Sena, Jennifer

From: [redacted] <[redacted]>
Sent: Thursday, October 09, 2014 11:54 PM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Cc: [redacted]
Subject: re: Bella Ultra Lounge

Dear Greg Minor,

I am writing this letter to recommend the closure of Bella Ultra Lounge. I live at the condominium complex nearby at [redacted] and I have been on the board of the Old Oakland Neighbors for two years. These are the reasons I feel the club should be closed:

* As you may know, there has been a major escalation of violent events associated with club patrons in the past year culminating in a recent murder by gunfire. This is just the most recent of a long series of events and we feel that enough is enough.

* The club does not follow the rules restricting flyering and we have found flyers littering the ground for multiple days a week and for nearly all weeks throughout the year. This is just one of the many activities that the club engages in that aren't permitted by current regulations. I feel these violations taken together should be enough to have the club closed down.

* One anecdote pertaining to how the club impacts the neighborhood is as follows: A friend and I were eating at nearby El Gusano restaurant, and the thuggish appearance and actions/words of the patrons loitering outside of the club made my dinner companion uncomfortable and not want return to the restaurant. Thus nearby businesses pay the penalty for the faults of the club.

* We have lived in the neighborhood for 6 years, and the first 3 years felt perfectly safe. Then more clubs and businesses moved in and this attracted crime because patrons became targets. However Bella Ultra Lounge compounds the problem because the type of patrons it attracts seem to have a higher propensity for criminal activity. Previously we lived across the street at [redacted] on an upper floor facing ninth street. At that time Bella was called Arsimona (we have heard that the ownership is the same) and by the fourth year the club began to attract a great many more patrons who would cause problems. The street noise nightly grew to a very high level and I had a terrible time trying to sleep. This culminated in several side shows. I was terrified cars would hit our building and hit people in the street. Often I was up until 3 or 4 in the morning completely anxious often resulting in me getting no sleep for the night. This was the main motivation for me to move across the street to an interior facing unit.

* We are lucky we currently live in a unit facing our interior courtyard and therefore avoid the noise that the club patrons generate late at night. However with the escalation of gun related incidents we are extremely worried that bullets may hit our unit as they have hit two other units. We are friends of the owner of one of the units, and her tenant moved out within a few days of the unit being shot into since the tenant became terrified of this neighborhood.

We have heard that the club is potentially not even operating with the required permits, and thus we hope that quick action can be taken to enforce the law and shut it down.

Best regards,

[redacted]

Sena, Jennifer

From: [redacted] <[redacted]>
Sent: Friday, October 10, 2014 11:25 AM
To: Minor, Gregory
Cc: Sena, Jennifer; ferran@oaklandcityattorney.org; [redacted]
Subject: Shut Down Bella Ultra Lounge

Greg Minor
Assistant to the City Administrator
1 Frank Ogawa Plaza, 11th Floor
Oakland, CA 94612

Dear Mr. Minor:

I live at [redacted] in the Old Oakland neighborhood. This building is less than 2 blocks away from Bella Ultra. For as long as I can remember, I have put up with the late night disturbances coming from nightclub patrons in our neighborhood. This noise has come primarily as people are arriving at the club (Bella Ultra Lounge) and blasting music, and between 1:15am and 2:30am, as people are leaving the club. The noise is from people getting drunk in their cars before they enter the club, and from when they continue to party (with music from car radios and yelling and screaming) after the club closes. I also have a front row seat to the fights that break out in the street, hear glass bottles and windows being broken routinely, and put up with revving engines. Our streets are left trashy many mornings, and strewn with broken bottles, promotional postcards, junk food wrappers and containers, vomit, urine, and feces.

I was angered and saddened to learn that the reckless behavior has recently escalated to shootings and homicide. Recently, some of our residents witnessed the fights leading up to the homicide on 10/1/14, and the immediate aftermath as well. This is distressing, and I will not feel safer until Bella Ultra Lounge and the activity that it is bringing to our neighborhood is closed down.
I therefore support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge which has proven, over a long period of time, unable to de-escalate their patrons' behavior both inside and outside the club. The owners have ignored many core conditions to their permit so I cannot trust them to adhere to even more conditions on their operations. OON and our building have made many documented attempts to work with the owners of Bella to improve operations, without success. For the safety of this neighborhood, I urge you to exercise the authority of your office to shut the club down permanently with all haste, before another shooting takes another life in this neighborhood.

Sincerely,

[redacted]

Greg Minor
Assistant to the City Administrator
1 Frank Ogawa Plaza, 11th Floor
Oakland, CA 94612

October 10, 2014

Dear Mr. Minor:

I own and live in a condo in the Market Square building in the Old Oakland neighborhood. This building is 2 blocks away from the Bella Ultra Lounge.

My unit is at the corner of 8th St and Clay St and I am regularly annoyed, disturbed and woken up by the loud noises late at night (midnight through about 2 AM) from nightclub patrons in our neighborhood. The noise takes various forms – loud arguments and threatening conversations, revving motorcycles and cars, and extremely loud music. I also regularly hear loud fights accompanied by screams and yells, to the point where every backfire sounds like a gunshot. There is also a ton of leftover trash in the streets from the partying. I often walk past drunk and belligerent club patrons as I am out walking my dog around 11 PM through midnight.

Then a few days back, I was angered, saddened and frankly scared to learn of the recent homicide two blocks from my place, outside the Bella Ultra Lounge. I do not think I can feel truly safe in this neighborhood unless Bella Ultra Lounge and the associated uncivil and criminal behavior it brings to the Old Oakland neighborhood is closed down.

Hence, I support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge. For the safety of this neighborhood, I urge you to exercise the authority of your office to shut the club down permanently with all haste, before another shooting takes another life in this neighborhood.

Sincerely,

[redacted]

Sena, Jennifer

From: [redacted]
Sent: Friday, October 10, 2014 4:00 PM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Cc: [redacted]
Subject: Bella Ultra Lounge

Hi Greg, Jennifer and Eli,

I wanted to share my thoughts on the Bella Ultra lounge. As a nearby resident, my condo overlooks the back parking lot of the Bella Ultra lounge. There is always commotion including loud music and side shows in the parking lot as the club closes for the night. I frequently walk my dogs late at night before I go to bed and know especially on the weekends to 'hurry up' and walk the dogs before 2am to avoid any drama. I actually fear for my safety when I see cars flying down the street screaming profanities.

On Tuesday when the murder occurred I was in bed trying to sleep. The weather was nice so I left my windows opened as I do most nights. I heard some arguing mostly in a female voice and I had a feeling something terrible was going to happen. After a few minutes of arguing, I heard a gunshot! My heart dropped and I knew it was bad because the female's voice got even louder in panic. I jumped to the window and to my surprise there was a cop already on the scene within seconds. I sat in my window to see about 7 more cops surrounding the blocks around the club, while the sirens flashed in my dark room. I sat in the window until about 3am watching nothing by police lights.. not a fun experience.

This was not the first time I've heard gun shots in the middle of the night. The craziest experience was when I heard about 10 shots from a machine gun! Not knowing where it was coming from, all I could do was hope it wasn't coming in my direction. I know I live in a large urban city and I LOVE it here but I hate the CRIME! I picked to live in Old Oakland because of all the cute restaurants, shops and friendly neighbors. If I don't even feel safe walking to a nearby great bar like Parliament because I have to walk by Bella Ultra lounge that is not right. It's not fair to the other wonderful bars and businesses nearby, or anyone living in this neighborhood! Please close down Bella Ultra lounge we do not need this drama in our beautiful Old Oakland neighborhood!
Thanks, [redacted]

Sena, Jennifer

From: [redacted]
Sent: Saturday, October 11, 2014 12:05 AM
To: Sena, Jennifer
Subject: FW: Shooting incident/Bella Ultra Lounge cabaret permit

Officer Sena,

I forgot to cc: you on the email to Eli. This is a very important email from a resident of our neighborhood.

From: [redacted]
To: eferran@oaklandcityattorney.org
Subject: FW: Shooting incident/Bella Ultra Lounge cabaret permit
Date: Sat, 11 Oct 2014 00:03:44 -0700

This is an extremely important letter. We wanted to make sure that you received it.

Date: Fri, 10 Oct 2014 15:54:15 -0700
From: [redacted]
Subject: Shooting incident/Bella Ultra Lounge cabaret permit
To: gminor@oaklandnet.com
CC: [redacted]

Mr. Greg Minor, Assistant to City Manager
Oakland, California

Dear Mr. Minor,

I am the owner-occupant a 4th floor condominium unit at [redacted]. Street in downtown Oakland. My apartment faces 10th Street directly across from two ground level parking lots presenting a wide open area from 11th Street to the wall of my building. These lots are a short distance west on 11th Street from the Bella Ultra Lounge at the corner of Clay Street.

On Wednesday, July 23, 2014 I awoke to find the frame of the right side bay window in my living room torn apart (right bottom quadrant) and the outer glass pane shattered. Debris of the smashed frame covered the window sill and floor and what appeared to be a spent bullet sat on the window sill.

I reported the above by phone on 7/23/14 to the Oakland Police Department and later that afternoon two police officers responded, inspected the damage, took a photo, confirmed the presence of a spent bullet (which they collected as evidence) and advised me on how to obtain a copy of the Incident Report. That Incident Report is Number 14-037089 and I can provide you with a copy if you wish. I was also visited that same day by the occupant of Unit 317 (apartment directly below mine), who told me that a shot came through the living room wall of that unit sometime during the early morning hours of 7/23/14 and that she reported that to the police who then recovered a spent bullet from that unit also. While I am still in the process of obtaining repair estimates for the damage to my Unit, I believe the minimum costs of replacing the frame and window will reach $500 or more.

On 7/24/14 an email (to our building's Yahoo! group), related that a member of our condominium's Board of Directors heard 6 or 7 gunshots fired at 1:40a.m. on 7/23/14 from the direction of 11th Street and immediately phoned in a report of the gunshot sounds to the Oakland Police Department where documentation of that emergency call should be available. While I don't claim expertise in gunshot trajectories, a common sense inspection of the bullet's entry point suggests an origin in the reported gunfire sounds from 11th Street. Stray bullets in a confused melee of some fight on 11th. street would have a clear path across the open parking lots to my window frame and this would be even more true for the bullet which entered the mid point of the wall of Unit [redacted] (on 3rd. floor directly below my apartment). The entry point of the bullet was only 1 foot from the wall (4 feet from the window) of the bedroom where I was asleep at the reported time of the gunshot sounds.

There have been 13 known shooting incidents in our Old Oakland Neighborhood since March, 2013 including two homicides at least one of which (Oct.1,2014), is apparently linked to a fight originating at the Bella Ultra Lounge. At least several of the disturbances and shootings appear to have occurred at or near closing time of the BUL cabaret located upstairs at the corner of 11th and Clay streets. I believe that it was just such an altercation which resulted in gunshots damaging my apartment and potentially placing me in danger.

Given my personal experience and losses as documented above and the long history of neighborhood disturbances resulting from the operations of Bella Ultra Lounge as a cabaret, I respectfully request that the present cabaret permit for this business be permanently revoked. I also request that, unless it is legally mandatory that my personal identification be made public, that my name and residence Unit # be redacted from the public record.

Sincerely,

[redacted]

[redacted]

October 11, 2014

Greg Minor
Assistant to the City Administrator
1 Frank Ogawa Plaza, 11th Floor
Oakland, CA 94612

Dear Mr. Minor,

I have been a resident of Oakland since 1977 and a resident in the Old Town Square building in the Old Oakland neighborhood for five years. I am distressed about the recent crimes and significant disturbances in our community. As a senior, I have felt comfortable walking alone at night and would like to continue to feel safe in my neighborhood. That may not be possible until some action is taken to get the nightclubs under control, particularly the Bella Ultra Lounge which has created serious problems.

I know that other residents have written about the noise, fights, shootings, and homicide resulting from club activities that have not been controlled by the club. I would like to voice additional concerns. Oakland has long had a poor reputation, which has been improving. When we have bullets coming into living room windows and murders down the street, the reputation of Oakland is damaged. We will not be able to attract businesses, builders, or residents. Our property values, which have finally come up from down under, will fall. People will move away and our neighborhood will deteriorate.

