

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

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IN THE MATTER OF:                   :  
  :  
Noah Naol DC, LLC                   :  
t/a Sound Bar                        :  
1909 9th Street NW                 : Summary Action  
Retailer CT - ANC 1B                : Hearing  
License No. 122864                  :  
Case #24-251-00003                 :  
  :  
(Assault with a                     :  
Deadly Weapon)                     :  
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Wednesday  
January 24, 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:

JOSE ORELLANA, DC ABCA Staff  
MARKI WOLDELMARIAM, Licensee  
RICHARD BIANCO, Licensee Counsel  
COLLIN CENCI, DC OAG  
JERRITA MILLINGTON, Investigator  
ANTHONY CELLO, Assistant Attorney General

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

2 10:38 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 that was on our calendar this morning, a Summary  
5 Suspension Hearing for Case Number 24-251-00003,  
6 Sound Bar, License Number 122864.

7 This case has been moved to 1:30 this  
8 afternoon. And so this case has been moved to  
9 1:30 this afternoon. And so basically that is  
10 then our morning calendar.

11 So, the next case that we have on our  
12 calendar and, again, this is a case that was  
13 initially scheduled for, this is another Summary  
14 Suspension action. This matter was schedule for  
15 10:30 this morning but the parties asked us to  
16 move it to this afternoon. So, I'm now calling  
17 Case Number 24-251-00003. Sound Bar, License  
18 Number 122864.

19 Good afternoon, Mr. Orellana. Can you  
20 please elevate the rights of the Government, the  
21 Licensee and whatever witnesses in this case.

22 MR. ORELLANA: Mr. Bianco, you access  
23 has been elevated.

24 Investigator Jerrita has been  
25 elevated. Collin Cenci, your access

1 has been elevated.

2 And Marki Woldelmariam, your access  
3 has been elevated.

4 That is all, Chairman.

5 CHAIRPERSON ANDERSON: Thank you, sir.

6 Can everyone please turn your camera  
7 on.

8 Okay. We have the investigator so can  
9 you please come on line, please. I'm not sure if  
10 you'll be needed for this hearing but I would  
11 like to at least see that person is.

12 All right. Let's start.

13 Mr. Cenci, can you please identify  
14 yourself for the record.

15 MR. CENCI: Good afternoon, Mr. Chair.  
16 Collin Cenci, C-O-L-L-I-N C-E-N-C-I. This is the  
17 Attorney General in the Office of the General  
18 Attorney for District of Columbia.

19 I believe I should be joined by Mr.  
20 Anthony Cenci who is in the waiting area.

21 CHAIRPERSON ANDERSON: All right. Mr.  
22 Orellana, can you please elevate Mr. Anthony  
23 Cello.

24 MR. ORELLANA: Anthony Cello, your  
25 access has been elevated.

1 MR. CELLO: Good afternoon, Mr. Chair.  
2 Assistant Attorney General Anthony Cello on  
3 behalf of the District.

4 CHAIRPERSON ANDERSON: Spell your name,  
5 sir, please.

6 MR. CELLO: A-N-T-H-O-N-Y C-E-L-L-O.

7 CHAIRPERSON ANDERSON: All right, thank  
8 you.

9 MR. BIANCO: Good afternoon, Mr.  
10 Chair, Members of the Board, Richard Bianco, R-I-  
11 C-H-A-R-D B-I-A-N-C-O for the Respondent in this  
12 case. With me is Marki Woldelmariam and she is  
13 the owner of the establishment, Noah Naol, LLC.  
14 And I will have her introduce her self and spell  
15 her name. Marki.

16 MS. WOLDELMARIAM: My name is Marki  
17 Woldelmariam. M-A-R-K-I W-O-L-D-E-L-M-A-R-I-A-  
18 M. That's my full name.

19 CHAIRPERSON ANDERSON: Thank you. I  
20 guess Mr. Bianco already stated that you were  
21 own. All right. Thank you.

22 All right. This is a Summary  
23 Suspension Hearing regarding the Sound Bar which  
24 is a case with assault with a deadly weapon and  
25 so we schedule a Summary Suspension Hearing for

1 this afternoon.

2 So, Mr. Cenci, are there any  
3 preliminary matters in this case?

4 MR. CENCI: The parties have come to an  
5 agreement on terms for an Offer in Compromise  
6 that has been submitted to the Board just a few  
7 minutes before we started today.

