## DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
$+++++$
MEETING

| IN THE MATTER OF: |
| :--- |
| LEGAL AGENDA |
| MEDICAL CANNABIS |
| LEGAL AGENDA |
| LICENSING AGENDA |
| SUPPLEMENTAL |
| LICENSING AGENDA |
| BOARD TEMPORARY LICENSE |
| AND ONE DAY |
| SUBSTANTIAL CHANGE DOCKET |
| LICENSING |
| ADMINISTRATIVE DOCKET |
| STREATERY LICENSING |
| ADMINISTRATIVE DOCKET |
| CANCELLATION AGENDA |

> Wednesday
> February 7, 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
P-R-O-C-E-E-D-I-N-G-S

CHAIRPERSON ANDERSON: Let us now do our Legal Agenda for February 7, 2024.

LEGAL AGENDA
CHAIRPERSON ANDERSON: The first matter on our Legal Agenda is a Review of an Offer in Compromise in Lieu of Hearing, dated January 16, 2024, for Case No. 23-CMP-00067, Hook Hall, License No. 109296.

And the Offer in Compromise is as follows:

Charge. The charge is interfered with an investigation, D.C. Official Code Section 25823A5A. And the OIC, it's for $\$ 1,000$ payable within 30 days or the license shall be suspended indefinitely until the fine has been paid.

I, therefore, make a motion that the Offer in Compromise be accepted. Is there a second?

MR. GRANT: I second the motion.
CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

> Mr. Short?

MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.
Number two. Review of an Offer in
Compromise in Lieu of Hearing, dated February 2, 2024, for Case No. 23-251-00025, Focus DC, License No. 118015.

The Offer in Compromise for Focus DC is as follows:

Charge one. Failed to make available security footage within 48 hours upon request. Statutory Authority D.C. Code Section 25836G3. They have a fine of $\$ 1,000$ payable within 30 days or the license shall be suspended indefinitely until the fine has been paid.

I, therefore, make a motion that the Offer in Compromise be accepted. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll have a roll call vote.

> Mr. Short?

MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.
Number three. Review of Offer of
Compromise in Lieu of Hearing, dated February 1, 2024. The Case No. 23-CMP-00074, Sol Mexican Grill, License No. 121362.

The Offer in Compromise for this case is:

Charge one. No ABC manager on duty, Statutory Authority D.C. Code Section 25701. There's a fine of $\$ 250$ to be paid within 30 days or the license shall be suspended indefinitely until the fine has been paid.

Charge two. Failed to post a warning sign, Statutory Authority D.C. Code Section 25712A. There's a $\$ 250$ fine to be paid within 30 days or the license shall be suspended indefinitely until the fine has been paid.

Charge three. Failed to post window lettering, Statutory Authority D.C. Code Section 25711D. There's a fine of $\$ 250$ to be paid within 30 days or the license shall be suspended
indefinitely until the fine has been paid. Charge four. Failed to have a settlement agreement available, Statutory Authority D.C. Code Section 25711A3A. There's a fine of $\$ 250$ to be paid within 30 days or the license shall be suspended indefinitely until the fine has been paid.

Charge number five. Failed to keep and maintain books and records, Statutory Authority 23-DCMR, Section 1204.1. There's a fine of $\$ 1,000$ to be paid within 30 days or the license shall be suspended indefinitely until the fine has been paid.

I, therefore, make a motion that the Offer in Compromise be accepted. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll now have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passed 3-0.

Number four. Review of Offer in Compromise in Lieu of Hearing, dated February 6, 2024, for Case No. 23-CMP-00012, Jimmy Valentine's Lonely Hearts Club, License No. 076330.

The Offer in Compromise is as follows:
Charge one. Failed to follow settlement agreement, D.C. Official Code Section 25A23A6. This charge has been dismissed because there's no settlement agreement.

Charge two. Failed to immediately notify the Board about a criminal conviction, D.C. Official Code Section 25702. There is a mandatory warning for this charge.

I, therefore, make a motion that the Offer in Compromise be accepted. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?

MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passed 3-0.

Number five. Review of an Offer in Compromise in Lieu of Hearing, dated February 6, 2024, for Case No. 23-CMP-00013, Little Miss Whiskey's Golden Dollar, License No. 079090. The Offer in Compromise for charge one, failed to immediately notify the Board about a criminal conviction, D.C. Official Code Section 25702. The OIC says there is a mandatory warning.

I, then, make a motion that the Offer in Compromise be accepted. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passed 3-0.

Number six. Review of Settlement Agreement, dated February 3, 2024, by and between

Advisory Neighborhood Commission 2 E and La Bonne Vache, V-A-C-H-E, License No. 127000.

I make a motion that the settlement agreement be approved. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

> Mr. Short?

MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passed 3-0.

Number seven. Review of Consent Motion to Continue Protest Hearing, dated January 30, 2024, in Case No. 23-PRO-00080, Lucky Corner Store, License No. 093115.

