Advisory Neighborhood Commission 1C



PO Box 21009, NW, Washington, DC 20009 anc1c.org Representing Adams Morgan

Amir Irani (1C01)

May 5, 2021

Celeste Carano (1C02)

Peter Wood (1C03)

Meghan Faulkner (1CO4)

Zack Gold (1C05)

Benjamin Butz (1C06)

Japer Bowles (1C07)

Fiona Clem (1C08)

Donovan Anderson, Chair **ABC Board** 2000 14th Street, NW, Suite 400

Washington, DC 20009

Sent by attachment to email to abra.legal@dc.gov

RE: 2411 18th Hospitality, LLC t/a The Game / Tiki on 18th, ABRA-112308

Dear Chair Anderson:

At a duly-noticed public meeting held on 5/5/2021, with a quorum present, Advisory Neighborhood Commission 1C passed the attached third amendment to the settlement agreement with The Game / Tiki on 18th, ABRA-112308, by a vote of 8-0-0.

Warm regards,

Amir Irani

Chairperson, ANC 1C

Oscar Guardado; oascar@thegamedc.com cc: Sidon Yohannes; syohannes@theveritaslawfirm.com

Third Amendment to Settlement Agreement Between 2411 18th Hospitality, LLC, t/a The Game/Tiki on 18th, ANC 1C and the Kalorama Citizens Association

This Third Amendment to the Settlement Agreement, made this 4th day of May, 2021, for license number ABRA-112308, located at 2411 18th Street, NW, now named 2411 18th Hospitality, LLC, t/a The Game/Tiki on 18th, is between that entity, Advisory Neighborhood Commission 1C (hereinafter ANC 1C) and the Kalorama Citizens Association (hereinafter KCA), (collectively, the "Parties").

Board Order number 2009-229 (July1, 2009) approved the restated original agreement and amendment (the first amendment) of the various provisions contained therein under the name Ventor Sports Cafe. Since then, there was a second amendment (Board Order number 2015-420, dated September 9, 2015) approving that amendment.

Applicant has applied for an entertainment endorsement and cover charge endorsement.

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants and conditions set forth below, the Parties agree to amend the settlement agreements as follows:

1. *Cover charges*. Applicant shall have the ability to institute a cover charge only for pay-per-view events and special events, as described in Section 2(C), that are not the everyday business of the establishment. Applicant agrees to use its best efforts to prevent queuing on 18th Street.

2. Entertainment Endorsement.

a. Hours: Applicant may have an entertainment endorsement. The hours for entertainment shall not exceed the following:

Monday-Wednesday: 11:00 A.M. - 1:00 A.M. Sunday and Thursday: 11:00 A.M. - 2:00 A.M. Friday-Saturday: 11:00 A.M. - 3:00 A.M.

Nothing in this Agreement shall prevent the Applicant from applying for extended hours during the following:(a) on days designated by the DC ABC Board as "Holiday Extension of Hours"; (b) in the event the Council of the District of Columbia or the ABC Board grants licensees in general extended operating hours (such as for Inauguration) applicant may avail itself of such extended hours; and (c) on January 1 of each year applicant may operate until 4:00 A.M. There shall be no overnight operations at the establishment between 4:00 A.M. and 8:00 A.M.

Applicant will strictly comply with D.C. Official Code § 25-725 and take all reasonable measures to ensure that music, noise and vibration from the Establishment are not audible within the adjacent residential properties.

b. Type of Entertainment: The establishment shall only have a Disc Jockey under the entertainment endorsement. The Disc Jockey will be located on the first floor only. Applicant agrees that any change to this type of entertainment must be requested to the Board, with notice to the Protestants.

- c. Applicant is permitted to have DJ entertainment at special events up to 15 times per month. For the purposes of this agreement, a special event is defined as an event that is not the everyday business of the establishment, including, but not limited to, a birthday party, wedding anniversary, retirement party, charitable event, political event, etc.
- d. Applicant will manage all instances of DJ entertainment, and will not turn over control of any part of the restaurant to event or entertainment promoters.
- e. Applicant shall continuously maintain a log of the special events that occur at the establishment and shall also maintain these records for a rolling period of 365 days and may use any reasonable form to do so, including, a calendar, notebook, electronic document, or any other similar form. Applicant agrees to make this log available to any ABRA investigator or MPD officer upon request. Any special event older than 365 days shall not be subject to this log of records requirement.
- 3. *Withdrawal of Protest.* Upon execution of this Agreement by the Parties and its acceptance by the ABC Board, the Protests shall be considered withdrawn.

For The Game/Tiki On 18th	
Oscar Guardado	05 / 04 / 2021

Oscar Guardado Date

05 / 05 / 2021

05 / 05 / 2021

Denis James, President

For ANC 1C

For KCA

Amir Irani, Chair

Date

Date



TITLE The Game / Tiki on 18th Settlement Agreement

FILE NAME Tiki SA Final 5.4.2021.pdf

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SENT 22:37:00 UTC Denis James (denisjames@verizon.net) and Amir Irani

(1c01@anc.dc.gov) from 1c01@anc.dc.gov

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The document has been completed.