8 CHAIRPERSON ANDERSON: Okay. And so if  
9 there os am Offer in Compromise then I need you  
10 to review the Offer in Compromise and tell us  
11 whether or not you believe the Board has not seen  
12 this Offer in Compromise. It was sent to the  
13 Board. It was sent to the Board but we have not  
14 seen it and so have not reviewed it. So, I would  
15 like the parties to review and put into the  
16 record what they offer and the compromise is.

17 I will ask Mr. Bianco if this is the  
18 Offer in Compromise. I'll have the Board Members  
19 ask questions if they can and then the Board will  
20 probably end up going back into Executive Session  
21 to further this with Legal.

22 So, what I'll ask you to do, Mr.  
23 Cenci, is to tell us what happened, why we're  
24 here today and so just give us some background  
25 about what happened and then I need you to go

1 through the terms of the Offer in Compromise.

2 You have to read the entire thing, you  
3 have to read the entire document because we have  
4 to put this in the record for the Court Report.  
5 Okay?

6 MR. CENCI: Yes, Mr. Chair.

7 By way of background on the case this  
8 essentially arose from an incident that took  
9 place the morning of Monday, January 8th, in which  
10 in Sound Bar to be addressed in front of me. In  
11 the establishment a --

12 CHAIRPERSON ANDERSON: Hold on. Hold  
13 on a minute, please, sir.

14 I would the individual, who is the  
15 individual who is there. I would like the person  
16 to identify themselves for the record. Who is  
17 that? Is that someone, I'm sorry. I make a  
18 motion that we approve this request.

19 INVESTIGATOR MILLINGTON: I am  
20 Investigator Millington. I was trying to address  
21 my team. I was having difficulties.

22 CHAIRPERSON ANDERSON: So, can you  
23 please spell and state your name for the record,  
24 ma'am.

25 INVESTIGATOR MILLINGTON: My first name

1 Jerrita, J-E-R-R-I-T-A, last name M-I-L-L-I-N-G-  
2 T-O-N.

3 CHAIRPERSON ANDERSON: Okay. Thank  
4 you.

5 All right. Go ahead, sir.

6 MR. CENCI: Yes. So, at the  
7 establishment Sound Bar located at 1909 9th  
8 Street, Northwest, Washington, D.C. 20007. The  
9 morning of January 8th a patron assaulted three  
10 other patrons inside of the establishment's  
11 restroom with a sharp object stabbing three of  
12 them causing injuries to all three. One person  
13 was taken -- two people were taken to the  
14 hospital for treatment of their injuries. And  
15 the third person refused medical treatment. To  
16 our knowledge, the person who committed the  
17 assault remains at large.

18 When MPD arrived on the scene within  
19 minutes of the assault taking place, it was found  
20 that the staff of Sound Bar was already mopping  
21 up the floors. Mopping up blood, destroying  
22 evidence that had resulted from the incident.

23 After reviewing the establishment's  
24 records the parties have come to an agreement  
25 about a security plan to be put in place that

1 will hopefully prevent future incidents like this  
2 for taking place at the establishment.

3 And I'm glad to read the OIC into its  
4 entirety onto the record that details the terms  
5 of the security plan, that the establishment  
6 submitted. The security plan is attached to the  
7 party's submission as well. And it's our  
8 understanding that the terms of the OIC are  
9 accurately captured in the security plan.

10 I believe the only issue remaining we  
11 may need to do a quick edit for the Board's  
12 review but the establishment's LLC name is not  
13 correct at the top of the security plan. But  
14 that's a minor edit that we can address before  
15 it's finalized.

16 The OIC also --

17 CHAIRPERSON ANDERSON: What I need you  
18 to do, sir, because we have to establish a  
19 record.

20 MR. CENCI: I would read the entirety  
21 of the OIC onto the record as well.

22 CHAIRPERSON ANDERSON: Oh. Okay.  
23 Fine.

24 MR. CENCI: It's in your summary.

25 CHAIRPERSON ANDERSON: Okay. Fine.

1 Okay.

2 MR. CENCI: And the OIC also captures  
3 payment of fines for the offenses to resolve a  
4 potential underlying show cause action that could  
5 arise from this incident. Also required the  
6 submission of security cameras and a compliance  
7 walk through before the establishment is to  
8 reopen.