I make a motion that we approve this request. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.
Number eight. Review of Applicant's
Motion to Continue Protest Hearing, dated February 6, 2024, in Case No. 23-PRO-00096. Protestant consents to a continuance of no more than 14 days. This is in D.C. Food Market, License No. 106962.

I make a motion that we approve the request. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short.
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.

Number nine. Review of Applicant's Motion to Continue Protest Hearing, dated February 6, 2024, in Case No. 23-PRO-00097. This is in King Convenience Store, License No. 089932.

I make a motion that we approve this request. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll now have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.
We now move to our Legal AgendaMedical Cannabis.

LEGAL AGENDA-MEDICAL CANNABIS
CHAIRPERSON ANDERSON: The one and only agenda item is a review of a joint request to extend protest petition deadline, submitted by Advisory Neighborhood Commission 3A and Aligned, dated February 5, 2024. This is in Aligned, Licensed No. 127009.

I make a motion that we approve this request. Is there is a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll now have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 0-3.
We now move to our Licensing Agenda.
LICENSING AGENDA
CHAIRPERSON ANDERSON: The first matter in our Licensing Agenda is a Review of Application for Safekeeping of License. This is for Duke's Grocery.

I make a motion that we approve this request through September 30, 2024. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll have a roll call
vote.
Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.
Number Two. Review Application for Safekeeping of License. This is for Restorante Piccolo, License No. 111952.

I make a motion that we approve this request through September 30, 2024. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.
Number Three. Review Application for
the Game of Skill Endorsement to include five kiosks offering the game of Skill by Pace-oMatic. This is for Chroma, License No. 074767.

I make a motion that we placard this matter. Is there a second?

MR. SHORT: Mr. Short, I second.
MR. GRANT: Mr. Grant, I second.
CHAIRPERSON ANDERSON: Mr. Short and Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr. Anderson, I agree. The matter passed 3-0.

Number Four. Review Request to Expand the premises to include the second floor as well as currently licensed first floor. The occupants will increase from 60 to 99. This is Rice Restaurant \& Market, License No. 060730.

I make a motion that we placard this matter. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree. CHAIRPERSON ANDERSON: Mr. Grant? MR. GRANT: Mr. Grant, I agree. CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passed 3-0.

Review Request to Expand the premises into the adjacent space to the south on the ground floor and basement levels. Seating and total occupancy load will increase minimally. This is for All Purpose Pizzeria, License No. 098919.

I make a motion that we placard this matter. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passed 3-0.

Number Six. Review Request to update the premises address from Unit 11 to Unit 12. This is for Truxton Inn, License No. 101217.

I make a motion that we approve this request. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson, I agree. The matter passed 3-0.

Number Six. Review request - I'm sorry.

Number Seven. Review request to change the location of the approved Storage Facility Permit to 2406 T Street, N.E. This request is made from Made to Measure Cocktails, License No. 23-SC-00515.

I make a motion that we approve this request. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson,
I agree. The matter passed 3-0.
Number Eight. Review request to Renew the Storage Facility Permit originally issued March 13, 2012, and most recently renewed on January 25, 2023, for a facility located at 4221 Connecticut Avenue N.W., Suite E. This is from Domaine DC, LLC, License No. 24-SC-00535.

I make a motion that we approve this request. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll now have a roll call
vote.
Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson,
I agree. The matter passed 3-0.
We now move to our Supplemental
Licensing Agenda.
SUPPLEMENTAL LICENSING AGENDA
CHAIRPERSON ANDERSON: The first matter, first and only matter on our Supplemental Licensing Agenda, it's Review Request to Remove the License from Safekeeping. This is for Hide Kitchen and Lounge (Formerly Hawthrone), License No. 099603.

I make a motion that we approve this request. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has seconded the motion. We'll now have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?

MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr. Anderson, I agree. The matter passes 0-3. We now move to our, the Board's Temporary One-Day Licensing Substantial Change Docket.

TEMPORARY LICENSE AND ONE-DAY SUBSTANTIAL CHANGE
DOCKET
CHAIRPERSON ANDERSON: The Board's Temporary License and One-Day Substantial Change Docket for February 7, 2024, there are four applicants.

I make a motion without objection that all four applicants will be approved. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll now have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson,

I agree. The matter passed 0-3.
We now move to the Board's Licensing Administrative Docket.

LICENSING ADMINISTRATIVE DOCKET
CHAIRPERSON ANDERSON: The first matter on the Board's Licensing Administrative Docket, it's a Personal Importation Permit Application for - I'm going to read - I'm sorry. There are 11 applicants on this agenda.

I'm going to read all 11 applicants, and I'm going to give the name of the applicants, what's been requested, and the Chair will make a recommendation to the Board what the decision should be on each application. At the end of the list, I will make a motion that the Board adopts the recommendation presented by the Chair.

So, the first request on this application, it's a Personal Importation Permit Application from Daniel Ziebarth, Z-I-E-B-A-R-TH. The License No. is 24-IMP-00003. I'm going to make a recommendation then that that be approved.

