that this  
11 particular individual and concept was favorable  
12 to us.

13 I might add that he passed several  
14 threshold tests by a wide margin in his favor and  
15 that we support that particular business model in  
16 the community. The people who evaluate those are  
17 the senior vice president of leasing, an asset  
18 manager, all of these are heavily credentialed  
19 people, property management, myself and I was  
20 once also certified as a property manager in the  
21 District of Columbia. I would say all three of  
22 us scrubbed his files and once they were  
23 scrubbed, that then escalated to the senior vice  
24 president of asset management and to our chief  
25 executive officer for further review.

1 I'd like to give you a little  
2 background momentarily about Broad Street Realty.  
3 Broad Street Realty is the owner of the shopping  
4 center. It has a net asset value of  
5 approximately 500 million dollars and is a public  
6 company registered with the FCC. We emphasize  
7 tribal values which include teamwork, respect,  
8 integrity, accountability and balance of work  
9 life leadership in the communities we serve.

10 We think our personal investment in  
11 the success and the growth of the community is  
12 extremely important. I have more to say if  
13 you're asking questions.

14 MR. JACKSON: Yes, thank you. In  
15 reviewing his business plan, did you put any  
16 restrictions upon him in order to be a good  
17 operator?

18 MR. BURKA: Well, I would like to take  
19 a moment to discuss some of the previous  
20 testimony. Would this be a good time to answer  
21 that because it relates to the lease requirements  
22 and it also relates to representations made,  
23 which --

24 CHAIRPERSON ANDERSON: Yes, sir, go  
25 ahead.

1 MR. BURKA: As the landlord we're --

2 CHAIRPERSON ANDERSON: Yes, sir,  
3 answer the question, please.

4 MR. BURKA: Am I answering the  
5 question or am I not?

6 CHAIRPERSON ANDERSON: You're  
7 answering the question, sir, that's what he asked  
8 --

9 MR. BURKA: Very well.

10 CHAIRPERSON ANDERSON: You the  
11 question earlier.

12 MR. BURKA: Okay, so going to the  
13 parking, parking is somewhere between 48 and 50  
14 count. We were there this past week, I'm sorry,  
15 I was there yesterday doing an evaluation of the  
16 parking facility so that we can get it painted  
17 and striped. We're also replacing the handrails  
18 and making general repairs. I also wanted to  
19 take a look at the existing echoes space. We  
20 also note that of the 15 shopping centers we own  
21 and numerous others that we fee manage, that this  
22 is the only site we manage that does not require  
23 on site security, that's because it's a very calm  
24 environment and we want to keep it that way. The  
25 only time that any drama occurred there was on

1 July 4th and we assigned a security guard at that  
2 time.

3 If there is any concern that children  
4 will migrate from the rear side of the YMCA, the  
5 way the property works is there is an upper level  
6 and a lower level. So, the natural topography  
7 contours down. The rear of the center is the  
8 YMCA the entire length. Those children are very  
9 well supervised. They're all very young. I do  
10 not know of any adolescents in there per se.  
11 There will not be an adolescent aggregation and  
12 nobody's coming around to the front. I have  
13 never seen a child do that, nor any other of the  
14 church schools in the neighborhood. So, that's a  
15 nonexistent fear as far as I'm concerned.

16 I might add that while I was there  
17 yesterday meeting with a contractor, I  
18 fortuitously ran into Mr. Tim Thomas, Vice  
19 President for the Civic Association, incumbent  
20 ANC5A President. We talked about the Sahara  
21 Restaurant and he expressed his enthusiasm in  
22 anticipation of its opening. I only talked to  
23 him for a couple of minutes because I was already  
24 on an appointment and I did not schedule an  
25 appointment to meet with him and he called me out



1 because I guess he saw my name tag and I was  
2 there with other people looking around like a  
3 manager would look instead of a patron.

4 That's the first time I met him in  
5 person. I had one call with him maybe three  
6 months ago, something like that and that lasted  
7 for about 10 minutes.

8 CHAIRPERSON ANDERSON: I think the  
9 question that --

10 (Simultaneous speaking.)

11 MR. BURKA: Did I answer that  
12 question?

13 CHAIRPERSON ANDERSON: The question  
14 was there any restrictions on the lease, sir. I  
15 think that was the question.

16 MR. BURKA: Oh, very well, thank you  
17 very much. Okay, so in the lease there is a  
18 provision on the time, but I've already consulted  
19 with my leadership. We'd amend the lease in  
20 order to provide the usage for later hours. That  
21 provision in the lease is intended to be a  
22 minimum operation, not a maximum operation so I  
23 might add that in the lease it calls for a  
24 minimum.

25 We just want the center to be -- I'm

1 not seeing it right now, oh, here we go.  
2 Business hours were from 9:00 to 8:00 six days a  
3 week and 9:00 to 6:30 one day a week. That's not  
4 going to be a problem. If he wants to remain --  
5 just a clearance, that's the hurdle that we have  
6 and that I have and then what I would recommend  
7 to my leadership. I don't have a problem with  
8 that center being open until 11, as long as it's  
9 not interfering with the community. It doesn't  
10 represent poorly on Broad Street Realty and if  
11 they want to be open until 11:00 or 12:00 that's  
12 reasonable as far as I'm concerned, okay. If we  
13 need to amend the lease, that's not going to be a  
14 problem either.

15 Are there any other particular  
16 concerns that you might have?

17 CHAIRPERSON ANDERSON: No. Do you  
18 have another question, Mr. Jackson?

19 MR. JACKSON: Just lastly, on the  
20 appearance as you stated that they restrict it to  
21 maintaining a safe, clean and proper environment  
22 with no music. Is that correct?