9 I will now read the terms of the Offer  
10 in Compromise into the record.

11 CHAIRPERSON ANDERSON: Okay.

12 MR. BIANCO: Mr. Anderson --

13 CHAIRPERSON ANDERSON: Yes, Mr. Bianco.

14 MR. BIANCO: -- a point of  
15 clarification but not disagreement because I  
16 think it's important to note when the Board  
17 considers the OIC.

18 This was not a situation where there  
19 was anything to suggest there was a weapon of any  
20 kind smuggled into the establishment. Based on  
21 the information on the scene what we believed  
22 happened, whatever happened in the bathroom  
23 where, of course, there are no security cameras  
24 the suspect here pulled the paper towel dispenser  
25 off of the wall and then we believe used the

1 broken chards of that element to commit the  
2 actions that are alleged here. And I believe the  
3 investigator's report notes that upon review of  
4 the video it showed that patrons were, in fact,  
5 being checked at the door on their way in. And I  
6 think that's important because the security plan  
7 and the OIC puts into place additional procedures  
8 for admissions of patrons but I didn't want that  
9 to suggest that there was some failure here by  
10 the establishment to actually do that. They were  
11 conducting the searches.

12 CHAIRPERSON ANDERSON: Thank you for  
13 that, Mr. Bianco. And I guess you probably  
14 answered the question that I was going to ask  
15 that once I hear, once I listened to the details  
16 of the OIC because I did take notes on the  
17 underlying offense. So, I just want to make sure  
18 that whatever the -- that the Offer in Compromise  
19 that's provided that it covers, it addresses the  
20 issues in the underlying offense. So, thank you  
21 for alerting me to that. So, I guess I will sit  
22 up straight when I listen to the terms. Okay.  
23 Go ahead, sir.

24 MR. CENCI: Yes, Mr. Chair.

25 The District of Columbia jointly with

1 the licensee or respondents made this Offer in  
2 Compromise or OIC the Alcoholic and Beverage and  
3 Cannabis Board as authorized by 23 DCRM Section  
4 1610 by approval by the Board.

5 The copy of this Offer in Compromise  
6 covers the summary suspension as well as any  
7 violations which have been or could have been  
8 alleged on the incident in question in ABCA case  
9 number 24-251-00003.

10 The parties understand that if the  
11 Board approves the Offer in Compromise the case  
12 will conclude. Respondent will be obligated to  
13 abide by the terms of the Offer in Compromise as  
14 read further. If the Board does not approve the  
15 Offer in Compromise mitigation of the summary  
16 suspension action will continue.

17 Respondent has been advised that there  
18 is no obligation to accept the Offer in  
19 Compromise. Respondent has been advised through  
20 service of the notice of Summary Suspension that  
21 at any Summary Suspension hearing or other  
22 proceedings Respondent may be represented by  
23 legal counsel, have subpoenas issued to require  
24 production of witnesses and evidence, produce  
25 witnesses and evidence, cross-examine the witnesses,

1 and apply to the Board for a qualified  
2 interpreter.

3 The Offer in Compromise terms are as  
4 follows.

5 Section 1, Security Plan. Respondent  
6 shall submit a security plan to ABCA and the  
7 Office of the Attorney General, OAG. The Board  
8 shall review and deem acceptable the security  
9 plan before lifting the suspension of  
10 respondent's ABC license. If the Board does not  
11 consider the security plan acceptable, the  
12 suspension shall not be lifted and a security  
13 clearance shall comply with all applicable  
14 requirements under D.C. Code, Title 25 and  
15 corresponding regulations including DCMR Chapter  
16 23.

17 The security plan shall include 1A,  
18 Respondent shall utilize a District of Columbia  
19 licensed security agency to provide unarmed  
20 security personnel for crowd control, conflict  
21 resolution and emergency response services.

22 1B. After 9:00 p.m. upon entry or re-  
23 entry all patrons regardless of gender shall be  
24 subject to search by metal detector wand,  
25 physical examination of all bags and purses and

1 pat down searches based on wandling results.

2 Respondent shall hire additional  
3 security as needed to wand and search female  
4 patrons.

5 1C. Respondent shall not permit any  
6 employees, patrons or other persons to bring  
7 firearms, knives or other dangerous weapons as  
8 that term is defined in D.C. Code Section 224514  
9 into the establishment.

