

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

To Be Determined	
(Formerly-Club Rendezvous)	Fact-
Retailer CN	Finding
License No. 90529	Hearing

(Request to Extend
Safekeeping)

November 5, 2014

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

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HERMAN JONES, MEMBER
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member

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

(2:27 p.m.)

CHAIRPERSON MILLER: Which takes us to Rendezvous, License No. 90529.

Good afternoon.

MR. DICKSON: Good afternoon.

MS. DICKSON: Hello.

CHAIRPERSON MILLER: Could you identify yourselves for the record, please?

MS. DICKSON: Identify yourself.

MR. DICKSON: Oh, I'm Ronald Dickson.

MS. DICKSON: Delores Dickson.

CHAIRPERSON MILLER: Okay. I know we have seen you here before. So we basically want to know what is happening with your search for a location. Is that right?

MR. DICKSON: Yes.

CHAIRPERSON MILLER: Yes.

MR. DICKSON: Well, we have searched and searched and searched. We finally came up with two prospectives. We are

1 in negotiation now with buying a building,
2 buying a business that is already in existence
3 to move our license.

4 We have contacted a number of
5 people in ABRA, Mrs. Fletcher, whose computer
6 was down for about oh, I guess, four to six
7 weeks. And so that put us back a little bit.
8 So now, we are in the financial stage of
9 getting it financed and hoping that everything
10 is going to be smoothly.

11 CHAIRPERSON MILLER: Do you have a
12 contract or no?

13 MR. DICKSON: Not a contract as of
14 yet.

15 CHAIRPERSON MILLER: Okay.

16 MR. DICKSON: But we are talking
17 to these people very diligently and actually
18 we are negotiating price right now.

19 CHAIRPERSON MILLER: And what kind
20 of business do they have?

21 MR. DICKSON: It's the same as we
22 have, the nude dancing license.

1 CHAIRPERSON MILLER: Oh.

2 MR. DICKSON: Yes.

3 CHAIRPERSON MILLER: Oh, okay.

4 MR. DICKSON: And we are in the
5 process now to make sure that we can move our
6 license in there, how we are going to do this.
7 We are negotiating. We are talking to the ABC
8 Board. Not ABC Board. I keep saying board.
9 Talking to ABRA getting information that we
10 need, so we can move forward as fast as
11 possible, because we are very anxious and you
12 have been very patient with us, the Board has,
13 and we are anxious to go into business.

14 Actually, to be honest with you,
15 I'm tired of working for somebody else.

16 CHAIRPERSON MILLER: So are they
17 taking their license somewhere else?

18 MR. DICKSON: I didn't hear you,
19 ma'am.

20 CHAIRPERSON MILLER: Are they
21 taking their license somewhere else?

22 MR. DICKSON: That's what we are

1 negotiating now if they are going to take it
2 or they are going to leave it. And if we can
3 -- if they do take theirs, can we go -- can we
4 take our license and move it into that
5 location? Will it be grandfathered in and so
6 forth.

7 CHAIRPERSON MILLER: Right. Okay.

8 MR. DICKSON: Yes.

9 CHAIRPERSON MILLER: And did you
10 have another prospect?

11 MR. DICKSON: We have one person
12 that is trying to -- who would like to buy it.
13 And you know, I don't know, I hate to say
14 this, but I don't know what they are going to
15 do, where they are going to move it unless
16 they have got a building already. But they
17 are talking to us about buying it, but we
18 would rather use it ourselves.

19 CHAIRPERSON MILLER: Yes, okay.

20 MR. DICKSON: Yes.

21 CHAIRPERSON MILLER: Do others
22 have questions? Mr. Jones?

1 MEMBER JONES: Thank you, Madam
2 Chair. So you have two --

3 COURT REPORTER: Is your
4 microphone on? I'm sorry.

5 MEMBER JONES: You have two
6 potential options --

7 MR. DICKSON: Yes, sir.

8 MEMBER JONES: -- right now. Can
9 you walk me through roughly what month and
10 year did these materialize into something
11 substantive?

12 So Option 1 is the existing
13 establishment where you may be able to move
14 into their location. When did you start
15 having substantive discussions with them about
16 this process?

17 MR. DICKSON: Let's see. This is
18 November. I'm going to say late August, early
19 September.

20 MEMBER JONES: Of this year?

21 MR. DICKSON: Yes.

22 MEMBER JONES: Okay. And the

1 second location or the second option?