23 MR. BURKA: That's right. What we  
24 don't want is to turn this place into a club  
25 meaning, like, a place where you get a young --

1 an aggregation of a lot of young adults and  
2 teens, loitering in the parking lot, causing  
3 problems and drama. That's not going to happen,  
4 so in terms of what we understand this to be,  
5 it's a concept restaurant, like a bistro caf,  
6 with beer and wine. We have no exception. We  
7 have a lot of liquor stores in our portfolio, but  
8 we have no exception to beer and wine being  
9 carried or consumed on premises. We don't want  
10 to see any consumption in cars. We don't want to  
11 see any consumption on the street as a  
12 pedestrian.

13 I'd also add that a retailer, such as  
14 Mr. Irono, intends to become provides jobs for  
15 local residents, that's something we look at. It  
16 increases disposal income and more people spend  
17 money. We expect Mr. Irono to make essential  
18 goods, such as groceries, accessible so that  
19 prevents the need for moving around to other  
20 neighborhoods. This particular center obviously  
21 is centrally located in a very constrained, high  
22 densely packed single family, multifamily area  
23 and a reputable retailer can enhance the  
24 desirability of that neighborhood improving  
25 property values.

1           It's also a place where the community  
2 can gather. Where residents can connect and  
3 socialize. It can be a social hub. That  
4 strengthens the bonds within that neighborhood  
5 and enhances community cohesion. We are wholly  
6 in support of that kind of situation in the  
7 neighborhood and we're thankful that that's a  
8 possibility for us in that neighborhood. We  
9 don't want that to be another nail salon. We  
10 don't want it to be whatever, something like a  
11 low level services restaurant infrequently  
12 patronized.

13           As well, I believe Mr. Irono will  
14 improved food service and the quality of eating  
15 habits there. In closing, Mr. Irono passed these  
16 threshold tests by a wide margin and we're  
17 considerably -- when I say we, I mean Broad  
18 Street Realty, is considerably lucky that he is  
19 able to bring his considerable restaurant and  
20 food service experience to the Avondale Center  
21 and I would add that he stepped up and became  
22 personally involved and that's the exact type of  
23 sub anchor that we expect and that we can ever  
24 hope for for this center. We're delighted that  
25 someone wasn't afraid to add value during the

1 COVID community. I personally know of the  
2 commitment it takes, about 25 years I used to run  
3 a 210 unit apartment building in Northwest,  
4 numerous HIV residents and AIDS patients. I know  
5 what kind of commitment and bravery that takes  
6 when in a bio hazardous environment. For Mr.  
7 Irono to accept that kind of responsibility is a  
8 testament to his character and commitment to  
9 humanity and we'd be proud to have Sahara as our  
10 tenant. We strongly support his application for  
11 the license.

12 MR. JACKSON: Thank you, sir. No  
13 further questions and I just want to thank you  
14 for your testimony and just a little footnote, we  
15 provided a security plan to address those issues  
16 as well along with the settlement agreement that  
17 we provided that was accepted. Thank you. No  
18 other questions.

19 CHAIRPERSON ANDERSON: Ms. Rones, do  
20 you have any questions, ma'am?

21  
22 CROSS EXAMINATION

23 MS. RONES: Yes, I do. Can I call you  
24 Rob, since I can't really pronounce your last  
25 name?

1 MR. BURKA: Sure, you can call me Rob.  
2 That's what everybody calls me. Sure.

3 MS. RONES: Rob, were you in any way  
4 financially compensated to come and provide this  
5 testimony today?

6 MR. BURKA: No.

7 MS. RONES: Isn't it a fact that your  
8 company would inure from the leasing of this  
9 business to the Dr. Irono no matter what kind of  
10 operation he located at this premises?

11 MR. BURKA: Could you be more  
12 specific? I don't understand your question.

13 MS. RONES: Are you going to make  
14 money from this lease?

15 MR. BURKA: As would any landlord.

16 MS. RONES: Would that give you the  
17 incentive to fabricate and testify in a way  
18 that's less than honorable since you've got a  
19 financial incentive?

20 MR. BURKA: I don't have a financial  
21 -- the company does not have a financial  
22 incentive. The company's in the business of  
23 renting space in shopping centers that it owns.

24 (Simultaneous speaking.)

25 MR. BURKA: If you were to say that

1 land, labor, and capital is a financial incentive  
2 then, okay, if that's how you want to word it,  
3 but I'm reading between the lines of what you're  
4 saying and I'm in disagreement with the  
5 connotation.

6 MS. RONES: Okay, well, let's go on.  
7 You say you were a certified property manager?

8 MR. BURKA: I was at one time, yes.

9 MS. RONES: Do you have a license --  
10 (Simultaneous speaking.)

11 MR. BURKA: In D.C.

12 MS. RONES: Now?

13 CHAIRPERSON ANDERSON: Ms. Rones,  
14 you're going afield. That's just extraneous  
15 information you put out there and that's not  
16 relevant to this hearing, ma'am. If you want to  
17 ask him questions about the lease, ask him  
18 questions, but that's not relevant for us to make  
19 a determination whether --

20 MS. RONES: Well --

21 CHAIRPERSON ANDERSON: Or not --

22 MS. RONES: Chairperson Anderson, I do  
23 disagree because he stated that he was a  
24 certified licensed property manager.