10 1D. Established procedures for  
11 handling violent incidents, emergencies, contact  
12 to the Metropolitan Police Department, crowd  
13 control, over-crowding prevention, security  
14 personnel locations, the number of security  
15 cameras, preventing intoxication and preventing  
16 entry of service to underage patrons.

17 1E. All employees must undergo a  
18 criminal background check before starting  
19 employment.

20 1F. Respondent shall utilize at least  
21 two security personnel for operational floor  
22 from, 10:00 p.m. to 3:00 a.m. when the  
23 establishment is operating.

24 1G. All security personnel shall be  
25 equipped with portable two-way communication

1 systems and flashlights to maintain constant  
2 awareness of incidents.

3 1H. Security personnel shall check  
4 photo identification with visual scanners for all  
5 patrons at the door from 9:00 p.m. to 3:00 a.m.  
6 when the establishment is operating and shall not  
7 permit entry to anyone presenting counterfeit  
8 identification or failing to present  
9 identification.

10 1I. Staff shall not serve alcoholic  
11 beverages to any patron who is or appears to be  
12 intoxicated.

13 1J. Respondent shall preserve all  
14 crime scenes and scenes of any violent incidents  
15 and all staff and security personnel must remain  
16 on scene after a crime or violent incident until  
17 interviewed by MPD or ABCA and excused.

18 1K. All staff must provide accurate  
19 information during the investigations to MPD and  
20 ABCA. Upon a finding by the Board or stipulation  
21 by the respondent that the licensee knowingly  
22 obstructed an official investigation the  
23 employees who committed the obstructing act shall  
24 be immediately terminated.

25 1L. Respondent shall utilize the

1 reimbursable detail officer or RDO program at  
2 least on weekends and holidays from 10:00 p.m. to  
3 3:00 a.m. when the establishment is operating.

4 To comply with this provision the  
5 respondent may participate in the RDO contract  
6 established in conjunction with Shaw main streets  
7 for service to the establishment on the block of  
8 1900 block, 9th Street, Northwest, or any similar  
9 arrangements which may be available in the  
10 future.

11 1M. Respondent shall submit to ABCA  
12 before reopening a diagram showing the location  
13 of all security cameras for the establishment  
14 which shall meet the technical requirements  
15 adopted by the Board in accordance with D.C. Code  
16 Section 25836G4 such as resolution, things for  
17 record, storage, retention, image quality  
18 standards.

19 Staff shall regularly monitor security  
20 cameras and at least one camera shall be  
21 positioned to have an unobstructed view of the  
22 front entrance of the establishment at all times  
23 that the establishment is open.

24 1N. All security cameras shall be  
25 kept in good working order when the establishment

1 is operating pursuant to the term or D.C. Code  
2 Section 25836.

3 10. Respondent shall maintain all  
4 security footage for at least 30 days.

5 1P. Respondent shall insure that at  
6 all times when the establishment is operating at  
7 least one person on the premises is able to  
8 immediately access and provide security footage  
9 to MPD and ABCA.

10 1Q. Respondent must maintain on the  
11 licensed premises a written incident log  
12 detailing all crimes and other incidents of  
13 physical violence that occur at the establishment  
14 and identify with specificity including serial  
15 numbers if applicable any confiscated or  
16 recovered weapons from patrons.

17 The log shall be updated within 48  
18 hours of an incident or weapon confiscation.  
19 Respondent shall surrender confiscated weapons to  
20 MPD within 24 hours. Respondent shall make the  
21 incident log available to ABCA investigators and  
22 MPD within 48 hours of a request.

23 1R. Respondent shall implement  
24 training and certification on how to identify and  
25 handle intoxicated patrons, the escalation of

1 threats and violence, conflict resolution,  
2 maintaining order, emergency protocols, first  
3 aid/CPR and all reporting of incidents of  
4 violence or injury to the ABC Board-approved  
5 manager and any other appropriate authority and  
6 preserving the scene of the crime security  
7 supervisor.

8           Retraining on each of those issues  
9 shall be conducted quarterly for all staff and  
10 security personnel and new staff and security  
11 personnel shall be trained on the security plan  
12 and each of those issues within 14 days of hire.  
13 Training on the security plan for all staff shall  
14 be a precondition for reopening.

