



Chief of Police  
Jeff Jennings

Police Department  
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## SUMMARY

An initial Police Department investigation has discovered no information that would base a denial of a City of Emeryville Annual Cabaret Permit to the listed unless the subjects to the Conditions of Approval are not adhered to as set below.

## DISCUSSION

The Emeryville Municipal Code Section 5-4.02 requires City Council Approval of every commercial operation of a Cabaret within the city limits.

## INVESTIGATION

Chapter 4 of Title 5 of the Emeryville Municipal Code governs "cabarets and dances". This section requires the Emeryville Police Department investigate the applicant to ensure compliance with the restrictions of the ordinance.

Section 5-4.02(c) defines a cabaret as "Any event or... place where live entertainment is provided by or for any patron or guest...to which admission may be gained by the public generally with or without payment of a fee or cover charge or the purchase or presentation of a ticket...."

Currently, The Bank Club Café does not have a valid 2019 Cabaret Permit with the City of Emeryville due to the COVID regulations that have been in place. The Bank Club Café is a business in the City of Emeryville. The Bank Club Café address is 3900 San Pablo Avenue, Emeryville, CA 94608. Cabaret permits are issued on a one-day or annual permit basis and only after the approval of the Chief of Police.

The Bank Club Café is seeking an annual Cabaret Permit to present live music entertainment and supply background music at their facility. These events will take place on Tuesday and Saturday from 1900 HRS 00:00 HRS in the bar location at The Bank Club Café. These are public events.

The estimated attendance of these events varies. There will be alcoholic beverages sold or served at these events. The Bank Club Café have current ABC permits that correspond with their respective business.

The Bank Club Café carries a liability through Coastal Pacific Insurance. The policy is for \$1,000,000.000 each occurrence. The Bank Club Café will have staff members on site at all times to monitor the event(s). The staff members function is to problem solve if issues occur. There will be no uniformed unarmed security officers to monitor the event(s) and surrounding area.

I ran a query on all calls for service from January of 2020 up to the time of this writing. There were (32) calls associated with The Bank Club Café address. Of the listed calls, only (6) calls were associated with The Bank Club Café. Of the 6 calls, (4) were for noise complaints outside the business. Most of the calls were of Emeryville Police Officers citing vehicles and conducting traffic stops during their normal duties.

**CONDITIONS OF APPROVAL**

- The Cabaret Permit will only be valid for the year of 2021. All future permits will be submitted, in writing as this permit had been. Fees are subject to change.

This Cabaret Permit would only allow the music to be inside of The Bank Club Cafe and not on the exterior patio. All exterior doors will be closed during events and times of the event; 1100 hours to 0200 hours. It should be noted, I spoke to Anna Nikitaris and she told me she plans to utilize the cabaret mostly from 1900 hours to 0000 hours.

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- The Bank Club Cafe shall designate a contact person for all complaints from the public. The contact person shall be immediately available for all complaints or concerns. The Bank Club Cafe has named the following persons to be those who are the main contacts:
  - 1) Anna Nikitaris Manager (510) 652-4381
  - 2) Nick Nikitaris Customer Service Representative (510) 282-2120
  - 3) Katina Nikitaris Customer Service Representative (510) 566-8969
- If any noise complaints are received by the Emeryville Police Department, The Bank Club Cafe shall, as soon as possible, mitigate the noise to an acceptable level or immediately discontinue any amplified sound that is causing the disturbance.
- Any violations of these conditions and/or any of the conditions set forth in Emeryville Municipal Code 5-4.24 MAY result in immediate suspension of this Annual Permit.

Anna Nikitaris completed and submitted the Cabaret Permit Application on behalf of The Bank Club Café and will be the primary point of contact at (510) 652-4381. Nikitaris provided a copy of a cash receipt paid to the City of Emeryville for \$1,590.00, dated 06/15/2021. This permit is paid in full.

**CONCLUSION:**

The Emeryville Police Department's Criminal Investigation Services (CIS) has found no reason to deny this permit.

As of this writing, there are no outstanding circumstances to be found.

Approved

Not Approved



Jeff Jennings  
Chief of Police

By:

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