

**RESOLUTION NO. 21-100****Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue An Annual Cabaret License To Trader Vic's For Calendar Year 2021**

**WHEREAS**, Emeryville Municipal Code 5-4.03 provides that a license is required to operate a cabaret in the City of Emeryville; and

**WHEREAS**, an applicant for an Annual Cabaret License is required to submit an application to the Police Department; and

**WHEREAS**, Bank Club Cafe has submitted an application for an Annual Cabaret License for calendar year 2021 to the Emeryville Police Department; and

**WHEREAS**, the Chief of Police has conducted an investigation of the Bank Club Cafe application and has prepared a report and recommendation as required by the Emeryville Municipal Code; and

**WHEREAS**, the Chief of Police has recommended the application be approved and an Annual Cabaret License issued subject to conditions of approval; and

**WHEREAS**, the City Council held a public hearing on July 6, 2021, to consider the application, the report and recommendations by the Chief of Police, and the comments received from the public regarding the application; now, therefore, be it

**RESOLVED**, pursuant to Emeryville Municipal Code Section 5-4.07, the City Council of the City of Emeryville hereby approves an Annual Cabaret License for calendar 2021 to Trader Vic's, subject to the Conditions of Approval, attached hereto as Exhibit A, and authorizes the Chief of Police to issue said license.

**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Monday, September 13, 2021, by the following vote:

AYES:	4	Mayor Martinez, Vice Mayor Donahue, and Council Members Bauters and Medina
NOES:	0	
ABSTAIN:	0	
ABSENT:	0	

ATTEST:

DocuSigned by:

*Sheri Hartz*

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CITY CLERK

DocuSigned by:

*Dianne Martinez*

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MAYOR

APPROVED AS TO FORM:

DocuSigned by:

*Andrea Visweswara*

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INTERIM CITY ATTORNEY



# City of Emeryville

CALIFORNIA

## EXHIBIT A

### CONDITIONS OF APPROVAL

- The Annual Cabaret License would be valid through to December 31, 2021. Any Annual Cabaret License sought for subsequent years would require another application and an approval by the Emeryville City Council.
- The Annual Cabaret License, if approved, permits live music to be played inside Trader Vic's.
- The Annual Cabaret License if approved permits live music to be played and traditional Hawaiian dance performed outside the business within the parking lot are of Trader Vic's on August 29, 2021.
- All exterior doors and windows will be closed during the live music events in the business.
- Upon receipt of noise complaints during any cabaret event at Trader Vic's, Trader Vic's will immediately discontinue the event.
- Hours of operation for this Annual Cabaret License would be restricted to Wednesday through Sunday, 6:00 PM to 10:30 PM.
- Trader Vic's shall be required to designate a contact person for all complaints from the public and to interface with the Emeryville Police Department. This contact person shall be made known to the Emeryville Police Department and all complaining parties upon request. The contact person shall be immediately available for all concerns or complaints.
- Any violations of these conditions or any listed in Emeryville Municipal Code 5-4.24 by Trader Vic's owners, managers, or employees may result in suspension or revocation of this Annual Cabaret License, pursuant to Emeryville Municipal Code Sections 5-4.08, 5-4.09.