

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

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IN THE MATTER OF: :
 :
Kaza Lounge, LLC, :
t/a Medusa Lounge :
2632 Georgia Ave NW : Protest Hearing
Retailer CT - ANC 1E : (Status)
License #121559 :
Case #23-PRO-00060 :
 :
(Application to Renew :
the License) :
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Wednesday
September 13, 2023

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

PRESENT:

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

ALSO PRESENT:

JOSH JACOBSON, ANClE06, Protestant
JOSE ORELLANA, DC ABCA Staff

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

10:45 a.m.

CHAIRPERSON ANDERSON: Good morning.

As chairperson of the Alcoholic Beverage and Cannabis Board for the District of Columbia and in accordance with D.C. Code Section 2571(c) of the Open Meetings Act, OMA, I am welcoming you to the regularly scheduled meeting of the Alcoholic Beverage Cannabis Board. This meeting is being conducted pursuant to guidance made available by the District of Columbia's Office of Open Government regarding electronic meetings held by public bodies.

Electronic meetings by the ABC Board are authorized pursuant to Section 2577(a) of the D.C. Code. Pursuant to the OMA requirements, notice of today's meeting was provided 48 hours in advance of the meeting on ABCA's website and on the District's central meeting calendar. The notice included the, time, date, agenda, and call in or log in information for public participation.

This electronic meeting is being hosted by a Webex account provided by the District of Columbia government. Please address

1 any questions or complaints to the OOG at
2 opengovoffice@dc.gov.

3 My name is Donovan Anderson. I'm
4 chairperson of the Board. I would like to
5 introduce the other members of the ABC Board who
6 are also participating electronically. Please
7 respond when I announce your name. Mr. James
8 Short?

9 MEMBER SHORT: Mr. James Short,
10 present.

11 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

12 MEMBER CATO: Bobby Cato, present.

13 CHAIRPERSON ANDERSON: Ms. Jeni
14 Hansen?

15 MEMBER HANSEN: Jeni Hansen, present.

16 CHAIRPERSON ANDERSON: Mr. Edward
17 Grandis?

18 MEMBER GRANDIS: Present.

19 CHAIRPERSON ANDERSON: The Board has
20 five members in attendance for the conduct of
21 business today and that constitutes a quorum.
22 Before we get underway with today's hearing
23 calendar, I need to make a few instructions very
24 clear so that the conduct of these hearings is
25 understood by everyone. There are six cases

1 scheduled for this morning's calendar.

2 Once your case is called, I will take
3 a moment for IT specialist to elevate the rights
4 for each party to enable their camera and
5 equipment. Then and only then will you have the
6 ability to enable your equipment. If your case
7 has not been hearing, you will remain mute and
8 your camera will be disabled.

9 At the conclusion of each case, the
10 parties will have the option to leave. If a
11 party chooses to stay, all cameras and
12 microphones for the concluded case will be
13 disabled. Should you have any questions or
14 require technical assistance during the hearing,
15 please submit them using the question and answer
16 feature.

17 I want to apologize to the public this
18 morning that we are late in starting. But as you
19 are aware, the Board was on recess for the past
20 three weeks. And we had a lot of administrative
21 work to do this morning.

22 So the hour that's usually allotted to
23 our administrative work was not sufficient this
24 morning. And so I do apologize that we are
25 somewhat late in starting this morning. With

1 that said, the first case that's on our calendar
2 today is Case No. 23-PRO-00060, Medusa Lounge,
3 License No. 121559. Good morning, Mr. Orellana.
4 Can you please elevate the rights of the licensee
5 and the protestant in this case.

6 MR. ORELLANA: Good morning. Josh
7 Jacobson, your access has been elevated. And
8 that appears to be all, Chairman. I do have
9 communication with Josh concerning notifying
10 Dawit Sermolo.

11 CHAIRPERSON ANDERSON: Meaning what
12 has it that's been said? That is the licensee.
13 I'm sorry. That is the licensee. What's the
14 communication?

15 MR. ORELLANA: Yeah, I made sure that
16 he's attending. I haven't heard back from him
17 yet and tried calling and didn't get a response.
18 I can give a quick summary of where we're at if
19 that helps.