25 CHAIRPERSON ANDERSON: Okay, but what

1 does that have to do it --

2 MS. RONES: He stated that.

3 CHAIRPERSON ANDERSON: Okay.

4 MR. BURKA: But I also stated that it  
5 was --

6 CHAIRPERSON ANDERSON: Hold on, hold  
7 on, hold on. Ms. Rones, the Board is looking for  
8 testimony that's going to be relevant to assist  
9 us in making a decision. Whether or Mr. Burka is  
10 a certified property management whatever his job  
11 title is, it's irrelevant to us. I think he came  
12 here to testify today as he's representing  
13 someone from the landlord's perspective. That's  
14 all. I don't care nothing of -- what he is or  
15 isn't is irrelevant. All he's doing is he's here  
16 saying I'm a landlord and this is what it is.  
17 His personal -- whether or not he is -- what his  
18 resume is, it's not relevant to information --  
19 that's not information that the Board needs to  
20 make a determination and one of the things if you  
21 were at the protest hearing status, the reason  
22 that I said is that I don't want to hear anything  
23 that's irrelevant and this irrelevant testimony,  
24 ma'am. Let's move on.

25 MS. RONES: Well, Chairman Anderson,



1 I beg to differ with you because in the District  
2 of Columbia you must have a property manager's  
3 license in order to manage --

4 CHAIRPERSON ANDERSON: I don't care,  
5 Ms. Rones. That's not relevant.

6 MS. RONES: He does not have --

7 CHAIRPERSON ANDERSON: Ms. Rones. Ms.  
8 Rones. Ms. Rones, this Agency doesn't care if he  
9 has a property manager license. It is not  
10 relevant to us making a decision whether or not  
11 we're going to give a license to this  
12 establishment. I don't care. I don't want to  
13 hear it. It is not relevant. Let's move on,  
14 ma'am.

15 MR. BURKA: That would be incorrect.  
16 The owner has a right to manage its own property.

17 MS. RONES: With a property manager's  
18 license.

19 CHAIRPERSON ANDERSON: I don't care,  
20 ma'am. Let's move on. I don't care. That's  
21 one. That's irrelevant information, ma'am. Do  
22 you have a relevant question you want to ask?  
23 Come on.

24 MS. RONES: Yes. Are you familiar  
25 with Dr. Irono's 50 percent partner in this

1 venture?

2 MR. BURKA: I am not.

3 MS. RONES: Were you aware of the fact  
4 that the prior tenant is, in fact, his 50 percent  
5 partner in this venture?

6 MR. BURKA: I am not.

7 MS. RONES: Did you, in fact, state  
8 that you --

9 MR. BURKA: We evaluated it stand  
10 alone, in his own right. We didn't take any  
11 consider -- we didn't need to consider anybody  
12 else.

13 MS. RONES: Well, he --

14 MR. BURKA: We don't need to be on  
15 tour from him or anything else because his  
16 evidence supported that he could do -- he would  
17 be able to properly and economically conduct the  
18 business under the lease.

19 MS. RONES: Okay, well, can you tell  
20 us what happened to the prior lessee?

21 CHAIRPERSON ANDERSON: I'm sorry,  
22 that's not relevant. I don't care, Ms. Rones.  
23 Let's move on. I don't care about the previous  
24 lease. Ms. Rones, what I want to hear today,  
25 ma'am, is whether or not this is an establishment

1 that's appropriate for this area. I don't care  
2 about who was there before. I don't care about  
3 who is going to come tomorrow, so that's  
4 irrelevant. Let's move on, ma'am.

5 MS. RONES: Okay, can you please give  
6 me some leeway because I'm making a point about  
7 --

8 CHAIRPERSON ANDERSON: But there's no  
9 point to make --

10 MS. RONES: -- his application.

11 CHAIRPERSON ANDERSON: Ma'am, there's  
12 no point to make here.

13 MS. RONES: It is because she's a  
14 partner in this venture.

15 CHAIRPERSON ANDERSON: She's not on  
16 trial. I don't -- no, hold on, hold on, Ms.  
17 Rones. Hold on, Ms. Rones. I've seen the  
18 application. There's no allegation Dr. Irono  
19 presented himself as the owner. I have not seen  
20 an underlying application to see if he's a  
21 partner or what it is, but that's not relevant  
22 here, ma'am. I don't care. That's not -- we're  
23 talking about some other person who -- this is  
24 cross examination. Ms. Rones, you are an  
25 attorney. You're cross examining. This is way

1 -- this is not -- you know, if you want to ask a  
2 question to Dr. Irono, that's appropriate if you  
3 want to ask questions about his character, but of  
4 this witness, this is inappropriate for this  
5 witness. Let's move on.

6 MS. RONES: Well, I don't want to be  
7 purposely conflictual with you, Chairman  
8 Anderson, but this witness testified as to Dr.  
9 Irono's financial viability.

10 CHAIRPERSON ANDERSON: Right --

11 MS. RONES: And he testified that the  
12 corporation passed all of the financial tests --

13 MR. BURKA: I did not say that.

14 MS. RONES: So our issue is --

15 (Simultaneous speaking.)

16 CHAIRPERSON ANDERSON: Hold on, hold  
17 on, Mr. Burka, please, please, sir. Go ahead,  
18 ma'am.

19 MS. RONES: And if he's inferring that  
20 this particular corporation, The Sahara  
21 Corporation, which has a 50 percent partner who  
22 was the prior tenant who did not pay her rent for  
23 six months, then my question is how did this  
24 partnership pass the financial viability test  
25 that you so administered?

1 CHAIRPERSON ANDERSON: But, Ms. Rones,  
2 this is not -- this hearing, I don't care about  
3 that in this hearing, ma'am. That's not -- no,  
4 ma'am, let's move on. You have --

5 MS. RONES: Well, that's part of his  
6 application. He said that --

7 CHAIRPERSON ANDERSON: No.

8 MS. RONES: He had a 50 percent  
9 partner.

10 CHAIRPERSON ANDERSON: All right, but  
11 if you want to go raise that somewhere else,  
12 ma'am, you can do that, but in an ABC hearing,  
13 ma'am, no, I don't care about that.

