

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF: :

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To Be Determined : Fact

(formerly Club Rendezvous) : Finding

Retailer CN : Hearing

License in Safekeeping :

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July 10, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009. Ruthanne Miller, Chairperson, presiding.

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

MIKE SILVERSTEIN, Member

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

10:13 a.m.

CHAIRPERSON MILLER: Next is a fact-finding hearing for To Be Determined, formerly Club Rendezvous. Are the parties here in that case?

MR. DICKSON: Yes, ma'am.

CHAIRPERSON MILLER: Okay. Great. Come on forward. This is a fact-finding hearing. Would you introduce yourselves for the record when you're ready.

MR. DICKSON: Ronald Dickson.

MS. DICKSON: Deloris Dickson.

CHAIRPERSON MILLER: Okay. Good morning. This involves your license that's in safekeeping. We had a fact-finding hearing previously and asked you to come back within six months and give us a update as to where you are with respect to your license. I'm going to turn to you.

MR. DICKSON: We've actively been looking and seeking. We've even had meetings

1 with some of the staff of the Alcohol Board,
2 Alcohol Beverage Control people, to determine
3 exactly where we can go, what we can't do, and
4 what we can do. They informed us of some of
5 the changes in the laws, I guess you would
6 say, or regulations of the difference in the
7 footage and so forth. We have two potential
8 places that we plan to go to. Right now we
9 are trying to determine whether we're going to
10 buy them or lease them. We are trying to come
11 to an agreement of some type with them to see
12 if we can buy or lease, or if they want to
13 sell or lease to us. That's about where we
14 stand right now.

15 CHAIRPERSON MILLER: Sell or lease
16 the property to you where you would have this
17 license? Is that what you mean?

18 MR. DICKSON: Yes, ma'am. The
19 property where they can go, yes.

20 CHAIRPERSON MILLER: Okay. Do you
21 have -- how real are these places? Are you
22 negotiating with them?

1 MR. DICKSON: We are negotiating
2 with them right now.

3 CHAIRPERSON MILLER: And when do
4 you expect that to be finalized?

5 MR. DICKSON: I don't know. To be
6 honest with you, I ate to give a set date
7 because all of you have been in this business
8 a long time so you know how things go. I
9 would say 60 to 90 days. Hopefully for 90
10 days.

11 CHAIRPERSON MILLER: Do Board
12 Members have questions?

13 Mr. Alberti.

14 MEMBER ALBERTI: Hi, Mr. and Mrs.
15 Dickson. The last time you were here, if I'm
16 correct, and I could check the transcript, but
17 my recollection is that the status then was
18 almost identical to the status that you've
19 given us today. You had at least one place
20 that you had identified that you were
21 negotiating with. I think I had asked you
22 whether you had confirmed that place was a via

1 location in terms of meeting all the zoning
2 and ABRA regulations. I think you said it
3 was. What progress have you made since then?:

4 MR. DICKSON: You're speaking of
5 the ESPN Zone.

6 MEMBER ALBERTI: I don't know. I
7 don't know. That was it? Okay.

8 MR. DICKSON: Well, what happened
9 was there were a bunch of -- well, the owners
10 came in at the last minute and said, "No, we
11 don't want a club there. We want to go
12 retail." That kind of, I hate to say it,
13 slammed the door in our face.

14 MEMBER ALBERTI: Okay. You seemed
15 pretty confident back then.

16 MR. DICKSON: I was very
17 confident.

18 MEMBER ALBERTI: Why should we be
19 confident in your confidence that you've got
20 two places lined up this time? Think of it
21 from my perspective. I'm being quite frank.
22 I mean, are you just buying time here or do we

1 really have some progress being made?

2 MR. DICKSON: Yes and no. We are
3 buying time but the thing is these places that
4 we're looking at now are warehouses empty.

5 MEMBER ALBERTI: Okay.

6 MR. DICKSON: And these people
7 want to give it up. They want to get rid of
8 them. We were suppose to have two
9 correspondence by today by they didn't come
10 in. We do have one who is, you know, "Here.
11 This is what we're going to do right now.
12 This is what we're doing. This is where we
13 stand right now."