All of this is very bad for our city and our community. Old Oakland is a wonderful place to live. Oakland is a fabulous city, often maligned. Let us not live up to the reputation of Oakland as a place of crime and death. We need to reach our goal of attracting businesses and residents and continue to improve our living conditions.

To that end, I support the Old Oakland Neighborhood's (OON) NCPC's call to revoke the city cabaret license of Bella Ultra Lounge which is creating an extremely unsafe and untenable situation. For the safety of the community and the reputation and well being of our city, I cannot urge you strongly enough to exercise the authority of your office to shut this club down permanently and immediately before another life is taken in our neighborhood.

Sincerely,

[redacted]

Sena, Jennifer

From: [redacted]
Sent: Saturday, October 11, 2014 7:39 AM
To: Sena, Jennifer; Minor, Gregory; Ferran, Elias
Cc: [redacted]
Subject: Revoke Cabernet license for Bella Ultra Lounge

Greg Minor
Assistant to the City Administrator
1 Frank Ogawa Plaza, 11<x-apple-data-detectors://16/1>th<x-apple-data-detectors://16/1> Floor<x-apple-data-detectors://16/1>
Oakland, CA 94612<x-apple-data-detectors://16/1>

Dear Mr. Minor:

I live in the Old Town Square building in Old Oakland. Dating back to when we moved into the building in 2007, my wife and I have had to tolerate late night disturbances from the club goers at the nightclub on the corner of 11th and Clay. Loud arguments and fights occur on a regular basis, some of which escalate to violence. The club patrons also trash the street, leaving behind garbage, urine, feces, and vomit after nights at the club.

Recently, the level of violence has escalated to the point that I am concerned for the safety of residents in our building. Stray bullets fired from the parking lot behind Bella Ultra Lounge recently struck our building, and a homicide occurred outside of Bella Ultra Lounge on 10/1/14. The threat of violence is ever present on weekend nights, and it has become a real safety issue for residents in the neighborhood.

We therefore support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge. The Bella Ultra Lounge has never acted as a good neighbor in all my years as a resident in Old Oakland, as they appear incapable of controlling the behavior of their patrons. The owners have proven negligent in regards to the core conditions of their permit, and should thereby be stripped of their license to run a caberet. OON and our building have made many documented attempts to work with the owners of Bella to improve operations, without success. The residents of Old Oakland urge you to shut down this dangerous club immediately, before more violence occurs in our neighborhood.

Sincerely,

[redacted]

Sena, Jennifer

From: [redacted]
Sent: Saturday, October 11, 2014 11:11 AM
To: Ferran, Elias; Minor, Gregory; Sena, Jennifer; [redacted]
Subject: Request to Revoke Permit for Bella Ultra Lounge

Dear Mr. Minor, Ms. Sena, and Mr. Ferran,

I live at [redacted] in the Old Oakland neighborhood. For years, my partner and I have been woken up by late night disturbances coming from nightclub patrons in our neighborhood. The noise comes primarily as people are arriving at the Bella Ultra Lounge (formerly Arsimonia). From about 10pm to 11pm, patrons park their cars, sit with doors open and music blasting, and drink. Then when the club closes around 2am, club patrons again blast music and hang out around their cars with doors wide open. It is impossible not to be woken and bothered by the noise. I have also observed numerous fights in the street, have heard glass bottles broken, and observed trash and urine on the street the next morning.

Recently, these problems have escalated into violence. The recent homicide just outside our door is unacceptable. Our building has also been hit by stray bullets from the parking lot behind Bella Ultra Lounge. This is extremely alarming, and I will not feel safe until Bella Ultra Lounge and the activity that it is bringing to our neighborhood is closed down.

I therefore support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge. It is clearly unable to de-escalate patrons' behavior both inside and outside the club. The measures they claim to have taken so far have clearly been insufficient, and we cannot trust that they will successfully implement others. OON and our building have made many documented attempts to work with the owners of Bella to improve operations, without success. For the safety of this neighborhood, we urge you to exercise the authority of your office and shut the club down permanently with all haste, before another shooting takes another life in this neighborhood.

Sincerely,
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Sunday, October 12, 2014 10:40 AM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Cc: otssecurity@outlook.com
Subject: Please close down Bella Ultra Lounge

Dear Mr. Minor,

I am writing to you because my elderly mother lives at [redacted] Oakland. She has long complained about being woken up at 2:00 A.M. when the nearby club (Bella Ultra Lounge) closes. She talks about how the bar patrons are yelling, playing very loud music, revving up their cars and being rowdy. She comments that the club patrons sound like they are drunk. She also has long complained that each morning the previously clean sidewalks and gutters near the club and all around the block, including along her street, are littered with trash, bottles, paper, vomit and other body fluids littered by the club goers. She complains this makes her neighborhood look trashy and less valuable and negates the work of the street cleaners. Now she is talking about the escalating gun violence which has become commonplace, and listening to gunshots being fired. Most recently, the neighbor down the hall from her unit recently had gunshots fired through his window and land in his living room! Fortunately he was not hit. It will cost the neighbor thousands of dollars to repair his window and it is really frightening to think that gunshots could be fired into my mother's living room or bedroom. This is completely unacceptable! I am very afraid for my mother's safety. She often sits in her living room by the window or is in her bedroom, both of which face the street and are susceptible to these lawless gunshots.

My mother has long been an Oakland booster, telling friends that Oakland is a safe and good place to live, especially downtown. She enjoys living in Old Oakland and has lived there fourteen years. But this escalating noise, public disturbance, trash, fighting, and now gunshots bring frightening violence and a bad element to Old Oakland where it was previously a very quiet and safe neighborhood.

Please close the Bella Ultra Lounge. It brings unsightly extra trash (and worse), loud nighttime noise, rowdiness, public nuisance and now, most worrisome, demonstrated gun violence. It reinforces the negative image of Oakland and now is bringing real violence and fear into this previously quiet, safe and well-regarded neighborhood. No good comes from having this club in the neighborhood. I fear for my mother's safety. I respectfully ask that you close down Bella Ultra Lounge.

For safety reasons, please do not disclose the name or address of my mother. I also wish to remain anonymous and do not want my name, address or email address or phone number made public either. Thank you.

Sincerely,
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Sunday, October 12, 2014 10:53 AM
To: Ferran, Elias; Minor, Gregory; Sena, Jennifer
Cc: otssecurity@outlook.com
Subject: permanently revoke the cabaret license of Bella Ultra Lounge

Greg Minor
Assistant to the City Administrator
1 Frank Ogawa Plaza, 11th Floor
Oakland, CA 94612

Dear Mr. Minor:

I live in the Bridgeport Community in the Old Oakland neighborhood facing 9th Street. My family moved to Old Oakland two years ago from out of state. My husband and I live here with our two young children and, because of our children's safety, I'd like our names to remain confidential.

Since we've moved to the neighborhood, we have experienced several minor disturbances (our bike was stolen and our car window has been smashed in twice). We brushed off these incidents as annoyances that made us feel vulnerable, but were also things that can be expected to happen if you live in Oakland, no matter what part of town. However, this last year, as gun violence has escalated, we feel frightened to live here. We have two more years on our lease and are not able to move away because of our financial status. Knowing there is shrapnel lodged in our building's walls and that a loaded weapon could have just as easily been dropped into our front gate instead of the one just a few gates down is truly terrifying.

My husband often works late at night and has to walk home through this neighborhood from the 12th Street BART station to 9th Street and I feel nervous about his walk every night. Every night of the week we are kept up by the sounds of drunken yelling, fighting, and car engine revving and stereo blasting between the hours of 11pm and 2:30 am. Our bedroom windows look out onto the street where many club patrons park. One recent night, we endured an escalating angry fight right outside and we were afraid to be so close to the giant glass windows right beside our bed. The string of gun violence crosses the line. Now we are not talking about an annoyance that comes with living in a downtown neighborhood. This has become an epidemic danger that will keep this wonderful neighborhood from thriving.

We can avoid going outside very late at night, sure, but we will inadvertently suffer in other ways, too. If wonderful businesses and restaurants decide this part of town is too crime-ridden and dangerous a place to be, than the many wonderful benefits of living here (its walkability, its culture, its one-of-a-kind shops and restaurants) will dwindle, too.

I love living here, but I don't want to be afraid to live here, and I am. Now, as I walk the lovely neighborhood streets, lined with trees, container gardens, and restaurants like Le Cheval and El Gustano on my way to the post office, I know that I step over the spot where a man was shot and killed, a spot recently puddled with a man's blood.

We therefore support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge which has proven, over a long period of time, to be unable to de-escalate their patrons' behavior both inside and outside the club. The owners have ignored many core conditions to their permit so we cannot trust them to adhere to even more conditions on their operations. OON and our building have made many documented attempts to work with the owners of Bella to improve operations, without success. For the safety of this neighborhood, we urge you to exercise the authority of your office to shut the club down permanently with all haste, before another shooting takes another life in this neighborhood.

Sincerely,

[redacted]

Sena, Jennifer

From: [redacted]
Sent: Sunday, October 12, 2014 4:18 PM
To: Minor, Gregory; Ferran, Elias; Sena, Jennifer
Cc: OTSsecurity@outlook.com
Subject: Concerns about Bella Lounge

This is a letter to Greg Minor, Ofc. Jennifer Sena, and Eli Ferran.

I own a condo in downtown Oakland in the Swans Marketplace building on Clay, between 9th and 10th.

My two sons were born there, and I have always loved the neighborhood and felt safe at home.

Two years ago I had to move to Portland for family reasons. In the meantime, I have incredible renters living in my place, a young couple who is pregnant with their first baby and due in January. They told me they would like to buy the condo if I decide not to move back. Right now condos in downtown Oakland attract the people you want to living in downtown Oakland to keep it a wonderful, respectable, and responsible neighborhood.

Businesses should contribute to the neighborhood, not detract. Bella Lounge does more than detract. It endangers.

Venues like the Bella Lounge that repeatedly and severely disrespect the neighborhood, utilize valuable police resources, and pose a consistent and unabated safety threat to the residents of downtown Oakland, have no business keeping their business open.

I strongly urge you to take action and closing down Bella lounge. Invite in another business to this booming area which will contribute.