14 MS. RONES: Well this goes to --

15 CHAIRPERSON ANDERSON: I don't know  
16 what you're talking about --

17 MS. RONES: His ability -- this goes  
18 to his financial ability.

19 CHAIRPERSON ANDERSON: I don't care  
20 about that. That's not -- the Board does not  
21 make that determination. The Agency will make a  
22 determination. The Agency, he provides his  
23 financial information to the Agency, the experts  
24 within the Agency, they make that determination,  
25 ma'am. All that the Board does is, in effect, is

1 this restaurant -- is this license appropriate  
2 for the area that it is applying for a license.  
3 That's all I care about. I don't care about his  
4 finances. I don't care about his 50 percent. I  
5 don't care about whoever the previous owner is.  
6 I don't care. That's not relevant, ma'am. Let's  
7 move on.

8 MS. RONES: Okay, well, I disagree.  
9 I think it goes to the ability of the --

10 CHAIRPERSON ANDERSON: And you asked  
11 him -- you had an opportunity to ask questions to  
12 the owner, you never did. Let's move on. This  
13 is not the witness to answer

14 (Simultaneous speaking.)

15 MS. RONES: But this, Mr. Rob has  
16 stated that he did a financial analysis --

17 CHAIRPERSON ANDERSON: And I don't  
18 care. He did that -- Ms. Rones, he did that but  
19 he gave us information that I allowed it but it's  
20 not relevant for the Board to make a decision. I  
21 don't want to hear that. I don't care about it.  
22 That --

23 (Simultaneous speaking.)

24 MS. RONES: Well if you ask --

25 CHAIRPERSON ANDERSON: Just fluff

1 information.

2 MS. RONES: Why do you ask the  
3 question on an application?

4 CHAIRPERSON ANDERSON: Ms. Rones,  
5 that's fluff information. That is not  
6 information that it's important or relevant for  
7 the Board. Let's move on, ma'am.

8 MS. RONES: Okay, Rob, you spoke about  
9 Dr. Irono's character, are you aware that he was  
10 disbarred by the DC Government for submitting  
11 fraudulent documentation?

12 MR. BURKA: Wasn't it his testimony  
13 that that was erroneous?

14 MS. RONES: No, his testimony was that  
15 he filed a lawsuit contesting it, but he's still  
16 on a disbarment but were you aware of that?

17 MR. BURKA: Not until this moment.

18 MS. RONES: Of all of your --

19 MR. BURKA: And not until this  
20 hearing.

21 MS. RONES: Background investigation  
22 --

23 (Simultaneous speaking.)

24 CHAIRPERSON ANDERSON: Ms. Rones, Ms.  
25 Rones, I don't care. You went over that

1 information with him, let's move on, ma'am.

2 MS. RONES: This witness noted that he  
3 believed that Dr. Irono was of high character and  
4 he examined --

5 CHAIRPERSON ANDERSON: All right, Ms.  
6 Rones, Ms. Rones, Ms. Rones, okay, this hearing  
7 this was protested by the Civic Association,  
8 okay? Peace, order and quiet that's the issue.  
9 Peace, order, those are the buzz words when a  
10 license is being protested, those are the buzz  
11 words that have to be in the allegations, peace,  
12 order and quiet. That's --

13 (Simultaneous speaking.)

14 MS. RONES: Okay, so let me continue.

15 CHAIRPERSON ANDERSON: Far afield,  
16 ma'am, let's move on.

17 MS. RONES: Let me continue. Rob,  
18 were you aware that the settlement agreement had  
19 a provision that said Dr. Irono was not  
20 responsible for sweeping the front and the back  
21 of the premises?

22 CHAIRPERSON ANDERSON: But you're not  
23 a part of the settlement agreement. Why are you  
24 asking him about a settlement agreement? You  
25 guys didn't even participate in the settlement



1 agreement. I don't care.

2 (Simultaneous speaking.)

3 MS. RONES: He brought the settlement  
4 agreement up. He brought it up.

5 CHAIRPERSON ANDERSON: Yeah, but okay,  
6 but I don't care about a settlement agreement.  
7 The Board hasn't even agreed to give him a  
8 license. He can have a settlement agreement. He  
9 can have a settlement agreement with the ANC and  
10 based on the testimony today, the Board can say  
11 he's not appropriate so we're not going to give  
12 him a license. I don't care, he can still open  
13 his restaurant there, ma'am, you know that. You  
14 know he can still open his grocery store. He can  
15 still have a restaurant. He can still open his  
16 grocery store. He just can't sell alcohol.  
17 There's nothing that this Agency can do about it.  
18 We're only concerned today because he's applying  
19 for alcohol, but if, if the Board determines,  
20 agree today and determines that we're not going  
21 to give him a license, he can still have operate  
22 his restaurant. He can do whatever he wants to  
23 do there and there is nothing that this Board can  
24 do because he's not selling and serving alcohol.  
25 So, I don't care about sweeping it. That's not

1 -- I don't care what's in a settlement agreement,  
2 that's not relevant here. Come on, ma'am, come  
3 on. Let's move this along. It's at the end of  
4 the day, we're going to continue this hearing --

5 MS. RONES: Okay, let me ask --

6 CHAIRPERSON ANDERSON: Let's move this  
7 along.

8 MS. RONES: A few more questions  
9 because as I stated before I think disbarment  
10 prohibits you from issuing an alcohol --

11 CHAIRPERSON ANDERSON: This is for the  
12 next hearing, ma'am. This is not a fitness  
13 hearing. You're correct. If this was a fitness  
14 hearing on this owner's fitness to get a license,  
15 yes, ma'am, all of those allegations you're  
16 raising would be appropriate, but this is not a  
17 fitness hearing, ma'am. This is not it. This is  
18 a protest hearing.