15           1S. Security personnel shall properly  
16 separate and remove patrons who initiate or  
17 participate in a violent altercation as soon as  
18 possible under the circumstances providing that  
19 doing so can be accomplished safely.

20           If more than one patron is involved,  
21 adverse patrons shall be separated and care shall  
22 be taken so the parties are not expelled at the  
23 same time, through the same exits or in any other  
24 manner not designed to minimize further  
25 confrontation.

1           1T. All staff and security shall be  
2 trained on the security plan before the Board's  
3 reinstatement of respondent's ABC license. Each  
4 member of the staff and security team shall  
5 certify by signature that they have completed the  
6 revised security plan training. Signed  
7 certifications shall be maintained by the  
8 respondent and shall be provided to ABCA within  
9 24 hours of a records request.

10           1U. Security personnel shall wear  
11 uniforms with the words Staff or Security or  
12 other such similar words or phrase.

13           1V. Security personnel shall maintain  
14 order throughout the establishment including the  
15 outside entrance, stairwells and first and second  
16 floor interior.

17           1W. Respondent shall actively  
18 communicate with the Metropolitan Police  
19 Department and ABCA, share information about  
20 potential safety issues.

21           2. Security Cameras. Before the  
22 Board lifts the suspension of respondent's ABC  
23 license, the respondent shall insure that all  
24 security cameras are in working order and that  
25 footage from all cameras can be saved and

1 maintained for at least 30 days.

2 3. Fine. Within 30 days of the  
3 Board's order approving this Offer in Compromise  
4 respondent shall pay fine of \$4,000, including a  
5 \$2,000 fine for interfering with an ongoing  
6 investigation by providing false or misleading  
7 statements with the intention of influencing,  
8 impeding or obstructing the investigation under  
9 D.C. Code Section 25823A5C and a \$2,000 fine for  
10 interfering with an ongoing investigation by  
11 tampering with evidence under D.C. Code Section  
12 25823A5D and A10S.

13 A failure to pay the fines within 30  
14 days result in the immediate and indefinite  
15 suspension of respondent's license until the  
16 fines are paid in full.

17 4. Compliance Walk Through. Before  
18 the Board lifts the suspension of respondent's  
19 ABC license, an ABCA investigator shall conduct a  
20 walk through of the licensed establishment with  
21 respondent to insure compliance with the OIC  
22 requirements including the security cameras are  
23 operational as required herein.

24 5. Suspension. The ABC license  
25 suspension shall be lifted as soon as all

1 applicable OIC requirements are satisfied.

2 That is the property of the Offer in  
3 Compromise and as I mentioned along our  
4 submission of the written Offer in Compromise, a  
5 security plan was submitted to the Board that's  
6 based on our review does comply with the Offer in  
7 Compromise as we have outlined.

8 CHAIRPERSON ANDERSON: Thank you, sir.

9

10 Just a couple of questions before I  
11 turn to Mr. Bianco.

12 Do you believe that if the Board was  
13 to approve this Offer in Compromise that it would  
14 address the underlying issue why we're here  
15 today?

16 MR. CENCI: Yes, I do.

17 CHAIRPERSON ANDERSON: And do you  
18 believe that's an offer in the best interest of  
19 the residents of the District of Columbia that  
20 this Offer in Compromise be accepted at least  
21 from your point of view?

22 MR. CENCI: I do believe it is in the  
23 best interest of the residents of the District of  
24 Columbia.

25 CHAIRPERSON ANDERSON: Any questions

1 that the Board Members want to ask the Government  
2 before I turn to Mr. Bianco?

3 Mr. Short, do you have a question,  
4 sir?

5 MEMBER SHORT: I have a question. I  
6 wanted to ask AAG Cenci, you mentioned the  
7 residents. I'd like to think that this would  
8 also cover any visitors to the District of  
9 Columbia and also other businesses in the 1900  
10 block of 9th Street because just to state the  
11 residents to me doesn't give me the total  
12 assurance that this overall plan will work. So,  
13 does that language include also the visitors,  
14 tourists, other businesses in the community other  
15 than just residents?

16 MR. CENCI: My apologies. I was  
17 responding to Chairman Anderson's question.  
18 Well, specifically, I do believe it is in the  
19 best interest of visitors to the District of  
20 Columbia and to the other businesses in the  
21 District of Columbia as well.