Thank you for your consideration,

[redacted]

~~~~~~~~~~~~~~~~

[redacted]

Sent from my iPhone.
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Sena, Jennifer

From: [redacted]
Sent: Sunday, October 12, 2014 6:48 PM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Cc: otssecurity@outlook.com
Subject: Bella Ultra Lounge Hearing

Mr. Greg Minor
Assistant to the City Administrator
1 Frank Ogawa Plaza, 11th Floor
Oakland, California

Dear Mr. Minor,

This letter is in support of closing Bella Ultra Lounge, per the public hearing on October 17, 2014.

I live at the Old Town Square complex at [redacted], Oakland, around the corner from Bella Ultra Lounge. I recently heard about the homicide at 11th St. and Clay, which started inside Bella Ultra Lounge.

I will cut to the chase: 13 gun related incidents in the past 18 months at Bella Ultra Lounge is not only crazy but it's a mass murder waiting to happen. After 13 comes 14, 15, 16...and could mean many more people killed. It only takes one nut with many bullets. Oakland already has a bad reputation for violence but a massacre inside a business (licensed by the City of Oakland) is nightmare waiting to happen, and maybe a massive lawsuit that the City or citizens can not afford.

Oakland simply can not allow this to happen. It can be prevented by common sense and leadership: shut down a dangerous, violent pattern before some something happens that can't be reverse. Do nothing and have blood on your hands.

I urge the City of Oakland to be proactive and revoke Bella Ultra Lounge's business license immediately. Oakland simply can not afford more dead, let alone the potential for a massacre.

Sincerely,

[redacted]

Please do not publish my name or business and home locations.

10/12/14

[redacted]

To Whom It May Concern:

This is a letter to Greg Minor, Off. Jennifer Sena, and Eli Ferran.

My name is [redacted] and along with my husband I own a loft at [redacted] Old Oakland in [redacted] between 9th and 10th. I also own a business in [redacted], also on Clay Street.

My daughter was eleven when we moved into our loft in 2000; my family and I have always loved the Old Oakland neighborhood. We have felt safe at home and I have felt safe in my business. We understand the reality of city life and are committed to supporting our residential and business friends and neighbors.

I have two tenants in my business and all three of us have thriving businesses that attract a clientele that also enjoys the restaurants and shops in Old Oakland. Negative publicity from businesses such as Bella Ultra Lounge can deter our clienteles from feeling safe in our neighborhood and discourage them to continue to patronize our fellow business neighbors and us.

As a small business owner I am dependent on my clientele for my income. My success equals success for Oakland as a business taxpayer and a homeowner.

As businesses we should contribute to the neighborhood, not detract. Bella Ultra Lounge does more than detract. It endangers all of us.

I strongly urge you to take action to close down Bella Ultra Lounge.

Sincerely,

[redacted]

Sena, Jennifer

From: [redacted]

Sent: Monday, October 13, 2014 9:44 AM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Cc: OTS security
Subject: Please close down Bella Ultra Lounge

Dear Greg, Eli and Officer Sena,

I am writing to urge you to permanently revoke Ultra Bella Lounge's cabaret permit. I am an owner resident at Old Town Square, with my unit on the second floor facing the street. I have lived at Old Town Square since day 1, and have generally been thrilled to see more businesses open nearby. But Ultra Bella Lounge - just like the previous club Arsimona - has caused nothing but trouble, and now makes me literally fear for my life and that of my visitors. When I tell friends where live, I get worried looks and questions about "all the shootings in that neighborhood." My boy-friend no ;longer wants to spend nights at my place because there is routinely so much noise on weekend nights that it's impossible to sleep, and now you even have to worry that another few stray bullets will actually hit you in your sleep! It's been sheer luck that nobody was injured when stray bullets hit some of our units recently. Another problem is the litter Ultra Bella Lounge's patrons leave behind. I have adopted the storm drains on Clay Street @ 9th Street to keep litter from going down the storm drains and into our creeks, but it's discouraging to do this when I see loads of wrappers, cigarette butts, alcohol bottles, disposable cups and other trash left behind every weekend. I am quite concerned about my condo's value as well, as fewer people want to buy in an area where you can't sleep and won't be safe at night. I am all in favor of supporting local businesses, including clubs, but they need to add to the quality of life in *my* neighborhood, not detract from it. Their patrons don't live here. They bring their problems and then leave it up to us local residents to deal with the fallout. Not right!! The only solution I can see is to revoke their cabaret license and I urge to to support Old Oakland neighbors in our effort to achieve this and help locals feel safe again.

Sincerely,
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Monday, October 13, 2014 1:15 PM
To: Ferran, Elias; Minor, Gregory; Sena, Jennifer
Cc: otssecurity@outlook.com
Subject: Bella Ultra Lounge

To Whom it May Concern:

I live in the Old Town Square building in the Old Oakland neighborhood. I am writing in support of a revocation of the cabaret license for Bella Ultra Lounge. My wife and I have lived in this building for over a year, on the street facing the back of the club. In this time, we have been witness to weekly examples of bad behavior by club patrons, completely uncontrolled by club security, which includes:

- Loud music as patrons return to their cars.
- Loud conversations and smoking on the sidewalk in front of our unit.
- Gunshots on two occasions, including in to units directly above ours.
- Revving and racing of car engines.
- Aggressive behavior by club patrons.
- Felony arrests at gunpoint in front of our unit.

For the safety of our neighborhood, and for more efficient use of our limited policing resources, we urge you to shut this club down.

Sincerely,
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Monday, October 13, 2014 2:26 PM
To: Ferran, Elias; Minor, Gregory; Sena, Jennifer
Cc: otssecurity@outlook.com
Subject: Bella Ultra Lounge

Dear Mr. Ferran, Mr. Minor and Officer Sena:

We live in the Old Town Square building in the Old Oakland neighborhood. Since the time that we moved in to the building about nine years ago, we have encountered continual late night disturbances coming from nightclub patrons in our neighborhood. This noise has come primarily as people are arriving at the club (Bella Ultra Lounge) and blasting music, and between 1:15am and 2:30am, as people are leaving the club. The noise is from people getting drunk in their cars before they enter the club, and from when they continue to party (with music from car radios and yelling and screaming) after the club closes.

Residents in the buildling also have a front row seat to the fights that break out in the street, hear glass bottles and windows being broken routinely, and put up with revving engines. Our streets are left trashy many mornings, and strewn with broken bottles, promotional postcards, junk food wrappers and containers, vomit, urine, and feces. We were saddened to learn that the reckless behavior has recently escalated to shootings and homicide. Recently, our building has been hit by stray bullets from the parking lot behind Bella Ultra Lounge, and some of our residents witnessed the fights leading up to the homicide on 10/1/14, and the immediate aftermath as well. This is distressing, and we will not feel safer until Bella Ultra Lounge and the activity that it is bringing to our neighborhood is closed down.

We also do not feel safe going out at night regardless of whether we drive home or walk home from BART. We choose to live in downtown Oakland for its vibrance, diversity and convenience. The ongoing safety issue in the neighborhood however dampens the desire to go out at night and at times raises questions as to whether the neighborhood is desirable for residence. This is of course not helpful for other Oakland business (e.g. restaurants which do not have patron behavior issues) and harm Oakland's reputation and economy.

We therefore support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge which has proven, over a long period of time, to be unable to de-escalate their patrons' behavior both inside and outside the club. The owners have ignored many core conditions to their permit so we cannot trust them to adhere to even more conditions on their operations. OON and our building have made many documented attempts to work with the owners of Bella to improve operations, without success. For the safety of this neighborhood, we urge you to exercise the authority of your office to shut the club down permanently with all haste, before another shooting takes another life in this neighborhood.

Finally, I am requesting that I remain confidential with respect to the submission of this email.

Thank you for taking the time to listen to our experience and concern regarding safety in the neighborhood.

Sincerely,
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Monday, October 13, 2014 11:06 PM
To: Ferran, Elias; Minor, Gregory; Sena, Jennifer
Cc: otssecurity@outlook.com