The second request is a request from La Chaumiere, C-H-A-U-M-I-E-R-E. The License No. is 000850. It's a Retailer C Restaurant.

They're asking for a sidewalk caf, endorsement application. The recommendation at the end is for this to be approved.

Number Three. Tom's Watch Bar, License No. 119393. It's a Retailer C Restaurant, Entertainment Endorsement Application. Recommendation is that this approved.

Number four. A request for Personal Importation Permit Application from Gabriela L. Armstrong-Santos. The License No. is 24-IMP00004.

Number Five. It's a request from Cordial Craft Wine, Beer \& Spirits, License No. 113593. This is a Retailer A Liquor Store, transfer to a new location, which is 70 District Square, S.W.

Number six is a request from The Lane Social Club, License No. 121348. The Chair will be requesting that Number 6B return to licensing.

Number Seven. Hide Kitchen and Lounge, License No. 127492. This is a Retailer C Tavern, transfer without sale application and letter of request to remove license from safekeeping. The Chair will recommend that this
be approved.
Number Eight. A request from Biene Eleve, B-I-E-N-E E-L-E-V-E. The License No. is 127100. This is a Retailer A Internet, a new license application. The recommendation is that this should be approved.

Number Nine. Request from Easy Tiger Tavern, License No. 126251. This is a Retailer C Restaurant, new ABC license application. The recommendation is that this application be approved.

Number Ten. A request from Chopsmith, License No. 126413. This is a Retailer C Restaurant, new ABC license application. Recommendation that this application be approved.

Number 11. A request from 600 T. The License No. is 100515. This is a Retailer C Tavern, stock transfer application. The request that this application be approved.

I, therefore, make a motion that the ABC Board approve the recommendations made by the Chair on the Board's Licensing Administrative Docket. Is there a second?

MR. SHORT: Mr. Short, I second.
CHAIRPERSON ANDERSON: Mr. Short has
seconded the motion. We'll have a roll call vote.

Mr. Short?
MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr. Anderson, I agree. The matter passed 3-0.

We now move to the Board's, the Licensing Administrative Docket (Streatery). LICENSING ADMINISTRATION DOCKET (STREATERY)

CHAIRPERSON ANDERSON: There is one application on application - I'm sorry - one application on this agenda. This is a request from Claudio's Table, License No. 123532. It is a Retailer C Restaurant. They're requesting a streatery endorsement application.

I make a motion that the Board approve this request. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?

MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: And Mr.
Anderson, I agree. The matter passed 3-0.
And our final agenda for the morning, it is the Board's Cancellation, the Agency's Cancellation Agenda.

CANCELLATION AGENDA
CHAIRPERSON ANDERSON: The ABC Board will be canceling the following licenses for the reasons outlined below:

Whitefield Entertainment Group Studios, Inc., Retailer C Multipurpose Facility. The License No. is 120468. The licensee did not pay the safekeeping fee within 30 days of approval.

I make a motion that this license be canceled. Is there a second?

MR. GRANT: Mr. Grant, I second the motion.

CHAIRPERSON ANDERSON: Mr. Grant has seconded the motion. We'll have a roll call vote.

Mr. Short?

MR. SHORT: Mr. Short, I agree.
CHAIRPERSON ANDERSON: Mr. Grant?
MR. GRANT: Mr. Grant, I agree.
CHAIRPERSON ANDERSON: Mr. Anderson,
I agree. The matter passed 3-0.
We're at the end of our agenda for the day, and since the ABC Board has no other business this morning, the Board will be in recess until our 1:30 hearing.

And now since we have no further business, the Board can take a break. I will ask all Board members to return to Executive Session at 1:15 this afternoon, so the Board should return to Executive Session at 1:30 this afternoon, and we will come back to our public hearing at 1:30.

Have a pleasant morning. Thank you.
(Whereupon, the above-entitled matter went off the record at 11:09 a.m.)

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| $10: 19$ | Avenue 16:18 | 18:7,10 | E 16:18 |
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| agreement 5:3 6:10,12 | 21:22 22:9 23:7 <br> Bonne 8:1 | Commission 8:1 10:23 Compromise 2:8,11,19 | $\begin{aligned} & \text { facility } 15: 23 \text { 16:15,1 } \\ & 23: 14 \end{aligned}$ |
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| 6:25 7:2,2,16,20,22 | $\begin{gathered} \text { C 19:25 20:5,22 21:8,13 } \\ 21: 17 \text { 22:16 23:14 } \end{gathered}$ | continuance 9:10 <br> Continue 8:17 9:8 10:2 | fee 23:16 final 23:6 |
| 7:22 8:7,12,14,14,23 | $21: 17 \text { 22:16 23:14 }$ | Continue 8:17 9:8 10:2 <br> Convenience 10:4 | final 23:6 |
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Neal R. Gross and Co., Inc. Washington DC

This is to certify that the foregoing transcript

In the matter of: Agenda

Before: DC ABCA

Date: 02-07-24

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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