2 MR. DICKSON: The second option
3 that just came up recently about, oh, I would
4 say, October or November. October, the middle
5 of October.

6 MEMBER JONES: Okay. So August
7 and October of this year?

8 MR. DICKSON: Yes, sir.

9 MEMBER JONES: Okay. So fairly
10 new, fairly early in the stages of the
11 process, correct?

12 MR. DICKSON: Yes, sir.

13 MEMBER JONES: Okay. So when you
14 indicated you were involved in some type of
15 process with a bank to get financing or get
16 something approved, did I misunderstand you?

17 MR. DICKSON: Okay. What we are
18 in the process of doing now is we are
19 negotiating on two things. Price of the
20 establishment or the building.

21 MEMBER JONES: Yes.

22 MR. DICKSON: And how much they

1 want for it. And then the bank is how much we
2 can get approved for. And so we know what we
3 have to put down, what we need to move forward
4 with this.

5 MEMBER JONES: Okay. So right
6 now, you do not have a settled asking price,
7 so you don't have good information to give to
8 the bank in order to come up with that number
9 yet, correct?

10 MR. DICKSON: We have a price that
11 they want, yes.

12 MEMBER JONES: Okay.

13 MR. DICKSON: But the thing is we
14 don't want to pay that much. If we can get
15 away with it, we don't want to pay that much.
16 You know, nobody wants to pay whew --

17 MEMBER JONES: You don't have to
18 go into detail. I'm just trying to
19 understand.

20 MR. DICKSON: Yes.

21 MEMBER JONES: I'm trying to
22 understand the -- how you understand the

1 process that you are doing now.

2 MR. DICKSON: Right.

3 MEMBER JONES: And so you have a
4 price that they have definitively said we will
5 sell you this, whatever this is, for this
6 price?

7 MR. DICKSON: Right.

8 MEMBER JONES: However, you are
9 not comfortable with that price.

10 MR. DICKSON: Exactly.

11 MEMBER JONES: Nonetheless, you
12 are going to the bank with that price in mind
13 to figure out how much they would approve you
14 for?

15 MR. DICKSON: Well --

16 MEMBER JONES: To see if you would
17 ever get to the point where you could hey,
18 come up with some of your own cash, use some
19 of the bank's cash to make this happen or are
20 you telling us that you really don't have a
21 number for the sale that you are comfortable
22 with and you are still trying to figure that

1 out?

2 In other words, you really don't
3 have a deal?

4 MR. DICKSON: Okay. We do have a
5 deal, yes.

6 MEMBER JONES: Okay. All right.

7 MR. DICKSON: But the thing is, as
8 all banks do, they want to check it out first.

9 MEMBER JONES: So you have gone to
10 the bank with that number?

11 MR. DICKSON: Yes, sir.

12 MEMBER JONES: And if the bank is
13 able to approve you at some rate or some
14 level, then you are expressing to us today
15 that you would be willing and able to move
16 forward with that, with the bank, with this
17 price that you have in front of you today?

18 MR. DICKSON: Okay. Okay. Yes.

19 MEMBER JONES: So I'll tell you
20 where I'm coming from. What I don't want to
21 hear later is oh, we had this price that we
22 told you we had --

1 MR. DICKSON: Yes.

2 MEMBER JONES: -- but we really
3 weren't that comfortable with it when we met
4 with you that time. So when we went back to
5 them, we tried to negotiate a lower price and
6 we couldn't find a meeting point.

7 MR. DICKSON: I see what you are
8 saying.

9 MEMBER JONES: Regardless of what
10 the bank is approving or not approving, really
11 what it sits at is what are you comfortable
12 with.

13 MR. DICKSON: Right.

14 MEMBER JONES: So I kind of get
15 the feeling you are really not comfortable
16 with the price and I kind of get the feeling
17 that you are probably going to go back to the
18 owners and say hey, can we work something out
19 here? This is really independent of what is
20 actually happening with the bank. It's really
21 your comfort level.