Subject: Shootings and homicides in Old Oakland - Bella Ultra Lounge

Greg Minor
Assistant to the City Administrator
1 Frank Ogawa Plaza, 11th Floor
Oakland, CA 94612

Dear Mr. Minor:

I live in the Old Town Square building in the Old Oakland neighborhood. For the six years I have lived here, there have been late night disturbances by nightclub patrons in our neighborhood, primarily on Thursday to Sunday nights. This noise is directly related to patrons of the Bella Ultra Lounge arriving and blasting music, then later, between 1:15am and 2:30am, as people are leaving the club. I have a front row seat to the fights that break out in the street, people yelling, glass bottles and windows being broken routinely, and revving engines and music from motorcycles and cars.

I am disappointed that the reckless behavior has recently escalated to shootings and homicide. Recently, our building has been hit by stray bullets from the parking lot behind Bella Ultra Lounge.

From my bedroom window, I could hear loud voices and fights leading up to the homicide on 10/1/14, and the immediate aftermath as well. Unfortunately, this was not the first incident.

This is distressing, and I will not feel safer until Bella Ultra Lounge and the activity that it is bringing to our neighborhood is closed down.

I therefore support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge which has proven, over a long period of time, to be unable to de-escalate their patrons' behavior both inside and outside the club. The owners have ignored many core conditions to their permit so we cannot trust them to adhere to even more conditions on their operations. OON and our building have made many documented attempts to work with the owners of Bella to improve operations, without success. For the safety of this neighborhood, we urge you to exercise the authority of your office to shut the club down permanently with all haste, before another shooting takes another life in this neighborhood.

Sincerely,

Old Town Square Resident (name withheld)

Sena, Jennifer

From: [redacted]
Sent: Tuesday, October 14, 2014 5:10 PM
To: OTSecurity@outlook.com
Cc: Sena, Jennifer
Subject: CLOSE THE BELLA ULTRA LOUNGE

Dear Greg Minor et al,

I strongly urge you to close the Bella Ultra Lounge. The gun violence and even murder emanating from this place is destroying the Old Oakland neighborhood.

Recently, our neighbor's home was penetrated by bullets coming from activity around this Lounge.

Let's not wait until a pedestrian or person in their own living room is injured or worse, before taking action.

Please close the Bella Ultra Lounge immediately.

Thank you,
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Tuesday, October 14, 2014 8:30 PM
To: Sena, Jennifer
Subject: Re: Arsimona Bar and Lounge

Thanks.

Sent from my iPhone

On Oct 14, 2014, at 4:40 PM, Sena, Jennifer <JSena2@oaklandnet.com> wrote:

> From July 2006- April 2012 the premise was named Arsimona with the licensee listed as Kiflit Tedros as the owner 47-430644.
>
> From May 2012 to present the premise changed its name to Bella with the licensee listed as Arsimona LLC with Almaz Haile as the listed manager. 47-519517 with Yodit Kifilt as the processes server.
>
> It appears that the business is still owned by the same people!
>
> OFC Jennifer Sena, 8375
> Alcoholic Beverage Action Team
> Oakland Police Department
> (510) 777-8673
>
> ---
>
> **From:** Negrete, Francisco
> **Sent:** Tuesday, October 14, 2014 2:32 PM
> **To:** Sena, Jennifer
> **Subject:** Arsimona Bar and Lounge
>
> Hey Jenn, I'm attempting to find out when the Arsimona Bar and Lounge was closed down. I believe it was in 2012.
> Thanks

Sena, Jennifer

From: [redacted]
Sent: Tuesday, October 14, 2014 10:58 PM
To: Sena, Jennifer
Subject: Fw: Open Mic at Bella Ultra tomorrow night - WED NIGHT

Ofc. Sena,

Just thought you should know about this event happening at Bella tomorrow night. Not sure if this is legal under their current cabaret suspension, but we thought you should know.

Thanks,
[redacted]

----- Forwarded Message -----
From: [redacted]
To: Allan Steinberger <ASteinberger@oaklandnet.com>; Gregory Minor <GMinor@oaklandnet.com>; Nancy Marcus <nmarcus@oaklandnet.com>
Sent: Tuesday, October 14, 2014 10:48 PM
Subject: Open Mic at Bella Ultra tomorrow night - WED NIGHT

Hi folks -
In case you haven't been following their social calendar, it seems Bella Ultra is having a promoter event tomorrow night. Not sure if it is still on or not, but thought you should know. See attached and the following link.

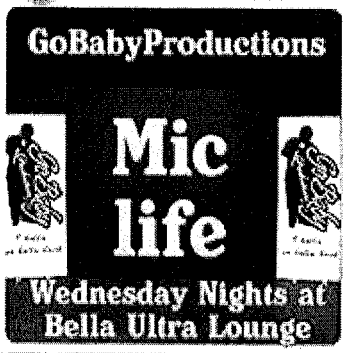
http://allevents.in/oakland/gobabyproductions-open-mic-life/726047347466217#

Best
[redacted]

allevents.in/oakland/gobabyproductions-open-mic-life/726047347466217#

Most Visited | Invoices | Parent Portal | My Drive - Googl... | Course: Daisy Lea... | Girl Scouts | For ...

allevents.in OAKLAND



GoBabyProductions ope

TIME Wed Oct 15 2014 at 08:00 pm

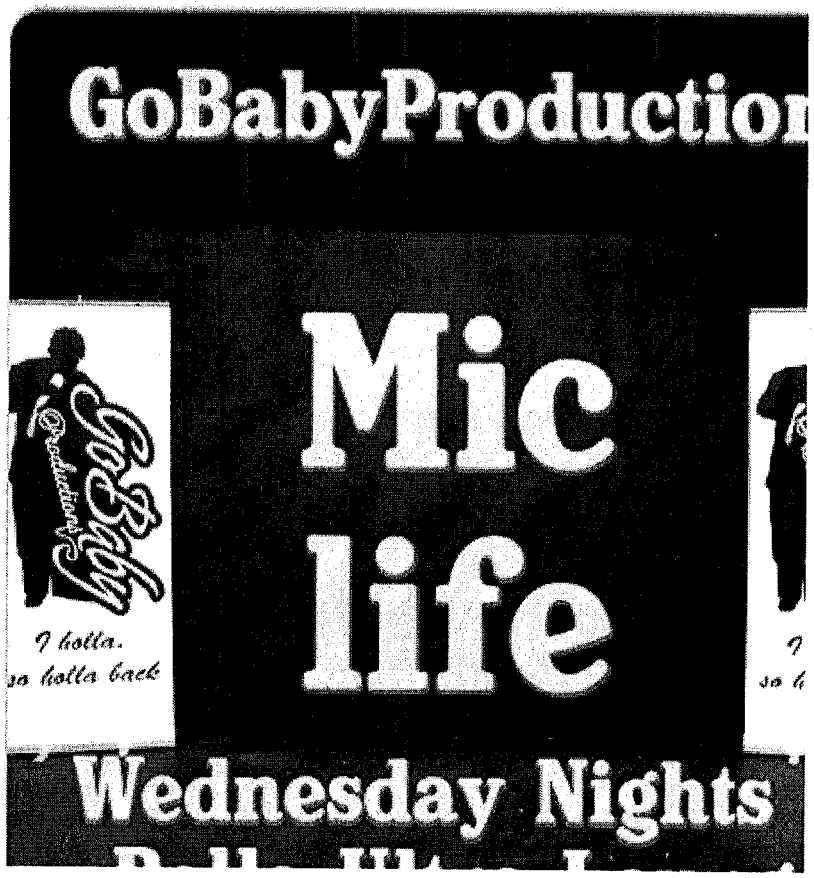
VENUE Bella Ultra Lounge, 561 11th S

CREATED BY LeRoy Stanfield Jr. + Foll

Advertisement

Special Event Ice

Festivals, Catering, Banquets, etc San Jose Ice Company Visit Website



Sena, Jennifer

From: [redacted]
Sent: Tuesday, October 14, 2014 11:38 PM
To: Minor, Gregory
Cc: Ferran, Elias; Sena, Jennifer; OTS Security
Subject: Revoke Bella Ultra Lounge's Cabaret Permit

Mr. Minor,

I live in the Old Town Square building in Old Oakland. I have lived here for 10 years. My wife has lived here for 12 years. We met here in this neighborhood, were married and had children here, and want to remain here in what has become a tight-knit and engaged community.

Arsimona moved into this neighborhood six years ago. They were friendly initially, and our neighborhood group made an effort to make them feel welcome here. They hosted community happy hours and neighborhood events. However, their late night activities also caused concern. Loud music could regularly be heard past midnight through their open windows. Their late-night guests were often unruly and disrespectful to the rights of neighbors to have peaceful and quiet enjoyment of their property. Some guests would hang out by their cars well after closing time, with car doors open, engines running, music blaring, yelling at people as they drove by. Occasionally, the loud voices would turn violent, and street fights would break out. This activity began to worry neighbors, and we began to lose our sense of safety in the neighborhood.

Unfortunately, these fights have recently escalated, and in the last 18 months, our neighborhood has experienced at least 13 shooting events. Gunshots and homicidal acts of violence should not be tolerated in any neighborhood, and we have witnessed a worrisome spike recently. The two most recent incidents (7/23/14 and 10/1/14) are tied directly to Bella's activities, the patrons that they attract (who may have prior beefs with each other from outside this neighborhood), and Bella security's lack of skill in de-escalating incidents inside the club, getting people safely to their cars, and on their way home at the end of the night.

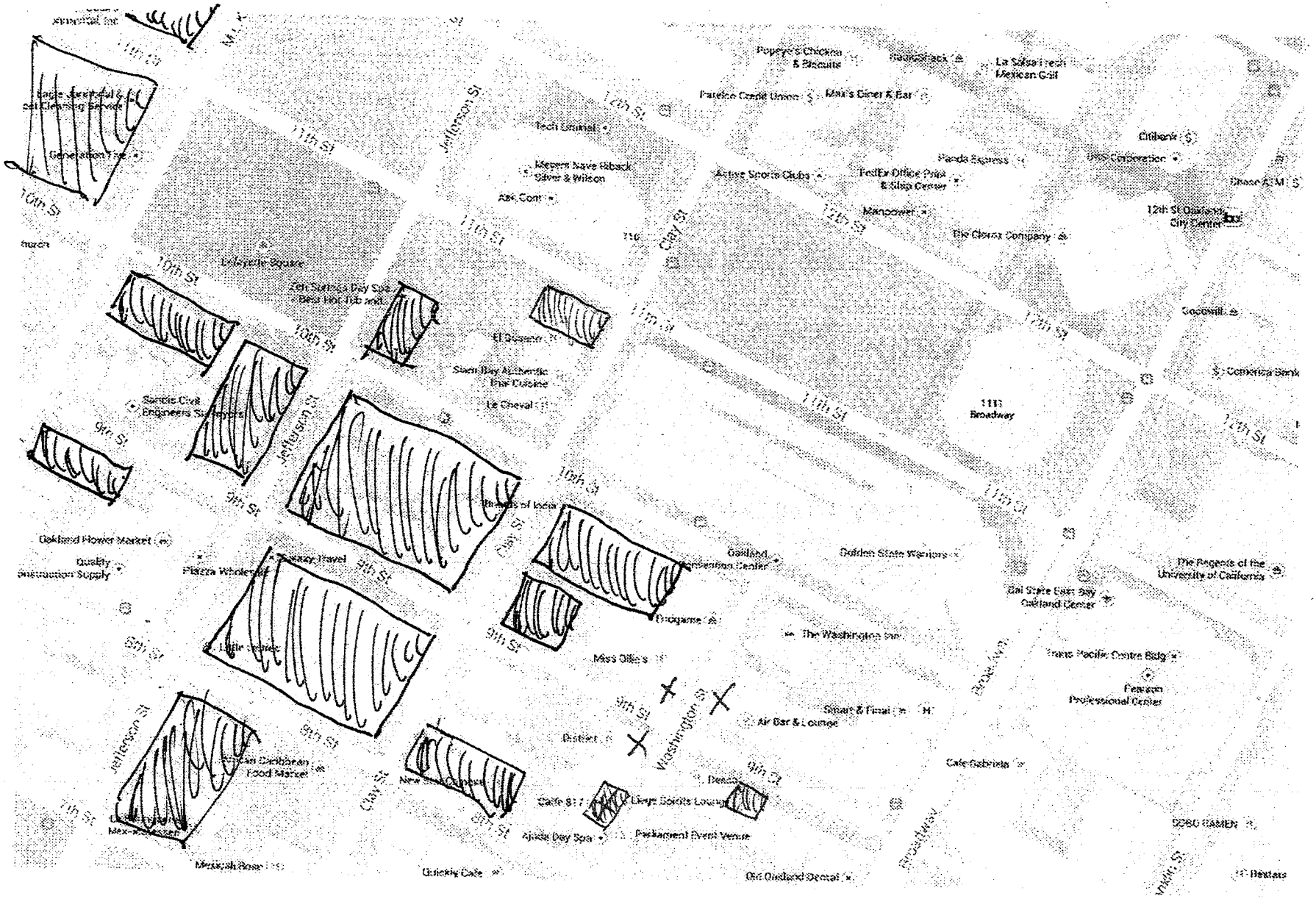
As the violence has escalated, we have become more fearful. We used to contribute to neighborhood safety by taking our dog for walks at night. We would walk strangers to their cars, politely advise people against talking on their phones while walking on the street, and remind people getting out of their cars that they should not leave items visible. These were little things that we could do to help people stay safe, to enjoy our neighborhood businesses, and make our streets feel welcoming. Now, we find ourselves afraid to have conversations with strangers, we find ourselves disengaging, we find ourselves closing our windows to the street and moving our furniture against the walls in the hope that a stray bullet won't find its way through.

As neighbors, we can no longer stand by. We therefore support the Old Oakland Neighborhood (OON) NCPC's call to permanently revoke the cabaret license of Bella Ultra Lounge. The owners have ignored their conditions of approval, and have refused to improve their practices despite many complaints from neighbors, and now they have put lives in peril, with disastrous consequences. For the safety of this neighborhood, we urge you to exercise the authority of your office to shut down the club permanently with all haste, before another shooting takes another life in this neighborhood, before violence drains our neighborhood of its vitality and connectedness.

Sincerely,

[redacted]

https://www.google.com/maps



Sena, Jennifer

From: Minor, Gregory
Sent: Friday, October 17, 2014 3:35 PM
To: Sena, Jennifer
Subject: FW: Bella Ultra
Attachments: Old Oakland Map.PDF

From: [redacted]
Sent: Friday, October 17, 2014 3:32 PM
To: Minor, Gregory
Cc: Ferran, Elias; [redacted]
Subject: Bella Ultra

Dear Mr. Minor:

I was at the hearing on Bella Ultra Lounge today and thought some of the descriptions of geography were pretty confusing. Also, there were misrepresentations by the Bella Ultra witnesses on the existence of similar businesses in the neighborhood.

Attached is a crude map which I hope can be of some use in clearing things up. Someone else with better tools can make a much better map, but I think this gives the needed information.

All of the blue blocks are residential buildings. There are three red blocks. The largest of the three is Bella Ultra. The smallest is Liege and the mid-sized one is Parliament. The X's mark a more traditional bar, a pub, and a sausage and beer place. While there are some complaints around the neighborhood about Liege, I never hear anyone complain about the other places. And no business comes close to creating the volume of people on the sidewalks and streets that Bella Ultra does.