19 MS. RONES: Okay, well let me --

20 CHAIRPERSON ANDERSON: It's not  
21 relevant.

22 MS. RONES: Ask a question. Mr. Rob,  
23 who did you talk to in the community that  
24 expressed a desire for this type of business or  
25 did you talk to anybody in the community?

1                   MR. BURKA: Other than Mr. Thomas, no  
2 one.

3                   MS. RONES: You talked to no one in  
4 the community who expressed a desire for this  
5 sort of business? I'm sorry, I cannot hear the  
6 response.

7                   CHAIRPERSON ANDERSON: Ms. Rones, he  
8 answered the question and the long and short of  
9 it, he's a landlord. He wants to rent space. He  
10 doesn't need to speak to anybody. It's not  
11 relevant. He doesn't need to speak -- to talk to  
12 anybody in the neighborhood. This is a landlord  
13 trying to rent his property, trying to rent a  
14 commercial property. He's going to, I mean, yes,  
15 if he wants to talk to the community, he can, but  
16 as long as he has a tenant who is willing and  
17 able to rent his space, he doesn't have any  
18 obligation to go ask people what do you want in  
19 my shopping center. That's not relevant to this  
20 witness, ma'am, it isn't.

21                   MS. RONES: Well, he testified that he  
22 wanted to keep this in keeping with desires and  
23 the values of the community, that was his  
24 testimony.

25                   CHAIRPERSON ANDERSON: Right, about

1 what he wanted, but that doesn't necessarily mean  
2 that the community might want to have a disco or  
3 a fancy nightclub in the space, but he said I  
4 don't want that in my space. But, right, he just  
5 said what he wants in his space. That's what he  
6 said, this is what I want, this is the  
7 environment I want in my space. He didn't say we  
8 consulted with the community. That's what he  
9 said he wants and hopefully, what the landlord  
10 wants is the same thing that the community wants,  
11 but this is not the witness for that, ma'am.  
12 Let's move on.

13 MS. RONES: Well, how would he know  
14 what the community wanted if he didn't ask?

15 CHAIRPERSON ANDERSON: He doesn't need  
16 to know what the community wants. He said he  
17 wants for his space. That's what I heard. This  
18 is his space

19 (Simultaneous speaking.)

20 MS. RONES: Is there a provision in  
21 the lease that would prohibit the proposed tenant  
22 from operating a caf, or patio, bar and patio?

23 MR. BURKA: Are you referring to a  
24 specific provision in the lease?

25 MS. RONES: Yes, is there a provision

1 in the lease that would allow him to open a patio  
2 or garden caf, adjacent to your property?

3 MR. BURKA: When I do a key word  
4 search of the lease, caf, and patio, doesn't come  
5 up.

6 CHAIRPERSON ANDERSON: All right, Mr.  
7 Burka, I don't need you to do any research, sir.  
8 If you can't answer the question, you can't  
9 answer the question. I don't need you to do any  
10 research, sir.

11 MR. BURKA: Very well.

12 CHAIRPERSON ANDERSON: Okay, let's  
13 move on.

14 MS. RONES: Well, can you tell us  
15 whether or not that's public space?

16 CHAIRPERSON ANDERSON: Ms. Rones, one  
17 of the things I said to you before, Ms. Rones,  
18 even if he asks for a sidewalk caf,, this Agency  
19 will not issue a license for the space unless the  
20 Agency who is responsible for that gives him a  
21 license. So, he can ask us for sidewalk caf,,  
22 but we're not going to approve a sidewalk caf,  
23 for this restaurant, until he gets a license from  
24 that Agency who issues licenses for sidewalk  
25 caf,s. Let's move on, ma'am. I shared that with

1 that at the beginning of the hearing, ma'am.

2 Let's move on. It's not relevant for this

3 witness.

4 MS. RONES: Well --

5 CHAIRPERSON ANDERSON: Ms. Rones, I  
6 don't know what information the tenant has to  
7 give Department of Transportation to get a  
8 sidewalk caf,, so if it's not in his lease or  
9 whatever it is, I don't care. It's not relevant  
10 for us here, ma'am, because as I told you before,  
11 ma'am, we are not going to issue the license  
12 until all permits that are issued from all other  
13 agencies have been provided to us. The same way  
14 I stated before, he signed a settlement agreement  
15 with the ANC for occupancy of 60. If his  
16 Certificate of Occupancy comes back to say he can  
17 only have 20 people in there, only 20 people will  
18 be there, okay. Let's move on, ma'am.

19 MS. RONES: Okay, just a minute. Is  
20 it your understanding that he's going to operate  
21 a bakery on the premises?

22 MR. BURKA: No.

23 MS. RONES: Is he going to have a full  
24 service kitchen?

25 MR. BURKA: My understanding is that

1 he will sell bakery items, whether he operates a  
2 "bakery" I'm not certain of that, but it really  
3 doesn't matter to us if he can properly operate  
4 it, then we're okay with it.

5 MS. RONES: Do you know whether or not  
6 he's going to operate a full service kitchen?

7 MR. BURKA: The presumption is if he's  
8 serving hot food, it'll be full service. I'm not  
9 sure what you describe -- what you mean by full  
10 service.

11 MS. RONES: A full service that meets  
12 the requirements for a commercial kitchen.

13 MR. BURKA: That would be a regulatory  
14 assessment done by our counsel.

15 MS. RONES: Yeah, but you're a  
16 property manager, you do know the --

17 (Simultaneous speaking.)