20 CHAIRPERSON ANDERSON: Well, he has to
21 be here. So the bottom line is that if he's not
22 here, then I need to make a motion to dismiss his
23 application. So I know that this matter was
24 scheduled for a protest hearing.

25 It's supposed to start at 10:30. It

1 is now 10:51. So I'll just again, Mr. Orellana,
2 can you just basically put a call out in the
3 chat?

4 Is there anyone here for Medusa
5 Lounge? And if not, I will call the case and
6 I'll move on. So Mr. Orellana, can you please --

7 (Simultaneous speaking.)

8 MR. ORELLANA: Yes, will do. No
9 response, Chairman.

10 CHAIRPERSON ANDERSON: Oh, okay. So
11 all right. So let me have Mr. Jacobson, can you
12 please introduce yourself for the record, please?

13 MR. JACOBSON: Yeah, I am Commissioner
14 Josh Jacobson representing ANC1E06.

15 CHAIRPERSON ANDERSON: And can you
16 just -- we have a court reporter. Can you spell
17 your name for the record, please, sir?

18 MR. JACOBSON: Yes, that is Josh, J-O-
19 S-H, Jacobson, J-A-C-O-B-S-O-N.

20 CHAIRPERSON ANDERSON: Thank you, sir.
21 All right. This matter is scheduled for a
22 protest status hearing this morning. This matter
23 was scheduled for the hearing at 10:30 -- to
24 start at 10:30 this morning. I called this case
25 at 10:49, and the ANC is here.

1 But the applicant is not here. And it
2 is stated in the roll call hearing, both the
3 protestant and the applicant must appear at the
4 show cause -- I'm sorry, the protest hearing
5 status. Because the applicant is not here today,
6 I will make a motion that their license renewal
7 application will be dismissed.

8 The licensee will have ten days from
9 today's date to provide the Board with reasonable
10 cause why they failed to appear today. If they
11 fail to provide the Board with reasonable cause
12 why they failed to appear today, their
13 application will be dismissed and they will have
14 to start the process back over. If that is the
15 case, then the ANC's protest -- all that the ANC
16 has to do is just to send a letter to the agency
17 to ask that their protest application be
18 grandfathered in if the renewal application is
19 submitted.

20 So with that, I make a motion that
21 their renewal application for Medusa Lounge be
22 dismissed based on the failure of the licensee to
23 appear at the hearing this morning. Is there a
24 second?

25 MEMBER SHORT: Short, I second.

1 CHAIRPERSON ANDERSON: Mr. Short has
2 second the motion. We'll now have a roll call
3 vote. Mr. Short?

4 MEMBER SHORT: Short, I agree.

5 CHAIRPERSON ANDERSON: Mr. Cato?

6 MEMBER CATO: Cato, I agree.

7 CHAIRPERSON ANDERSON: Ms. Hansen?

8 MEMBER HANSEN: Jeni Hansen, I agree.

9 CHAIRPERSON ANDERSON: Mr. Grandis?

10 (No audible response.)

11 CHAIRPERSON ANDERSON: Mr. Grandis and
12 I agree. The matter passed 5-0-0. So basically
13 as I've stated before, we're dismissing his
14 renewal application. He has ten days to contact
15 the agency.

16 From once this decision is issued,
17 he'll have ten days to contact the agency,
18 provide reasonable notice why he failed to appear
19 today. If that is not done, then his application
20 will be dismissed and he will have to start the
21 process back over to renew his license. And if
22 that is done, then the ANC can request that it's
23 -- the ANC still believes that it wants to
24 protest the renewal application, all the ANC has
25 to do is to ask the agency to grandfather its

1 protest application. Any questions, Mr.
2 Jacobson?

3 MR. JACOBSON: None at this time.
4 Thank you for your time today.

5 CHAIRPERSON ANDERSON: All right.
6 Thank you, sir. Have a great day.

7 (Whereupon, the above-entitled matter
8 went off the record at 10:54 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Medusa Lounge

Before: DC ABCA

Date: 09-13-23

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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