As several people pointed out today, the neighborhood is remarkably quiet now that Bella Ultra is shut. The chaos they routinely create has not been replaced by a similar output from the other places.

[redacted]

Sena, Jennifer

From: [redacted]
Sent: Sunday, October 19, 2014 11:56 PM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Subject: bella open till 2am

FYI -
Bella's eventbrite page shows 12 out of 16 events in 2014 had an ending time of 2am. The conditions of approval say cabaret activity must end at 1:30. I actually don't know when the events actually end or when the club actually closes in reality but I thought I would bring this to your attention. Not only do they sometimes advertise it fits more people than it should (200 vs. 145), it seems they also say it stays open later than it should. Maybe this is why the street party continues after the club ushers out their guests? just a thought. Please do not share my email or name with anyone. Thank you.

http://www.eventbrite.com/o/bella-ultra-lounge-4908983013?past=1

www.eventbrite.com/o/bella-ultra-lounge-4908983013?past=1

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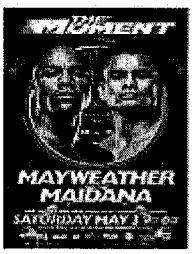
Bella Ultra Lounge, Oakland CA



Mayweather vs Maidana

Party or Social Gathering

May 3, 2014 at 5:00 PM - May 4, 2014 at 2:00 AM (F

Bella Ultra Lounge, Oakland CA

1ST FRIDAYS INSIDE BELLA

Party or Social Gathering

May 2, 2014 at 7:00 PM - May 3, 2014 at 2:00 AM (F

BELLA ULTRA LOUNGE, Oakland CA

Friday Nights Inside Bella Ultra L

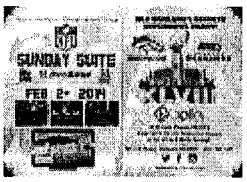
Apr 11, 2014 at 7:00 PM - Apr 12, 2014 at 2:00 AM (

Bella Ultra Lounge, Oakland CA

Valentine's Day/Night Party with

Feb 14, 2014 at 4:00 PM - Feb 15, 2014 at 2:00 AM

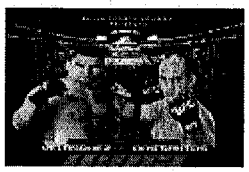
Bella Ultra Lounge, Oakland CA



Super Bowl Viewing & After Party

Feb 2, 2014 at 2:30 PM - Feb 3, 2014 at 12:00 AM (

Bella Ultra Sports Bar, Oakland CA



UFC 166 DEBUT INSIDE BELLA

Oct 19, 2013 7:00 PM - 10:00 PM

BELLA ULTRA LOUNGE, Tulsa OK

BELLA ULTRA LOUNGE PRESENTS
CIROC Hennessy
Exquisite Saturdays
THE SEXIEST UPSCALE WEEKLY SATURDAY NIGHT PARTY
PRESENTS
DJ JUICE
VOTED "BEST DJ 2011" AT THE POWER AWARDS • THE CORE DJS
R&B, HIP-HOP, DANCEHALL & TOP 40
SATURDAY MAY 24TH
2 FOR 1 DRINKS TIL 11PM • $150 CIROC BOTTLE SERVICES
bella ULTRA LOUNGE
561 11TH STREET OAKLAND CA @ CLAY ST
10PM - 2AM | LADIES ON GUESTLIST FREE BEFORE 11PM | 21+
RSVP BOTTLE SERVICE • 510-338-2195 WWW.BELLAOAKLAND.COM

SATURDAY JUNE 28, 2014
BELLA LOUNGE &
SIGNATURE NIGHTS
PRESENT....
Shhh...
Saturdays
FREE TIL 11PM · $5 SHOTS TIL 11PM
DJ JUICE
SPINNIN' YOUR FAVORITE
R&B AND HIP-HOP VIDEOS
WIN BOTTLE SERVICE FOR YOUR NEXT VISIT!
FOR BOTTLE SERVICE, BIRTHDAYS & GUEST LIST
PLEASE LOG ON TO:
WWW.THESIGNATURENIGHTS.COM
bella
561 11TH ST. OAKLAND, CA 94607
MATURE 21+ · DRESS CODE ENFORCED · 10PM-2AM

www.eventbrite.com/o/bella-ultra-lounge-4908983013?past=1

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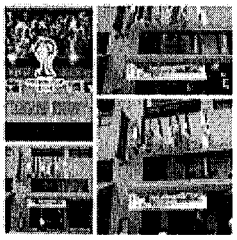
Saturday Night Party @ Bel

Party or Social Gathering

Jun 28, 2014 at 10:00 PM - Jun 29, 2014

Bella Ultra Lounge, Oakland CA



WORLD CUP US VS GERM

Game or Competition

Jun 26, 2014 8:00 AM - 11:00 AM

Bella Ultra Lounge, Oakland CA

FREE FRIDAY NIGHT PART

Party or Social Gathering

Jun 20, 2014 at 9:00 PM - Jun 21, 2014 at

Bella Ultra Lounge, Oakland CA

Sunday free DAY party insi

Party or Social Gathering

Jun 7, 2014 at 11:00 PM - Jun 9, 2014 at

Bella Ultra Lounge, Oakland CA

Xposure Fridays Free Cove

Party or Social Gathering

May 30, 2014 at 9:00 PM - May 31, 2014

Bella Ultra Lounge, Oakland CA

Exquisite Saturdays May 2

Party or Social Gathering

May 24, 2014 at 9:00 PM - May 25, 2014

Bella Ultra Lounge, Oakland CA

www.eventbrite.com/o/bella-ultra-lounge-49089830013?past=1

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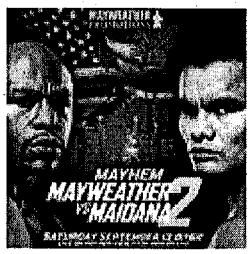
Eventbrite Discover

BELLA ULTRA LO

LIVE EVENTS 0 PAST EVENTS 16



Mayweather vs Maidana Fi

Game or Competition

Sep 13, 2014 at 5:00 PM - Sep 14, 2014 a

Bella Sports Bar, Oakland CA

Saturdays @ Bella Ultra Lou

Party or Social Gathering

Jul 26, 2014 at 9:00 PM - Jul 27, 2014 at 2

Bella Ultra Lounge, Oakland CA

FRIDAYS @ BELLA ULTRA

Party or Social Gathering

Jul 25, 2014 at 9:00 PM - Jul 26, 2014 at 2

Bella Ultra Lounge, Oakland CA

WORLD CUP FEVER & FRI

Game or Competition

Daily Event: 11:00 AM to 7:00 PM (PDT)

Bella Ultra Lounge, Oakland CA

Best,
concerned neighbor

Sena, Jennifer

From: [redacted]
Sent: Tuesday, October 21, 2014 7:56 AM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Subject: Bella Ultra Lounge (formerly Arsimona)

I am writing this letter to lend my voice to the request that Bella Ultra Lounge be shut down. I used to live at [redacted] in the Old Town Square condo building. **I moved away to another part of Oakland because I could not handle the noise, violence, litter, and other problems that stemmed from the business that is now called Bella.** My family still owns the condo unit in Old Town Square and I still have a vested interest in the safety and wellbeing of the neighborhood of Old Oakland. We have tenants that live in #217 and I worry about them and my former neighbors. There are senior citizens and lots of families that live in our building, and I wonder how they are able to get any sleep on the weekends due to the craziness outside their windows.

While I lived in our condo, I was regularly and consistently awakened each Thursday, Friday, and Saturday nights by patrons of the "lounge" formerly known as Arsimona departing after it closed. There were fights, constant shouting, loud music, public urination, and littering. I called the police on numerous occasions about the problems with this business and its owners the Kiflits. I worked for several months in 2008 with Carletta Starks (Councilmember Nadel) and Barb Killey (City Adminstrator's Office) on the nuisance issues stemming from this business. We as a neighborhood tried very hard to first work with the business owners to get them to be a better neighbor, and when that did not work, we began documenting the police calls and problems with Barb Killey. Nothing changed. I would call the police to document the problems and get an incident report but nothing happened. Thus, from a historical perspective, the owners of the business who are apparently the owners of Bella Ultra Lounge, the Kiflit brothers, are entirely disinterested in being a good neighbor. I gave up and moved.

Old Oakland has several other nightclubs and bars that are open as late as Bella, but those owners are conscientious about trying to be a good neighbor and making sure that their patrons do not cause problems as they leave. Why should Bella be allowed to operate with a cabaret license if they are unwilling to do what the other club owners in the neighborhood already do? I heard from the first hearing last week, that a defense from Bella was that there are several other clubs in the area and how can the neighbors tell that the problems come from Bella and not those other clubs? I can tell you why. Because the residents of Old Oakland are awake at 2:15 a.m. on Saturday and Sunday mornings looking out their windows and can SEE that the people causing the problems are exiting Bella Lounge.

I moved because I could tell that this business was not going to be responsive to the complaints of the neighborhood and would never be a good neighbor because the owners did not care at all about the problems their business caused. I am appalled and angry that the City of Oakland has allowed a business to operate that causes so much trouble, generates so much trash that City workers or residents must pick up, and police calls that take police away from other duties, for so long. It is a very sad statement of fact that a human being had to die before the City considered any action. Bella should have been shut down years ago.

Thank you,
[redacted]

[redacted]

and

[redacted]

Department of Alcoholic Beverage Control

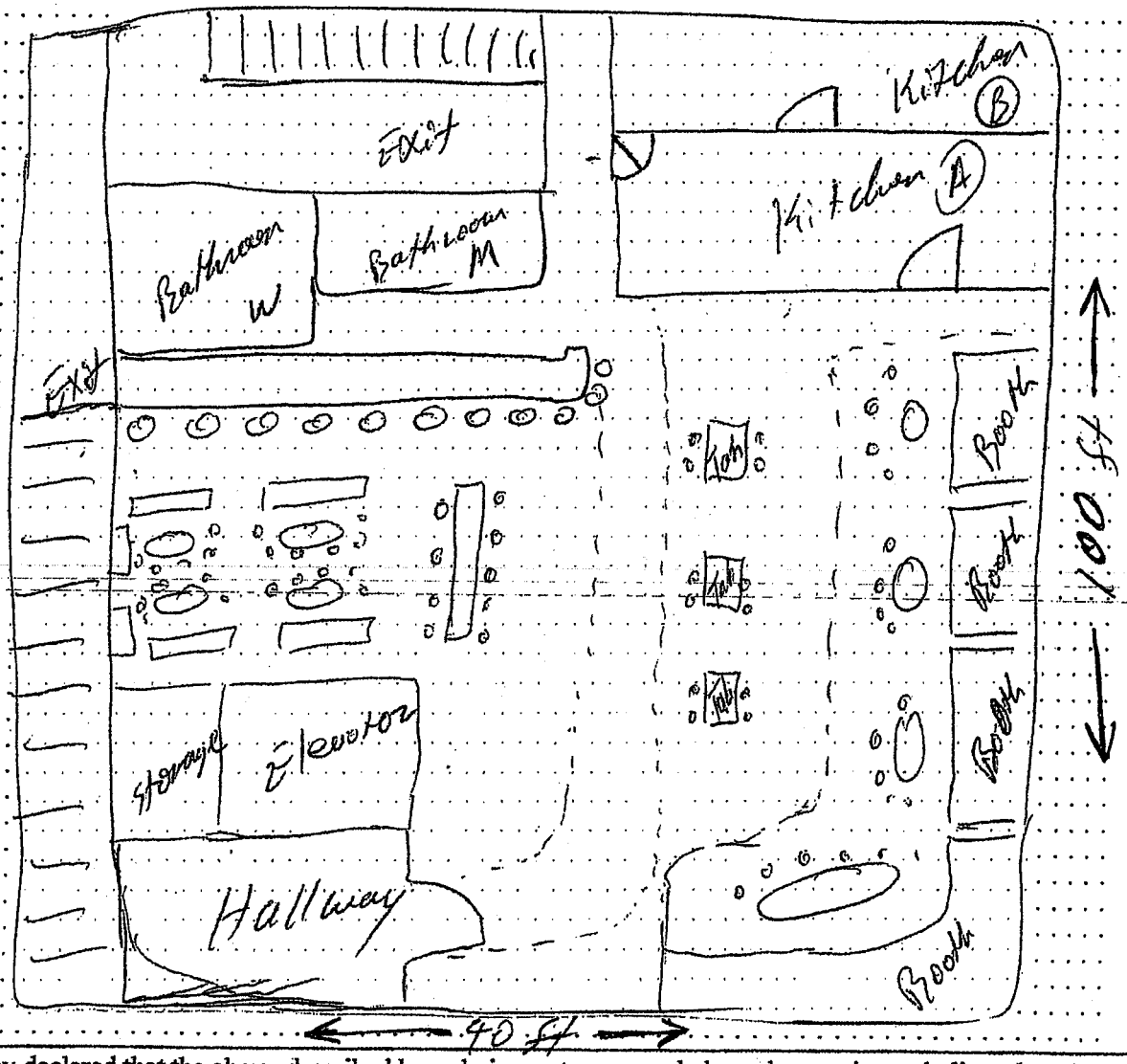
State of California

LICENSED PREMISES DIAGRAM (RETAIL)

1. APPLICANT NAME (Last, first, middle)	2. LICENSE TYPE
ARSIMONA, LLC	47
3. PREMISES ADDRESS (Street number and name, city, zip code)	**4. NEAREST CROSS STREET**
561 - 11th Street, Oakland, CA 94607	Clay Street

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, *including dimensions and identification of each room (i.e., "storeroom", "office", etc.).*

DIAGRAM



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)	DATE SIGNED
[redacted]	02/04/2012

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)	PRINTED NAME	INSPECTION DATE
[redacted]	[redacted]	Compared

ABC-257 (5/05)

Department of Alcoholic Beverage Control

PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

1. APPLICANT NAME(S): ARSIMONA, LLC

2. LICENSE TYPE(S): 47

3. PREMISES ADDRESS (Street number and name, city, zip code): 561 - 11th Street, Oakland, CA 94607

4. NEAREST CROSS STREET: Clay Street

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

- [x] Full Service Restaurant
- [ ] Deli or Specialty Restaurant
- [ ] Cafe/Coffee Shop
- [ ] Bed & Breakfast
- [ ] Cafeteria/Hofbrau
- [ ] Comedy Club
- [ ] Brew Pub
- [ ] Theater
- [x] Cocktail Lounge
- [ ] Night Club
- [ ] Tavern
- [ ] Wine Tasting Room