14 MEMBER ALBERTI: What is the
15 nature -- okay. What is the nature of that
16 correspondence? Is it a proposal?

17 MR. DICKSON: It's a --

18 MEMBER ALBERTI: I don't need any
19 details. I just want to know the nature of
20 it.

21 MR. DICKSON: It's basically right
22 now just an intent from Long and Foster. If

1 you'd like, I can pass it to you.

2 MEMBER ALBERTI: No. I don't need
3 to see the details. I don't want to get into
4 the details of your business but I do want to
5 know the nature of it.

6 MR. DICKSON: This is -- right now
7 they are saying 10 years with the option of
8 five years to renew. They are also saying the
9 price of the building and the assessment of
10 the taxes. They have given us all the
11 necessary information.

12 MEMBER ALBERTI: So it's a
13 tentative offer?

14 MS. DICKSON: Yes.

15 MEMBER ALBERTI: Right. Okay.

16 MS. DICKSON: They just called me
17 yesterday. "You have a hearing tomorrow?" I
18 said, "Yes."

19 MEMBER ALBERTI: Okay. All right.
20 Thank you.

21 I don't have any further
22 questions.

1 CHAIRPERSON MILLER: Okay.

2 Anything else?

3 As far as how we proceed from
4 here, I think it's been our practice to renew
5 licenses in safekeeping for six-month periods
6 and so this six-month period will come to an
7 end and we may want to extend it one more time
8 during which time we expect some sort of
9 arrangement will come to fruition. If you're
10 talking 30 to 60 days, then for sure I would
11 think within six months max -- maybe Board
12 Members don't want me to extend it that long,
13 I don't know -- this should be resolved.
14 Would you say that?

15 MEMBER ALBERTI: So we would have
16 them back 60 to 90?

17 CHAIRPERSON MILLER: Come back
18 only if we don't receive an application for
19 transfer or take it out of safekeeping. We'll
20 see that happen. Right?

21 MEMBER ALBERTI: Absolutely.
22 Correct.

1 CHAIRPERSON MILLER: We should see
2 that happening at ABRA within six months.

3 MR. DICKSON: Six months?

4 CHAIRPERSON MILLER: Max. I think
5 this is the max we are giving you. Right?

6 MEMBER ALBERTI: Yes. Ms. Miller,
7 I would add if we don't see a transfer, we
8 would expect, I think, in six months to have
9 a hearing at which we have some concrete
10 evidence that you've gotten a letter of
11 intent. I mean, a really bona fide letter of
12 intent with some timeline as to when a
13 business deal would be confirmed. We are
14 looking for something that puts a firm
15 timeline on your plans.

16 MR. DICKSON: I agree with you 100
17 percent. I'm hoping we should be sending that
18 letter into you shortly. Six months is
19 adequate time. I agree with you. I hope she
20 does, too.

21 MS. DICKSON: Yes, I agree with
22 that, too.

1 CHAIRPERSON MILLER: Six months
2 things should be processing within the agency.

3 MR. DICKSON: Right.

4 CHAIRPERSON MILLER: Okay.

5 MEMBER BROOKS: I want to alert
6 the Dicksons that within six months if nothing
7 has changed appreciably, there is a
8 possibility that their license can be
9 cancelled. I just want to alert you and warn
10 you that is a possibility.

11 MR. DICKSON: I understand.

12 MEMBER BROOKS: Thank you very
13 much, Madam Chair.

14 MR. DICKSON: We appreciate it.
15 Thank you, Madam Chairman and Honorable Board.
16 We appreciate it.

17 CHAIRPERSON MILLER: All right.
18 Hopefully this will all be processing within
19 six months. Otherwise, we will call you back.

20 MR. DICKSON: Thank you all so
21 much.

22 MS. DICKSON: You all have a

1 wonderful day.

2 CHAIRPERSON MILLER: Thank you.

3 Good luck.

4 (Whereupon, at 10:22 a.m. the
5 hearing was adjourned.)