22 MEMBER SHORT: Thank you. That was the  
23 answer I was waiting for. Thank you very much.

24 That's all I have, Mr. Chair.

25 CHAIRPERSON ANDERSON: All right.

1 Thank you.

2 Any other questions by any of the  
3 Board members?

4 MEMBER GRANT: No, sir.

5 CHAIRPERSON ANDERSON: Okay. Thank  
6 you, Mr. Grant.

7 Mr. Bianco, you heard the recitation  
8 of the Offer in Compromise. Is this the Offer in  
9 Compromise that your client has agreed to, sir?  
10 And is your client aware that by accepting a  
11 Offer in Compromise that they give up their right  
12 to a hearing?

13 MR. BIANCO: Yes, she is.

14 CHAIRPERSON ANDERSON: And is your  
15 client also aware that by accepting an Offer in  
16 Compromise that they give up their right to  
17 appeal this matter?

18 MR. BIANCO: Yes, Mr. Anderson, she is.

19 CHAIRPERSON ANDERSON: I'll just ask on  
20 the record to the other Board Members. Do we  
21 want to go in Executive Session to discuss this  
22 Offer in Compromise or are the Board Members  
23 satisfied with what they were told, are the Board  
24 Members ready to vote yay or nay on this Offer in  
25 Compromise or does the Board wish to go into

1 Executive Session to discuss it further?

2 MEMBER SHORT: I would suggest we go  
3 into Executive Session just for one very brief  
4 moment, Mr. Chair.

5 CHAIRPERSON ANDERSON: All right.  
6 That's fine. Okay.

7 As Chairperson of the Alcoholic  
8 Beverage and Cannabis Board for the District of  
9 Columbia and in accordance with D.C. Official  
10 Code Section 2575 of the Opening Meetings Act I  
11 move that the ABC Board hold a closed meeting for  
12 the purpose of seeking advice from our counsel on  
13 Case Number 24-251-00003, Sound Bar, pursuant to  
14 D.C. Official Code Section 2575B4A of the Open  
15 Meetings Act and deliberating upon Case Number  
16 24-251-00003, Sound Bar for the reasons cited in  
17 D.C. Official Code Section 2575B13 of the Open  
18 Meetings Act. Is there a second?

19 MEMBER SHORT: Mr. Short, I second.

20 CHAIRPERSON ANDERSON: Mr. Short has  
21 seconded the motion. I will now take a Roll Call  
22 vote on the motion before us now that it has been  
23 properly seconded.

24 Mr. Short.

25 MEMBER SHORT: Mr. Short, I agree.

1 CHAIRPERSON ANDERSON: Mr. Grant?

2 MEMBER GRANT: Mr. Grant, I agree.

3 CHAIRPERSON ANDERSON: I Mr. Anderson,  
4 I agree. As it appears the matter has passed I  
5 hereby give notice that the ABC Board will recess  
6 these proceedings to hold a closed meeting  
7 pursuant to Section 2575 of the Open Meetings  
8 Act.

9 The Board will go into Executive  
10 Session to discuss this Offer in Compromise with  
11 our counsel and so we should be back shortly.  
12 We'll be back shortly. So, just hold on and  
13 we'll be back. So, everyone can stay on line.  
14 I'll ask the Board Members to log off and then  
15 log back into our Executive Session. Okay?

16 So, we are in recess.

17 (Whereupon, the above proceeding went  
18 off the record at 2:18 p.m. and resumed at 2:31  
19 p.m.)

20 CHAIRPERSON ANDERSON: All right.

21 We're back on the record.

22 This is regarding the summary  
23 suspension hearing regarding Case Number 24-251-  
24 00003, Sound Bar. License Number 122864.

25 The Government has provided the Board

1 an Offer in Compromise for review. And the Board  
2 went into Executive Session to discuss with our  
3 Legal Office because the Board had some questions  
4 on the OIC. So, we are now back on the record  
5 and based on the presentation the Offer in  
6 Compromise that was presented I, therefore, make  
7 a motion that the Offer in Compromise be  
8 accepted.

9 And the Offer in Compromise basically  
10 it's extensive. The AAG sent you earlier places  
11 in the record so I will not be repeating the  
12 Offer in Compromise itself because it's too  
13 voluminous for me to repeat it to put it in the  
14 record. But it's in the record as stated by the  
15 AAG earlier. So, I'm making a motion that the  
16 Offer in Compromise be accepted. Is there a  
17 second?