- [ ] Private Club
- [ ] Veterans Club
- [ ] Fraternal Club
- [ ] Supermarket
- [ ] Liquor Store
- [ ] Variety/Drug Store
- [ ] Other - describe:
- [ ] Membership Store
- [ ] Department Store
- [ ] Gift Shop/Florist
- [ ] Service Station
- [ ] Convenience Market
- [ ] Convenience Market w/Gasoline
- [ ] Swap Meet/Flea Market
- [ ] Drive-in Dairy

6. PATRON CAPACITY: 145

7. SURROUNDING AREA
- [x] Commercial
- [ ] Residential
- [ ] Other
- [ ] Rural
- [ ] Industrial

8. PREMISES IS LOCATED IN
- [x] Free Standing Building
- [ ] Shopping Center (Name):
  - [ ] 10 Units or Less
  - [ ] More than 10 Units

9. FOOD SERVICE: [ ] None [ ] Minimal [x] Full Meals

10. PARKING LOT? [x] Yes [ ] No

11. PATIO? [ ] Yes [x] No

12. WILL YOU HIRE A MANAGER? (Rule 57.5) [ ] Yes [x] No

13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) [ ] Yes [x] No

14. MEAL TYPE
- [x] Dinner House
- [ ] Fast Food/Deli
- [ ] Pizza/Pasta
- [ ] Seafood
- [ ] Other:

15. TYPE OF FOOD
- [x] American
- [ ] Chinese
- [ ] Japanese
- [ ] Greek
- [ ] Korean
- [ ] Other:
- [ ] Indian
- [x] Italian
- [ ] French
- [ ] Thai

16. HOURS OF FOOD SERVICE
- BREAKFAST HOURS: From: 10:00 am To: 11:00 am
- LUNCH HOURS: From: 11:00 am To: 3:00 pm
- DINNER HOURS: From: 6:00 pm To: 11:00 pm

17. OPERATING HOURS

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am
Closing Time	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterick (*) below)
- [ ] None
- [ ] Recorded Music
- [ ] Juke Box
- [x] *Other
- [ ] *Amplified Music
- [x] *Live Entertainment
- [ ] *Floor/Stage Shows
- [ ] Karaoke
- [x] Patron Dancing
- [ ] Bikini/Topless/Exotic
- [ ] Pool/Billiard Tables
- [ ] *Amateur/Pro Sports Events
- [ ] Card Room
- [ ] Movies
- [ ] "Hot Spot"/Lottery
- [ ] Video/Coin-Operated Games

*Description: Other - DJ Live Entertainment - Once monthly

19. PREMISES IS LOCATED ON
- [x] Major Thoroughfare
- [ ] Other
- [ ] Secondary Street

20. TYPE OF STRUCTURE
- [ ] Single Story
- [ ] Multi-Story - Number of stories:
- [x] Two-Story

21. PASS-THROUGH WINDOW? [ ] Yes [x] No

22. FIXED BARS? [x] Yes - how many: ONE [ ] No

23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? 40%

FOR ABC USE ONLY

24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)

25. DATE ENTERED INTO CABIN

Department of Alcoholic Beverage Control

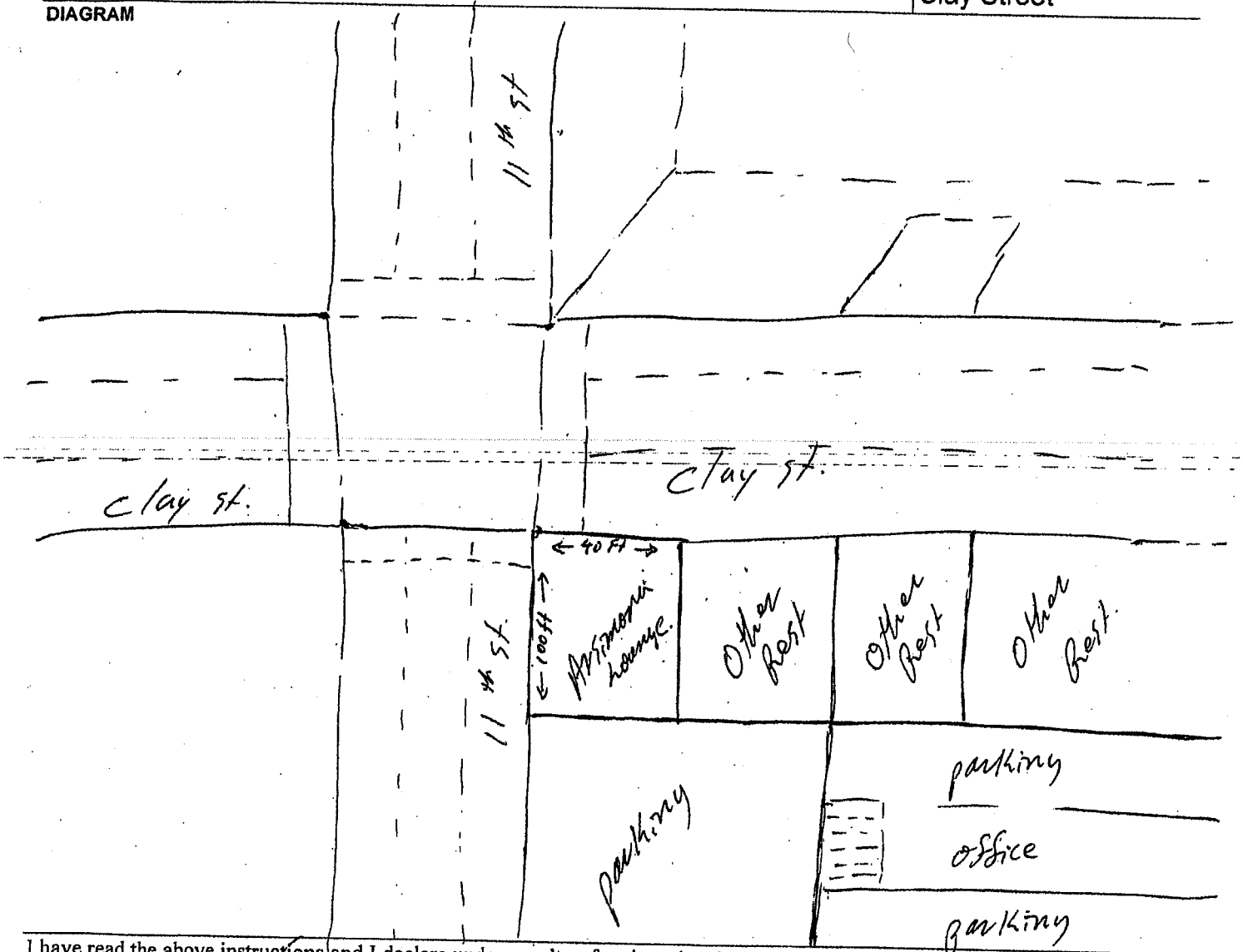
SUPPLEMENTAL DIAGRAM

State of California
Edmund G. Brown Jr., Governor

Instructions to Applicant:
Draw a sketch of the area on which the licensed premises is or will be located Show adjacent structures and nearest cross streets. *If this is an event for a daily license, catering authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.*

1. APPLICANT NAME (Last, first, middle)	2. LICENSE TYPE
ARSIMONA, LLC	47
3. PREMISES ADDRESS (Street number and name, city, zip code)	**4. NEAREST CROSS STREET**
561 - 11th Street, Oakland, CA 94607	Clay Street

DIAGRAM



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE	DATE SIGNED
[redacted]	02/09/2012

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)	PRINTED NAME	INSPECTION DATE
[redacted]	[redacted]	Compliance C

ABC-253 (rev. 01-11)

OBSERVATIONS OF [redacted]
RESIDENT OF MARKET SQUARE AT 9TH AND CLAY
WEEKEND OF OCTOBER 17-19, 2014

SUNDAY MORNING OBSERVATION, walking on 9th and on Clay between 9th and 10th:
On Sun, Oct 19, 2014 at 8:29 AM, [redacted] wrote:

8:30am: no broken bottles, no broken glass, no sign of partying at all. Quiet neighborhood.

SATURDAY NIGHT OBSERVATIONS, FROM MY HOME AT 9TH AND CLAY; SITTING NEXT TO OPEN BALCONY DOOR FROM 1:30AM – 2:30 AM
(alarm was set to observe for this time period)

On Oct 19, 2014, at 2:31 AM, '[redacted]' wrote:

No loud partying, no loud cars; it is still street noise, but significantly quieter than the last Saturday Bella was open.

On Oct 19, 2014, at 2:30 AM, '[redacted]' wrote:

2:30: there are still people in the street closer to Liege, but I don't hear them if I close the door; no loud sounds made it to our block; going back to sleep

On Oct 19, 2014, at 2:20 AM, '[redacted]' wrote:

2:20: one loud group walking from Liege towards our building

On Oct 19, 2014, at 2:19 AM, '[redacted] wrote:

2:18: loud talking, but closing door blocks most sound

On Oct 19, 2014, at 2:13 AM, '[redacted]' wrote:

2:12: one quick car alarm, one loud engine, one car playing music in the distance; very little sound transmission if I close the door

On Oct 19, 2014, at 2:05 AM, '[redacted]' wrote:

2:04am: street noise increasing, again all at Liege, which just closed. Loud voices, some more cars, but you still don't hear them if you close the door

On Oct 19, 2014, at 1:51 AM, '[redacted]' wrote:

1:50: street noise is increasing, coming from Liege, but still so much quieter than it was the last Saturday that Bella was open

On Oct 19, 2014, at 1:45 AM, '[redacted]' wrote:

1:45am: I hear 6-10 loud people yelling outside, coming from Liege; laughter and talking; a few cars driving by; no loud music

On Oct 19, 2014, at 1:38 AM, '[redacted]' wrote:

1:36am: standing outside, I hear a few voices, in the distance, I can hear the beat from Liege; overall quiet night; no sounds at all heard inside

On Oct 18, 2014, at 11:43 PM, '[redacted]' wrote:

11:42: only that one loud car has driven past; no loud sounds in past 30 mins; 63 degrees out

On Oct 18, 2014, at 11:12 PM, '[redacted]' wrote:

11pm - people out in the street, but mostly quiet; one very loud car rolled by

FRIDAY NIGHT OBSERVATIONS, from home at 9th and Clay and walking on 9th and on Clay between 9th and 10th:

On Oct 18, 2014, at 9:13 AM, '[redacted]" wrote:

Friday night was quiet. Went to sleep around 11:30pm. Minimal street noise before bed (one loud car passed by). Not woken up.

Saturday morning: no garbage or bottles in the street. Unusual.

Sena, Jennifer

From: [redacted]
Sent: Wednesday, October 22, 2014 1:25 PM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias; OTSsecurity@outlook.com
Subject: Re: Old Oakland Cabarets
Attachments: OBSERVATIONS OF SUZANNE TONG.pdf

To Oakland City Hall, Oakland City Council, and anyone else to whom it concerns:

I submitted a letter on October 11th regarding Bella Ultra Lounge. I am submitting this letter as supplemental testimony regarding the neighborhood since Bella's cabaret permit has been revoked.

As I mentioned in my October 11th letter, the weekend before the shooting, I was awoken at about 1:45am to the sounds of a street party happening immediately outside my home, at 9th and Clay, two blocks from Bella. I watched for 30-40 minutes while people partied outside, until I finally gave up and went back to sleep. Car alarms were blaring, music was loud from cars, people were yelling back and forth, a young woman and man sat on the corner and shared a bottle while yelling at everyone who passed them. One man drove by and yelled out, "Where da hoes at?!" This is such a common occurrence on club nights, but still infuriates me every time, especially since the police are over capacity and do not have time to deal with the weekly club overflow.

I also wrote and testified that since Bella's cabaret permit was temporarily revoked, it was been quiet in the neighborhood. To add credence to my testimony, this past weekend, October 17-19, I closely monitored the neighborhood. Attached are my notes to myself throughout the weekend. My overall comment is that, while there was still some street noise from Liege Bar down the street about two blocks, it was an utterly different scene from what is normal when Bella is open. Neighbors can sleep when Bella is closed. No one can sleep when Bella is open.

I truly believe that Bella is a bad club that brings a bad element into the neighborhood. The patrons of the other local bars and restaurants do not disturb the peace like Bella's patrons do. I have not seen public urination by clubgoers in front of my home since Bella has been closed, which I saw regularly before its cabaret permit was temporarily revoked. The streets are not littered, the noise level does not wake up neighbors. There is a direct correlation between Bella's being open or closed and the nuisance level in the neighborhood on club nights.

Bella was opened on or about the same year that my building, Market Square, was opened. Market Square has 202 residential units two blocks from Bella. The testimony of the current owner's brother at the hearing on Friday, October 17th, made it clear that Bella has no interest in working with the neighborhood, and is not hearing our complaints for what they are - a request to be able to live in our homes without being disturbed every weekend, without having regular shootings in the neighborhood, without waking up each weekend morning to see the broken bottles, broken car windows, used condoms, discarded high heels, human defecation, and other garbage that shows up regularly when Bella is open, and was not to be seen this past weekend.

The reporting of the recent arrest of the October 1 murderer confirms that he had been in the club that night. Did he go back to his car for his gun, or just have it on him the whole evening while he was in the club?

All you need to do is read the business's Yelp reviews to see that many of its patrons also hold it in very low esteem.

Yelp - 2.5 stars: http://www.yelp.com/biz/bella-ultra-lounge-oakland

Some highlights are:

[redacted] 9/24/14: These people knew they had no business squeezing all those damn people in that small lounge space and the owners seemed to take NO pride in their business. No one deserves to have their hard earned money wasted on this place.