18 MR. BURKA: I'd have to defer to  
19 counsel.

20 MS. RONES: For a kitchen.

21 MR. BURKA: I'd have to defer to  
22 counsel.

23 MS. RONES: Let me ask you a question  
24 about --

25 CHAIRPERSON ANDERSON: Ms. Rones, we

1 have a time constraint, okay? So, I just want to  
2 let you know that this hearing has to end at  
3 6:00. I already told you that we're going to  
4 continue it. It's 5:45, okay. I just want to  
5 let you know that. Ms. Rones? Ms. Rones, I need  
6 you to wrap up your questions of this witness.

7 MS. RONES: Okay, let me go through my  
8 notes really quick and then I'll ask him the  
9 salient questions that I have left. What is your  
10 understanding about his desire to have a carry  
11 out alcohol license?

12 CHAIRPERSON ANDERSON: He will not  
13 have that as per the settlement agreement, he  
14 will not have that, ma'am. Let's move on.

15 MS. RONES: He spoke to that. He said  
16 that --

17 CHAIRPERSON ANDERSON: As per the  
18 settlement agreement that he signed with the ANC,  
19 he will not have that. Let's move on. It's per  
20 the settlement agreement he signed with the ANC,  
21 it says that he will not have it. Let's move on.

22 MS. RONES: Well, you said the  
23 settlement agreement wasn't relevant a minute  
24 ago.

25 CHAIRPERSON ANDERSON: No, that's not



1 what I said, ma'am. I said if the Board does not  
2 approve the license, the settlement agreement  
3 would be irrelevant. If the Board approved the  
4 license, everything in the settlement agreement  
5 is binding on him and so I'm just saying to you,  
6 the settlement agreement that he signed says that  
7 he will not have a carry out and delivery  
8 endorsement. He will not have entertainment. He  
9 will not have a DJ. He's going to close at  
10 11:00. He's going to stop selling at 10:30.  
11 That's what the settlement agreement says, so  
12 therefore if this license is approved, the  
13 settlement agreement will be the ceiling, ma'am.  
14 All right.

15 MS. RONES: Well, his application  
16 states --

17 CHAIRPERSON ANDERSON: I don't care  
18 about his application, ma'am. He filed an  
19 application and he signed a settlement agreement  
20 which you have a copy of the settlement  
21 agreement, ma'am, that I told you the Board  
22 approved. Therefore, the settlement agreement is  
23 the ceiling. He cannot -- he will not have  
24 anything above what is in the settlement  
25 agreement, ma'am. We don't need to go there

1 anymore. You don't need to go to the hours,  
2 because the settlement agreement that he signed  
3 already gave him the ceiling of hours that he  
4 will have.

5 MS. RONES: Casting the lease? Rob,  
6 were you aware that he was also planning to sell  
7 spirits alcohol?

8 MR. BURKA: Sorry?

9 MS. RONES: I'm sorry, what did you  
10 say?

11 MR. BURKA: I said could you rephrase  
12 the question, please?

13 MS. RONES: Were you aware that he was  
14 also applying to sell hard liquor as spirits?

15 MR. BURKA: No, I was not aware of  
16 that.

17 MS. RONES: I'm sorry, could you  
18 repeat your answer?

19 MR. BURKA: It makes no difference to  
20 me as long as he's in compliance.

21 MS. RONES: Okay, well this will  
22 probably be one of my last questions. Were you  
23 aware that the tobacco shop adjacent to this  
24 premises is a cannabis operation?

25 CHAIRPERSON ANDERSON: That's --

1 MR. BURKA: I'd like to speak to that.

2 CHAIRPERSON ANDERSON: Hold on, hold  
3 on. Listen, I don't care about that, that's not  
4 relevant. It has nothing to do with this  
5 license. Let's move on. That's not relevant.

6 MR. BURKA: It's not.

7 MS. RONES: It's extremely relevant.

8 CHAIRPERSON ANDERSON: I'm sorry, Ms.  
9 Rones, it is irrelevant to this hearing today. I  
10 don't care what's next door. It's not a license  
11 estab -- well, to the best of my knowledge, it's  
12 not a licensed establishment and whether it was  
13 licensed or not, it is not relevant. If it was  
14 an alcohol establishment, ma'am, you could all  
15 the questions about it, but as a cannabis, legal  
16 or illegal establishment, it's not relevant to  
17 this hearing, ma'am. Let's move on.

18 MS. RONES: Well, I take exception  
19 with that, but I will move on. Just a second,  
20 please, I'm going to speed this up. Did you,  
21 Rob, see any pictures or diagrams of the proposed  
22 layout of the Sahara Market?

23 MR. BURKA: I saw a schematic  
24 rendering.

25 MS. RONES: Was it the same one that

1 was presented earlier?

2 MR. BURKA: I believe so, but it was  
3 hard to see. It was small on my screen.

4 MS. RONES: So, that's the only plan  
5 that you saw?

6 MR. BURKA: I'm not sure what you mean  
7 by that.

8 MS. RONES: Did you see an  
9 architectural plans? Did you see any space  
10 planning plans prior to approving his application  
11 for this lease?

12 MR. BURKA: That would not be relevant  
13 to us before the lease.

14 MS. RONES: Are you saying that most  
15 commercial leases don't request that information?

16 CHAIRPERSON ANDERSON: Ms. Rones,  
17 let's move on, I don't care about the commercial  
18 lease. Let's move on, ma'am.

19 MS. RONES: This is another question  
20 that I have, what website did you review for the  
21 Sahara Market?

22 MR. BURKA: I did not review a website  
23 for the Sahara Market.

24 MS. RONES: Didn't you testify that  
25 you looked at the website and you gleaned from

1 the website that this was a professional  
2 operation? Didn't you say something to that  
3 effect?