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A	called 7:16 cancelled 10:9 case 2:6 Chair 10:13 Chairman 10:15 Chairperson 1:18 1:21 2:3,8,14 3:15 3:20 4:3,11 8:1,17 9:1,4 10:1,4,17 11:2 changed 10:7 changes 3:5 check 4:16 club 1:10 2:5 5:11 CN 1:10 COLUMBIA 1:1 come 2:9,17 3:10 6:9 8:6,9,17 concrete 9:9 confidence 5:19 confident 5:15,17 5:19 confirmed 4:22 9:13 Control 1:3,16,17 3:2 correct 4:16 8:22 correspondence 6:9,16	D	date 4:6 day 11:1 days 4:9,10 8:10 deal 9:13 Deloris 2:13 details 6:19 7:3,4 determine 3:2,9 Determined 1:9 2:4 Dickson 2:7,12,12 2:13,13,21 3:18 4:1,5,15 5:4,8,16 6:2,6,17,21 7:6,14 7:16 9:3,16,21 10:3,11,14,20,22 Dicksons 10:6 difference 3:6	E	empty 6:4 ESPN 5:5 evidence 9:10 exactly 3:3 expect 4:4 8:8 9:8 extend 8:7,12	F	face 5:13 Fact 1:9 fact-finding 2:4,9 2:16 far 8:3 fide 9:11 finalized 4:4 Finding 1:10 firm 9:14 five 7:8 footage 3:7 formerly 1:10 2:5 forth 3:7 forward 2:9 Foster 6:22 frank 5:21 fruition 8:9 further 7:21	G	give 2:18 4:6 6:7 given 4:19 7:10 giving 9:5 go 3:3,8,19 4:8 5:11 going 2:20 3:9 6:11 Good 2:14 11:3 gotten 9:10 Great 2:8 guess 3:5	H	happen 8:20 happened 5:8	I	happening 9:2 hate 5:12 hearing 1:10,17 2:4 2:10,16 7:17 9:9 11:5 Hi 4:14 honest 4:6 Honorable 10:15 hope 9:19 Hopefully 4:9 10:18 hoping 9:17	J	July 1:15	K	kind 5:12 know 4:5,8 5:6,7 6:10,19 7:5 8:13	L	laws 3:5 lease 3:10,12,13,15 letter 9:10,11,18 license 1:11 2:15,19 3:17 10:8 licenses 8:5 lined 5:20 location 5:1 long 4:8 6:22 8:12 looking 2:22 6:4 9:14 luck 11:3	M	Madam 10:13,15 MATTER 1:8 max 8:11 9:4,5	N	ma'am 2:7 3:18 mean 3:17 5:22 9:11 meeting 1:5 5:1 meetings 2:22 Member 1:21,22 1:22 4:14 5:6,14 5:18 6:5,14,18 7:2 7:12,15,19 8:15 8:21 9:6 10:5,12 Members 4:12 8:12 met 1:17 MIKE 1:22 Miller 1:18,21 2:3 2:8,14 3:15,20 4:3 4:11 8:1,17 9:1,4 9:6 10:1,4,17 11:2 minute 5:10 months 2:18 8:11 9:2,3,8,18 10:1,6 10:19 morning 2:15	O	offer 7:13 okay 2:8,14 3:20 5:7,14 6:5,15 7:15 7:19 8:1 10:4 option 7:7 owners 5:9	P	parties 2:5 pass 7:1 people 3:2 6:6 percent 9:17 period 8:6 periods 8:5	A	ABRA 5:2 9:2 Absolutely 8:21 actively 2:21 add 9:7 adequate 9:19 adjourned 11:5 agency 10:2 agree 9:16,19,21 agreement 3:11 Alberti 1:21 4:13 4:14 5:6,14,18 6:5 6:14,18 7:2,12,15 7:19 8:15,21 9:6 Alcohol 3:1,2 Alcoholic 1:3,16,17 alert 10:5,9 application 8:18 appreciably 10:7 appreciate 10:14 10:16 arrangement 8:9 asked 2:17 4:21 assessment 7:9 ate 4:6 a.m 2:2 11:4	B	back 2:17 5:15 8:16 8:17 10:19 basically 6:21 Beverage 1:3,16,17 3:2 Board 1:3,17 3:1 4:11 8:11 10:15 bona 9:11 BROOKS 1:22 10:5,12 building 7:9 bunch 5:9 business 4:7 7:4 9:13 buy 3:10,12 buying 5:22 6:3	C	call 10:19
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