[redacted] 8/13/14: There is so much wrong with this place on so many levels, I feel for the people working there. ... Given that it is dead most of the time during the week and "ghettoed" out during the weekend, some things definitely need to change.

[redacted] 4/12/14: I hate it. If I could give zero stars I would.

[redacted] 10/28/13: Awful place, awful service, untrained security, useless and unreasonable owner. This is just Arismona lounge disguising itself with a new name. Look up those ratings and see what this place is really like. Definitely the place to b on the weekend if u dont value your safety and like partying with ratchet people. Really ghetto and low class environment.

In closing, please consider strongly this neighborhood's outcry of support for the City to permanently revoke the cabaret license for Bella Ultra Lounge. This neighborhood has over 500 residential units within two blocks of Bella, many of which house small children and older retired persons. The club directly affects the noise, litter, and violence in the neighborhood, and is a significant nuisance. The rights of the neighborhood for peace and safety should be paramount in making this determination.

Sincerely,
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Wednesday, October 22, 2014 6:25 PM
To: Minor, Gregory; Sena, Jennifer; Ferran, Elias
Cc: OTSsecurity@outlook.com
Subject: Please Help Address Violent Crime in Old Oakland

Dear Mr. Ferran, Ms. Sena, and Mr.Minor,

I hope this finds you well. I am writing to express concern regarding the violent crime associated with Bella Ultra Lounge in Old Oakland. I have been living in Old Oakland at Market Square for almost three years. I love this neighborhood and all of the small businesses that make it a great place to live and enjoy Oakland. I also love the bars and clubs in this neighborhood. Honestly, the fact that there are lots of people out and about, including security guards and bouncers, makes me feel safe walking home from BART late at night.

However, when one of those businesses allows and enables violent crime, they ruin the fun for everyone. Recently there was a homicide in front of Bella Ultra Lounge. Tragically, it turns out that this wasn't the first one. Currently, there is a call among Old Oakland residents to shut Bella Ultra Lounge down. I do hope Bella Ultra lounge will be held accountable for contributing to the safety of the neighborhood. It's not just good for the residents, it's also good for business.

I ask that the Oakland City Attorney's Office takes this matter seriously and make problem solving steps to work with businesses to reduce crime in this wonderful neighborhood, in this great city.

Thank you for your service.

Sincerely
[redacted]
--
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Friday, October 24, 2014 8:35 AM
To: Minor, Gregory; Ferran, Elias; Sena, Jennifer
Cc: [redacted]
Subject: Community speakers

Hi Greg and Eli and Off. Sena-

Thank you for everything that went into preparing for yesterday. Obviously a lot of time when into making it all happen and I'm so thankful for Off. Sena's presentation declaring it a violent nuisance. I was disappointed that no neighbors were allowed to speak yesterday. Those community members cannot come back today. We had lined up very diverse witnesses (5-7) from the community. People who would have made it completely obvious that Bella is a nuisance.

Please advise an END DATE for submitting letters and evidence comments. The people who were going to speak want an opportunity to submit WRITTEN Comments seeing as they were not afforded the opportunity to speak.

The community wants to help, but you have to help give us a voice. We know the neighborhood and street activity better than any OPD officer because we are there every hour of every night. We know where people walk, we see them. We know how many blocks are between clubs, etc and we can say with great certainty that it has been SO QUEIT ever since the permit was revoked. In fact, I have DVDs for you to share with the hearing officer. DVD videos of the night of the murder that residents took of the street melees and DVD videos of the nights since showing how quiet it has been. We have evidence of all the opportunities and notice the community gave the owners to cooperate and we have talked to the operator of the parking lot. If it's helps, the last cash pickup is at 10pm, it is unattended, but someone does routinely pick up trash and bottles in the am. There is no formal lease agreement with the lot, but Bella did include it in their site plan on their ABC license and check the box that there was parking provided. The manager of the lot is [redacted], his email is [redacted]. We have spoken the the owner of LOTS 2 and LOTS 3 - she lives in the building right above.

Anyhow, please let us know when the community can submit final comments to you and the hearing officer ASAP so we can focus on that, rather than trying to get speakers to a hearing that won't afford them an opportunity to speak. If the hearing gets postponed again, the community would like to meet with you in advance so that we can provide you with our understanding of the problems, location and players. Let us help make your job easier.

Best,
[redacted] (KEEP CONFIDENTIAL)

Sena, Jennifer

From: Minor, Gregory
Sent: Friday, October 24, 2014 5:24 PM
To: Lindsey, Drennon; Steinberger, Allan; Sena, Jennifer; Ferran, Elias; Marcus, Nancy
Subject: Bella Settlement Rough Version
Attachments: DOC102414.pdf

Hi All-

Attached is the settlement agreement we reached today with the operators of Bella Ultra Lounge. Apologies if it is difficult to read as I have attached the handwritten version; we will type up and circulate a cleaner version later on.

Essentially, rather than let the hearing officer render a decision short of revocation with no inclusion of a CPTED requirements we reached the following agreement:

-Bella's cabaret permit will remain suspended until Thursday November 13th -Bella has to pay for a CPTED that will be performed as soon as possible -The conditions outlined in the CPTED report will then be incorporated into the conditions attached to Bella's cabaret permit -City reserves the right to recover excessive police costs from October 1st murder upon occurrence of another violent event related to Bella -The hearing will be suspended for the next 120 days.

Although neighbors who were seeking complete revocation may be disappointed and there could be some resource issues in enforcing the CPTED conditions, overall I think this is a great chance to put specific measures in place that will reduce/eliminate the noise, nuisance and violence associated with Bella.

Best,

Greg Minor
Assistant to the City Administrator
Nuisance Abatement/Special Activity Permits Division
1 Frank H. Ogawa Plaza, 11th Floor
Oakland, CA 94612
Phone: (510)238-6370
Fax: (510) 238-7084
gminor@oaklandnet.com

10/24

Settlement

- Hearing suspended ~~indefinitely~~ for 120 days, at which point the charges will be dismissed without prejudice
- Cabaret permit suspended ~~for 30 days~~ until ~~from Oct 17th~~ → Thurs Nov. ~~16th~~ 13th or again
- CPTED done ASAP (Bella pays)
- CPTED conditions get incorporated into Bella's cabaret permit
- City reserves right to seek recovery as of October 1, 2014 excessive police costs from murder upon another shooting or violent event related to Bella
- City Admin office will issue Notice to Abate for nuisance activity against owners of parking lot

Greg Minor
City Administrator's office

G. Whitney Leigh
Counsel for Bellas

Elias Ferran
Deputy City Attorney: As to form & legality

Sena, Jennifer

From: [redacted]
Sent: Saturday, October 25, 2014 11:19 PM
To: Sena, Jennifer
Subject: Fwd: Parking lots

Off. Sena:

I just took a walk around the neighborhood and took these photos. It's really surprising to the folks who live at 555 10th St that Bella's attorneys seemed to be getting away with saying Lot 1,2,3 is a lot for 9th and Washington partiers (especially when they have their own parking lot at Washington and 8th), so I had to go see for myself.

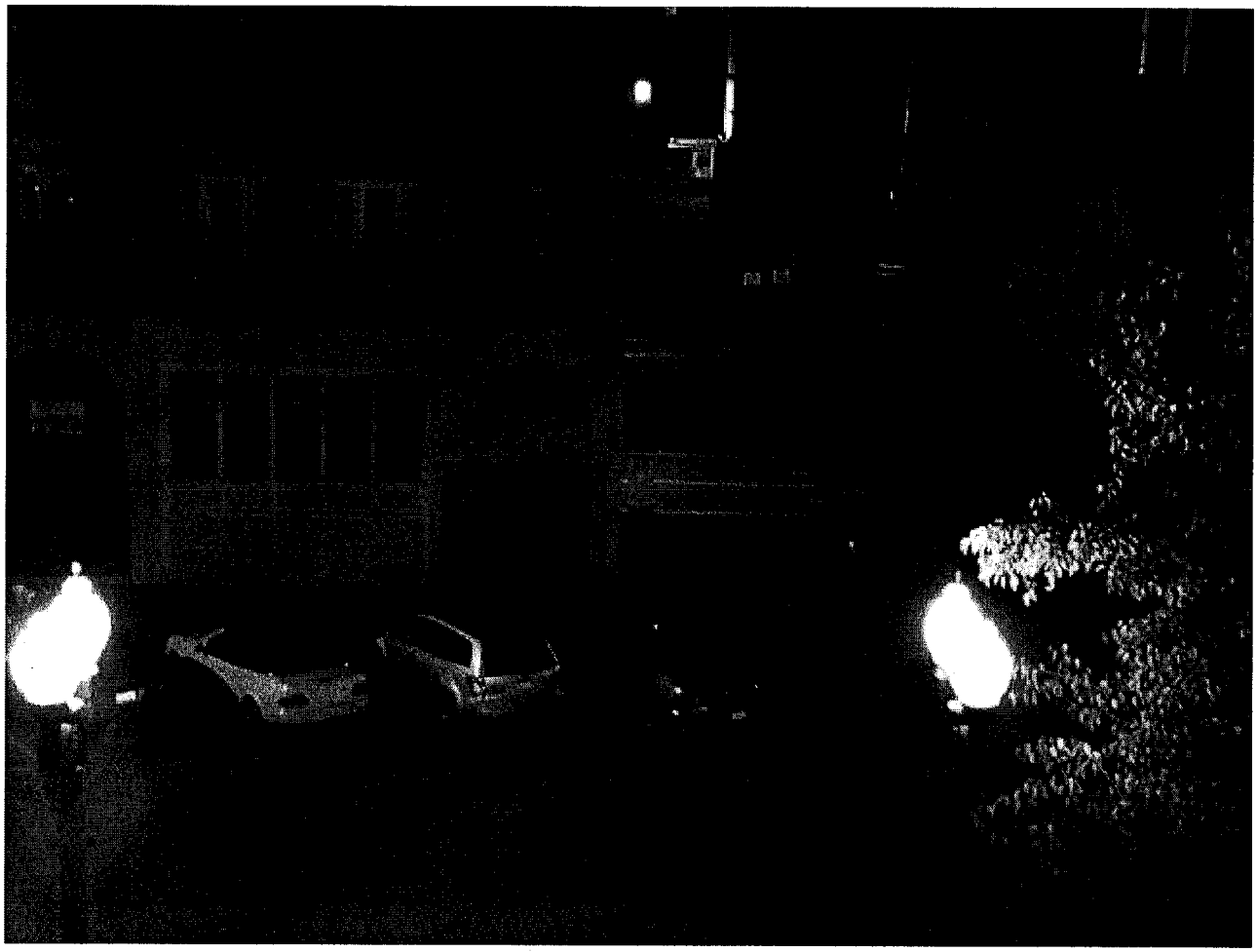
It's Saturday night October 25th at 11pm. Liege has a small crowd waiting at the door. Parliament seems to be gearing up (no crowds inside, but loud music from the door). District is full. Periodic loud music from thumping 1-2 cars on 9th Street. Street parking around 9th and Washington filling up.

10th Street about 40% empty parking spaces. QUIET. No one walking around.
Clay Street between 9th and 11th: Quet. 1 person returning back to car. a few parking spaces are open.

Parking Lot 1 - 4 cars. It's dark, empty and QUIET. No Tailgaters, No one hanging around their cars:

Parking Lot 2: coned off. 1 car. Bright lights.

Parking Lot 3: EMPTY



Sent from my phone.

Sena, Jennifer

From: [redacted]
Sent: Tuesday, October 28, 2014 5:59 PM
To: Sena, Jennifer
Subject: Bella meeting

Hello
Just to confirm our meeting Wed Nov 5 @ 10am at your office & working on getting head securities to be available for Thursday Nov 6 evening time at Bella.
Thanks
[redacted]

Sena, Jennifer

From: [redacted]
Sent: Wednesday, October 29, 2014 9:44 PM
To: Sena, Jennifer
Subject: RE: Bella meeting

Jennifer that's fine, I'll make it work, see you Wednesday morning at your office
Tem

On Oct 29, 2014 4:28 PM, "Sena, Jennifer" <JSena2@oaklandnet.com> wrote:

Hello [redacted]

For the 11/06 walkthrough I will only be available on that date from 3pm-4pm as I have to be back to work patrol line up at 5pm.