4 MR. BURKA: I don't think I said that,  
5 but I'd be happy to clarify.

6 CHAIRPERSON ANDERSON: No  
7 clarification is needed. Ms. Rones --

8 MS. RONES: What website did you look  
9 at?

10 CHAIRPERSON ANDERSON: Ms. Rones, this  
11 is not relevant, let's move on, ma'am. I don't  
12 care what -- I don't care, ma'am. It's not  
13 relevant to the Board. Move on, please, ma'am.

14 MS. RONES: Give me a moment, please.  
15 Do you know if Tom Thompson is an agent of the  
16 proprietor?

17 CHAIRPERSON ANDERSON: Who is Tom  
18 Thompson? Who is that? Where's this name come  
19 from, ma'am?

20 MS. RONES: He's the gentleman that  
21 had spoken with Rob.

22 CHAIRPERSON ANDERSON: I don't care,  
23 move on.

24 MR. BURKA: No, that's not who I spoke  
25 to.

1 CHAIRPERSON ANDERSON: Let's move on.  
2 Go ahead.

3 MS. RONES: You didn't speak to Tim  
4 Thompson? You said he came and introduced  
5 himself to you.

6 MR. BURKA: You said Tom.

7 CHAIRPERSON ANDERSON: All right --

8 MS. RONES: Tim, Tim Thompson.

9 CHAIRPERSON ANDERSON: I don't care,  
10 ma'am. Let's move on.

11 MS. RONES: Okay this is one thing I  
12 just need to have some clarification about. Does  
13 your company own the land adjacent to your  
14 building? Is that public space?

15 CHAIRPERSON ANDERSON: Irrelevant,  
16 let's move on.

17 MS. RONES: Okay, this is a question  
18 I need to ask, what controls do you have over who  
19 patronizes the restaurant?

20 CHAIRPERSON ANDERSON: Objection.  
21 Let's move on.

22 MS. RONES: I take exception. Mr. Rob  
23 stipulated that he didn't want young people or he  
24 didn't want it to become a night club, what  
25 controls does he have in place to prohibit that

1 from --

2 CHAIRPERSON ANDERSON: I don't -- I  
3 don't care about what Mr. Rob thinks. I don't  
4 care. Let's move on. And no disrespect to you,  
5 sir, okay, this is not --

6 MR. BURKA: Okay.

7 CHAIRPERSON ANDERSON: The purpose of  
8 this, okay?

9 MR. BURKA: All right.

10 CHAIRPERSON ANDERSON: Let's move on.

11 MS. RONES: Well, I just want to  
12 reiterate, you only spoke to one person, one  
13 resident in the community. Is that correct?

14 MR. BURKA: I don't know where he  
15 lives. I presume he lives in the community,  
16 he's part of the community activist organization  
17 there, community and the ANC, so I guess that by  
18 presumption he lives in the community. I wasn't  
19 making a link when I initially spoke, but yeah, I  
20 guess so. Have I spoken to others? Yeah, I  
21 haven't spoke to anybody about the project or  
22 about the lease or anything, but I speak to  
23 patrons all the time who are frequenting the  
24 shopping center.

25 MS. RONES: This is the last question.

1 In your opinion, does the shopping center have  
2 enough parking space to accommodate this type of  
3 operation?

4 MR. BURKA: Yes.

5 MS. RONES: How many parking spaces  
6 are available now?

7 CHAIRPERSON ANDERSON: Asked and  
8 answered 48 to 50, ma'am. He testified to that  
9 earlier. Move on, ma'am.

10 MS. RONES: Okay, well that's really  
11 all I have to ask Mr. Rob.

12 CHAIRPERSON ANDERSON: Thank you. Any  
13 questions by the Board Members? You have a  
14 question, Mr. Short? Do you have a question, Mr.  
15 Short? I thought you were unmuting. I thought  
16 you were trying to unmute your line, sir. Okay.  
17 All right, Mr. Burka, thank you very much for  
18 your testimony today.

19 MR. BURKA: Thank you very much.

20 CHAIRPERSON ANDERSON: Have a nice  
21 day.

22 MR. BURKA: Am I dismissed? Thanks.

23 CHAIRPERSON ANDERSON: Yes, sir.

24 Thank you.

25 MR. BURKA: Thanks, bye.



1 CHAIRPERSON ANDERSON: Is that your  
2 last witness, Mr. Jackson?

3 MR. JACKSON: Yes, it is.

4 CHAIRPERSON ANDERSON: All right. As  
5 I shared, this hearing has to be over at 6:00.  
6 What we will do, I will have our legal office, I  
7 try not to do this, I try to finish the hearings,  
8 but Board Members, we're limited in Board  
9 Members, there are only three of us. Some Board  
10 Members have commitments past 6:00, so I cannot  
11 in good conscience continue this hearing past and  
12 we need to have three Board Members here for us  
13 to have a quorum for us to make decisions. I'm  
14 going to end this hearing.

15 Our legal office will get to you  
16 probably in the next couple of days to propose  
17 some dates to continue the hearing and at that  
18 time, Ms. Rones, you said you have three  
19 witnesses to testify. Is that correct? You're  
20 on mute, Ms. Rones.

21 MS. RONES: Two of the witnesses were  
22 not available today due to exigent circumstances,  
23 but I do believe we can arrange to have them  
24 participate --

25 (Simultaneous speaking.)

1 CHAIRPERSON ANDERSON: How many  
2 witnesses do you have listed on your PIP, ma'am?

3 MS. RONES: Well, we have seven, but  
4 we only are going to use five.

5 CHAIRPERSON ANDERSON: Well, as I told  
6 you, you can only call five witnesses, that's  
7 what I'm -- you were not at the prehearing  
8 conference, I'm sorry, you were not at the so  
9 cause status hearing, where I said you only have  
10 five witnesses and I also said you had two hours  
11 to present your case.