22 MR. DICKSON: Yes.

1 MEMBER JONES: But I'm not getting
2 a sense that you are really comfortable with
3 that price. Am I off base?

4 MR. DICKSON: We are comfortable
5 with the price, yes.

6 MEMBER JONES: Okay. So you have
7 a deal?

8 MR. DICKSON: Right.

9 MEMBER JONES: Okay.

10 MR. DICKSON: Basically. We have
11 a deal, yes.

12 MEMBER JONES: Okay.

13 MR. DICKSON: But the thing is we
14 would like to lower that price, yes. I'm not
15 saying, you know, hey --

16 MEMBER JONES: But if you are not
17 able to lower the price, you are still going
18 to move forward with the deal?

19 MR. DICKSON: Yes.

20 MEMBER JONES: Okay. Thank you.
21 Thank you, Madam Chair.

22 CHAIRPERSON MILLER: Okay.

1 Others? Mr. Rodriguez or no?

2 MEMBER RODRIGUEZ: I'll pass right
3 now.

4 CHAIRPERSON MILLER: Mr. Brooks?

5 MEMBER BROOKS: No. I'm just
6 curious.

7 CHAIRPERSON MILLER: Go ahead.

8 MEMBER BROOKS: So do they know
9 that you are going to move forward with the
10 deal if the price is not what you want it to
11 be?

12 MR. DICKSON: I would say no,
13 because nobody knows if they are or they
14 aren't. They know that we are very
15 interested. We are very, very, very
16 interested.

17 MEMBER RODRIGUEZ: Okay.

18 MR. DICKSON: And we are going to
19 take it, yes. But we know that, but they
20 aren't -- they don't know that.

21 MEMBER RODRIGUEZ: Oh, okay.
22 Well, that's the question.

1 MR. DICKSON: Okay.

2 MEMBER RODRIGUEZ: Yes. Okay.

3 All right.

4 CHAIRPERSON MILLER: Any other
5 questions?

6 MEMBER JONES: So if that path
7 doesn't bear fruit for whatever reason,
8 because I think you indicated there are still
9 some challenges with what they are going to do
10 with their existing license, how they are
11 going to handle that, etcetera, given that you
12 have Plan B.

13 And I'm saying Plan B because I am
14 making the assumption that that is not your
15 preferred option. Your preferred option is to
16 buy the existing and then move your operations
17 into the existing with your license or use
18 their license and do something else with
19 yours. I'm not totally clear on that. But
20 either way, your Plan A is to move into an
21 existing operating establishment.

22 MR. DICKSON: Yes.

1 see that number on that piece of paper and I
2 can buy that from you.

3 MR. DICKSON: It has all been
4 verbal so far.

5 MEMBER JONES: It's all been
6 verbal so far.

7 MR. DICKSON: Yes.

8 MEMBER JONES: Okay. All right.
9 Thank you. Thank you, Madam Chair.

10 CHAIRPERSON MILLER: Okay.
11 Anybody else? Anything else you want to say?
12 Questions? Okay.

13 So I think if I understand
14 correctly, is there a request to extend the
15 safekeeping before us?

16 MR. DICKSON: Yes. We would like
17 to extend it, so we can get this process over
18 with as quickly as possible.

19 CHAIRPERSON MILLER: Right.

20 MR. DICKSON: And I would say, I
21 don't know, I'm hoping ASAP, but I would like
22 to do it tomorrow or yesterday, to be honest

1 with you.

2 CHAIRPERSON MILLER: It has been a
3 while, I know.

4 MR. DICKSON: Yes.

5 CHAIRPERSON MILLER: So I'm not
6 sure what Board Members are inclined. We
7 often do it in six month increments.

8 MR. DICKSON: Okay.

9 MEMBER JONES: Yes, ma'am.

10 CHAIRPERSON MILLER: So at that
11 point, you should probably be done.

12 MR. DICKSON: Should be done and
13 running, yes.

14 MS. DICKSON: Yes.

15 MR. DICKSON: Up and running.

16 CHAIRPERSON MILLER: Okay. All
17 right. So then I'm going to move to extend
18 the time in safekeeping for this license for
19 a period of six months. Do I have a second?

20 MEMBER BROOKS: Second.

21 CHAIRPERSON MILLER: Mr. Brooks
22 has seconded the motion.

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All those in favor say aye.

ALL: Aye.

CHAIRPERSON MILLER: All those
opposed? All those abstaining? So the motion
passes 6-0-0. Okay. Best of luck to you.

MR. DICKSON: Okay. Thank you.
Thank you very much.

MS. DICKSON: Thank you all so
much.

CHAIRPERSON MILLER: Thank you.
(Whereupon, the Fact-Finding
Hearing in the above-entitled matter was
concluded at 2:39 p.m.)

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