18 MEMBER SHORT: Mr. Short, I second.

19 CHAIRPERSON ANDERSON: Mr. Short has  
20 seconded the motion. We'll now have a Roll Call  
21 vote.

22 Mr. Short?

23 MEMBER SHORT: Mr. Short, I agree.

24 CHAIRPERSON ANDERSON: Mr. Grant.

25 MEMBER GRANT: Mr. Grant, I agree.

1 CHAIRPERSON ANDERSON: And I Mr.  
2 Anderson I agree. The matter passes three zero.

3 I want to thank the Government and the  
4 licensee for coming up with an Offer in  
5 Compromise that they believe is in the best  
6 interest of the residents and visitors of the  
7 District of Columbia.

8 This is, unfortunately, there are  
9 incidents occurring in establishments and we  
10 don't know. We need to do whatever we need to do  
11 to try to address those incidents.

12 I believe that's an excellent Offer in  
13 Compromise and I hope that this matter is no  
14 longer, it doesn't repeat itself.

15 I would ask the licensee, I'm not  
16 sure, I was told that it was an object in the  
17 bathroom that was utilized so maybe this is  
18 something that the licensee needs to figure out,  
19 okay. How can we change what's in the bathroom  
20 to insure that there are no objects in a bathroom  
21 that can be utilized anymore as a weapon. So,  
22 that's just my food for thought. Maybe this is  
23 something that should be looked out to see if any  
24 changes can be made.

25 I know we can't have cameras in the

1 bathrooms. So, I'm not faulting anyone for that.  
2 But just as a precautionary measure we now know  
3 that at least in this case your guests if they  
4 can't bring a weapon within the establishment  
5 that they're looking for weapons within the  
6 establishment to utilize. So, therefore, I would  
7 hope that the licensee take a look at its  
8 business model and try to keep its facility clear  
9 of any potential weapons.

10 I know that you can never know what it  
11 is. But that's just food for thought. Okay.  
12 All right.

13 Thank you for your presentation today  
14 and this matter is adjourned.

15 All right. We are now at the end of  
16 our agenda for the day so let me close the record  
17 for the day. So, just give me a moment to let me  
18 close the record and then we'll adjourn for the  
19 day.

20 As Chairperson of the Alcoholic  
21 Beverage and Cannabis Board for the District of  
22 Columbia and in accordance with Title 3, Chapter  
23 45, Office of Open Government, I move that the  
24 ABC Board hold a closed meeting on January 31st  
25 for the purpose of discussing and hearing reports

1 concerning ongoing or planned investigations of  
2 alleged criminal or civil misconduct or  
3 violations of law or regulations and seeking  
4 legal advice from our legal counsel on the  
5 Board's Investigative Agenda, Legal Agenda,  
6 Licensing Agenda for January 31st as published in  
7 the D.C. Register on January 26th. Is there a  
8 second?

9 MEMBER GRANT: I second, Mr. Grant.

10 CHAIRPERSON ANDERSON: Mr. Grant has  
11 seconded the motion. I'll take a Roll Call vote  
12 on the motion before us that's been properly  
13 seconded.

14 Mr. Short?

15 MEMBER SHORT: Mr. Short, I agree.

16 CHAIRPERSON ANDERSON: Mr. Grant?

17 MEMBER GRANT: Mr. Grant, I agree.

18 CHAIRPERSON ANDERSON: Mr. Anderson, I  
19 agree.

20 As it appears that the motion has  
21 passed I hereby give notice that the ABC Board  
22 will hold this closed meeting pursuant to the  
23 Open Meetings Act. Notice will also be posted on  
24 the ABC Board Hearing Room bulletin board, place  
25 on the electronic calendar and ABCA's website and

1 published in the D.C. Register in as timely a  
2 manner as practical.

3 Thank you very much for your  
4 presentation today. Thank you to the Board  
5 Members who have been. We're not adjourned for  
6 the day.

7 I'll ask all Board Members to return  
8 to Executive Session.

9 We are adjourned. Thank you very  
10 much. Have a great day.

11 Thanks, bye, bye.

12 (Whereupon, this proceeding was  
13 concluded at 2:36 p.m.)  
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