12 MS. RONES: I wasn't there.

13 CHAIRPERSON ANDERSON: One hour -- I  
14 know you weren't there --

15 MS. RONES: I'm trying to read the  
16 transcript.

17 CHAIRPERSON ANDERSON: You have one  
18 hour to present your case. Okay?

19 MS. RONES: Well, it said I had 90  
20 minutes, one hour and one-half, that's what --

21 CHAIRPERSON ANDERSON: No, ma'am.  
22 That's not what I said, ma'am. That's not what I  
23 said.

24 MS. RONES: Are you changing the --

25 CHAIRPERSON ANDERSON: No, ma'am.

1 MS. RONES: Stipulations?

2 CHAIRPERSON ANDERSON: No, ma'am. If  
3 you go back and read the transcript, it says that  
4 you have one hour, you have five witnesses and  
5 one hour to present your case, that's what I  
6 said.

7 MS. RONES: It says one hour and  
8 one-half.

9 CHAIRPERSON ANDERSON: What?  
10 (Simultaneous speaking.)

11 MS. RONES: It says, one hour and  
12 one-half hour that's my complaint --

13 CHAIRPERSON ANDERSON: Ms. Rones, Ms.  
14 Rones, I've been doing this for nine years and I  
15 read the instructions, Ms. Rones, and the  
16 instructions says you have one hour, you have  
17 five witnesses because we're doing the virtual,  
18 you have one hour and five witnesses that's the  
19 instructions that I read. You go back and read  
20 the transcript, ma'am, and if that's not what's  
21 in the transcript, you send me a copy of the  
22 transcript, okay?

23 MS. RONES: I will do that and then if  
24 it says one and a half hours, you'll agree to  
25 that?

1 CHAIRPERSON ANDERSON: If that's what  
2 was said in the transcript, ma'am, but I know  
3 what I said.

4 MS. RONES: Okay.

5 CHAIRPERSON ANDERSON: I know what I  
6 read because I read from an instruction so I  
7 don't give it from the top of my head. I'm  
8 sitting here reading the instruction to give the  
9 parties the instructions for a hearing, so I know  
10 what's in the transcript. It says one hour, five  
11 witnesses. If you need more than one -- if you  
12 need more time, you file a motion and that's what  
13 --

14 (Simultaneous speaking.)

15 CHAIRPERSON ANDERSON: That's what I  
16 said.

17 MS. RONES: Let me review the  
18 transcript and I will --

19 CHAIRPERSON ANDERSON: Yes, ma'am.

20 MS. RONES: Certainly communicate to  
21 you if it says something different from what  
22 you're alleging, okay?

23 CHAIRPERSON ANDERSON: And I will also  
24 review the transcript, ma'am, okay?

25 MS. RONES: Okay, good.

1 CHAIRPERSON ANDERSON: All right. The  
2 legal office will get back to the parties and  
3 we'll reconvene this hearing at our earliest  
4 convenience. Okay?

5 MS. RONES: Very well.

6 CHAIRPERSON ANDERSON: And you can  
7 only call the witnesses that are listed on your  
8 PIP. No extra person --

9 MS. RONES: Very well.

10 CHAIRPERSON ANDERSON: If the document  
11 and witnesses, if it's not listed in the PIP, you  
12 cannot call any additional persons. Is that  
13 clear, ma'am?

14 MS. RONES: We will only call people  
15 listed.

16 CHAIRPERSON ANDERSON: Okay, ma'am.  
17 I just want to make sure that it's understood.  
18 All right, fine. Thank you, everyone. Our legal  
19 office will advise of the date to continue this  
20 hearing, okay? Thank you.

21 MR. JACKSON: Thank you.

22 CHAIRPERSON ANDERSON: All right.  
23 Thank you, have a great day. Let me close the  
24 record. As Chairperson to the Alcoholic Beverage  
25 and Cannabis Board of the District of Columbia in

1 accordance with Title 3, Chapter 405, Office of  
2 Open Government, I move that ABC Board will hold  
3 a closed meeting on September 19 for the purpose  
4 of discussing and hearing reports concerning  
5 ongoing or planned investigations of alleged  
6 criminal or civil misconduct or violations of law  
7 or regulations and seek legal advice from our  
8 legal counsel on the Board's investigative  
9 agenda, legal agenda and licensing agenda for  
10 September 19, as published in the DC Register on  
11 September 13. Is there a second?

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has  
14 seconded the motion. I will now take a roll call  
15 vote in the motion before us now that it has been  
16 seconded. Mr. Short?

17 MEMBER SHORT: Mr. Short, I agree.

18 CHAIRPERSON ANDERSON: Mr. Grant?

19 MEMBER GRANT: Mr. Grant, I agree.

20 CHAIRPERSON ANDERSON: Mr. Anderson,  
21 I agree. As it appears that the motion has  
22 passed, I hereby give notice that the ABC Board  
23 will hold this closed meeting pursuant to the  
24 Open Meetings Act. Notice will also be posted on  
25 the ABC Board Hearing Room Bulletin Board, placed

1 on the electronic calendar on ABCA's website and  
2 published in DC Register in as timely a manner as  
3 practical.

4 We are adjourned for the day. I want  
5 to thank all members of the public who  
6 participated in our hearings today. I will ask  
7 all Board Members to return to Executive Session  
8 briefly.

9 We are adjourned for the day. Thank  
10 you. Have a great day.

11 (Whereupon, the above-entitled matter  
12 went off the record at 6:01 p.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: Sahara Market

Before: DC ABCA

Date: 09-18-24

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.



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Court Reporter

**NEAL R. GROSS**

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