OFC Jennifer Sena, 8375

Alcoholic Beverage Action Team

Oakland Police Department

(510) 777-8673

From: Sena, Jennifer
Sent: Wednesday, October 29, 2014 8:24 AM
To: [redacted]
Subject: RE: Bella meeting

Yes Tem,

We are confirmed for both dates.

OFC Jennifer Sena, 8375

Alcoholic Beverage Action Team

Oakland Police Department

(510) 777-8673

From: [redacted]
Sent: Tuesday, October 28, 2014 5:59 PM
To: Sena, Jennifer
Subject: Bella meeting

Hello
Just to confirm our meeting Wed Nov 5 @ 10am at your office & working on getting head securities to be available for Thursday Nov 6 evening time at Bella.
Thanks
[redacted]

Mandatory Conditions for Bella prior to re-opening on 11/13/14

1. Confirm that no events will exceed maximum occupancy set by Fire Department.
2. Ensure building has adequate air conditioning for maximum occupancy.
3. Windows to be sealed and not able to open.
4. Fire Department to do inspection prior to opening.
5. All conditions of existing cabaret permit to be complied with.
6. All conditions of ABC license to be complied with.
7. ABC to audit books to insure compliance with at least 50% food sales prior to opening.
8. All graffiti to be painted over on building including parking lot side within 2 days.
9. Parking lot to be lighted at night. 5 day cure provision after notice to repair issued.
10. Parking lot fences to be repaired. 5 day cure provision after notice to repair issued.
11. Video cameras covering parking lot 1 and sidewalks outside Bella to be installed.
12. Shotspotter coverage to be verified prior to reopening. If not, a unit to be installed.
13. Bella to hire downtown ambassador staff for each night of special event to monitor parking lot and adjacent blocks.
14. OPD to be notified as existing permit conditions require for any cabaret event.
15. DJ entertainment should be categorized as a cabaret event.
16. Limit live entertainment to once monthly per ABC conditions.
17. Bella owners to meet with NCPC and OPD prior to opening.
18. City and OPD to commit to an enforcement plan with identified resources to monitor all conditions and events to ensure safety of residents.
19. Owner of property to provide assurance they will immediately terminate lease if any violence associated with the property occurs.
20. Change permitted cabaret activity hours to 11am to 12:30am.

21. Bella Ultra shall, when in operation after 10:00 p.m., be responsible to provide security in the parking lot adjacent to its leased premises on 11th Street (APN 2-35-5-2). It shall also be responsible to maintain security in the parking lots abutting that lot and fronting on 10th Street (APN 2-35-9 and 2-35-11) if those lots are open during those hours. This responsibility shall extend until 45 minutes after Bella Ultra closes or until all cars have left the lot(s), whichever occurs later. In arranging for this security, Bella Ultra shall enter into an appropriate written agreement with the owner(s) of the lot(s), specifying that Bella Ultra is required to provide this security and that the lot owner is required to do all things reasonably necessary to facilitate this. Security shall include: [NOTE we should rely on the experience of OPD to describe reasonable security (e.g. armed/not armed, number of people, etc.]
22. Bella to comply with existing conditions mandating meeting with neighborhood representatives quarterly.
23. Bella to post security guards on adjacent blocks
24. Bella to pay for costs incurred to comply with conditions
25. Failure to comply with the above conditions shall have consequences that eventually lead to closure if there is non-compliance
26. Bella to collaborate with the neighborhood in drafting the security plan
27. Bella to report all police incidents to the neighborhood group at quarterly meetings.
28. Bella to ensure that all security guards have a "guard card" registered with the California Consumer Affairs bureau.

Sena, Jennifer

From: [redacted]
Sent: Thursday, October 30, 2014 12:14 PM
To: Sena, Jennifer
Subject: Re: Bella - community input on CPTED conditions
Attachments: Mandatory Conditions for Bella prior to re-opening 10-30-14.docx

Officer Sena,

Attached, please find the conditions that our community group wants to see incorporated into any new conditions for Bella to reopen on 11/13/14. We look forward to discussing this with you at 1pm today in our community room.

Thanks,
[redacted]

From: "Sena, Jennifer" <JSena2@oaklandnet.com>
To: [redacted]
Sent: Wednesday, October 29, 2014 10:27 AM
Subject: RE: Bella - community input on CPTED conditions

Sounds good, see you tomorrow.

OFC Jennifer Sena, 8375
Alcoholic Beverage Action Team
Oakland Police Department
(510) 777-8673

From: [redacted]
Sent: Wednesday, October 29, 2014 10:11 AM
To: Sena, Jennifer
Cc: [redacted]
Subject: Bella - community input on CPTED conditions

Ofc. Sena,

I'm confirming that we are meeting on Thurs, 10/30, at 1pm. Let's meet in the Old Town Square community room at 555 10th Street.

We will have a few neighborhood residents that have been involved that would like to participate. We'll have a list of 20 or so suggestions for conditions that we are compiling now. Hope to have a list of these printed out before we meet tomorrow, so that we can go over it with you to see what can be incorporated.

Neighbors: I think I included everyone on this email who wanted to participate. If I forgot anyone, I apologize; please forward this to them.

Thanks, see you tomorrow.
[redacted]

[redacted]

From: [redacted]
To: "Sena, Jennifer" <JSena2@oaklandnet.com>
Sent: Friday, October 24, 2014 6:14 PM
Subject: Re: Bella Hearing 10/23/14

will do.

From: "Sena, Jennifer" <JSena2@oaklandnet.com>
To: [redacted]
Sent: Friday, October 24, 2014 5:56 PM
Subject: Re: Bella Hearing 10/23/14

Great I'm going to check the lots tonight, I will call you when I'm out front if you want to come down and say hi

Sent from [redacted] Phone

On Oct 24, 2014, at 5:55 PM, [redacted] wrote:

> Hi Ofc. Sena,
>
> I just left you a message. Feel free to disregard if you read this email first. Call me anytime, weekend or evening included. Cell phone is [redacted]
>
> Thanks,
> [redacted]
>
> ---
>
> **From:** "Sena, Jennifer" <JSena2@oaklandnet.com>
> **To:** [redacted]
> **Sent:** Friday, October 24, 2014 4:58 PM
> **Subject:** RE: Bella Hearing 10/23/14
>
> Hello [redacted]
>
> Give me a call when you get a chance! I would like to meet with the residents and neighbors of Bella prior to completing my CPTED report
>
> OFC Jennifer Sena, 8375
> Alcoholic Beverage Action Team
> Oakland Police Department
> (510) 777-8673

From: [redacted]
Sent: Thursday, October 23, 2014 7:54 PM
To: Sena, Jennifer
Subject: Bella Hearing 10/23/14

Officer Sena,

Thanks so much for your presentation today. I unfortunately had to leave at 3:30pm, before hearing the bulk of your presentation, but I was told it was "badass".

Thanks for your work at OPD.

[redacted]
Neighbor

Sena, Jennifer

From: [redacted]
Sent: Friday, October 31, 2014 11:51 PM
To: Steinberger, Allan
Cc: Sena, Jennifer; Minor, Gregory; Marcus, Nancy
Subject: Bella: Comedy event - Nov 5th, 8pm

Lt. Steinberger,

Happy Halloween! I hope your team had a safe night out on the streets. I wanted to alert you to this event that is scheduled for next week, 11/5, at Bella. They are selling tickets (see screen shots below). If Bella sells alcohol that evening, I think it qualifies as a cabaret event.

I have mixed feelings about this. On one hand, this is the type of event that I would love to go to and support. It's exactly the kind of programming that I hope is successful at Bella.

On the other hand, if it is a cabaret event (paid entrance plus alcohol), then it is a blatant violation of their suspension. Ofc. Sena advised us that if a neighborhood resident went and verified whether there was alcohol being served, that this would not hold up later in a public hearing. However, if an OPD officer went to check on the event while it was happening, s/he could verify if it is cabaret activity. Rather than shut the event down, it might just get filed for later evidence, in case Bella goes back to a hearing in the future.

Thanks for your consideration.
[redacted]

buy tickets

Gobaby Production Presents: Wednesdays Mic Life Showcase at Bella Ultra Lounge on Wednesday, November 5, 2014 at 8:00 PM.

Primary Ticket Sellers

PROVIDER	PRICE	PURCHASE
BROWN PAPER TICKETS	$10	Buy Now

GOBABY PRODUCTION PRESENTS: WEDNESDAYS MIC LIFE SHOWCA

BELLA LOUNGE
OAKLAND, CA

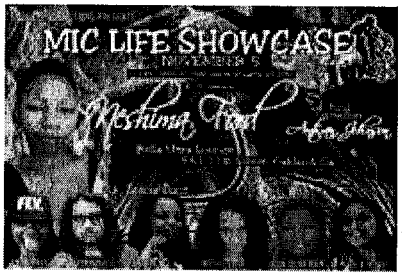
Get Tickets

Date	Admission Level	Price
Nov 05, 2014 8:00 PM	General	$10.00 ($11.34 w/service fee)

Delivery
(United States - Change Country)

Will-Call (No additional fee!)

VISA | MasterCard | DISCOVER | AMERICAN EXPRESS | PayPal | amazon.com



Event

GOBABY PRODUCTION PRESENTS: WEDNESDAYS MIC LIFE SH

Nicole Love is a laid back story teller comedian. Miss K Kidd is a no
observer comedian. Chey Bell cover every topic with such a witty eye
the seats to enjoy her. Ruby Gill is a female comic that has held her
so long that audiences love to take pics with her&tell her. Her own jok
my special poet of the night. A poet that leaves it all on stage. Lesa F
Texas just did a one women show. She is amazing. Neshima Ford our
Oakland,Ca native. She has open for Luenell&Eddie Griffin&many oth
brightest stars in the Bay Area. She tell about life uncut. She is Hilario

Discussion

0 Comments Brown Paper Tickets

Sort by Oldest

Share

Start the discussion...

https://www.facebook.com/GoBabyProductions/photos/pcb.750244715013441/750244658346780/?type=1&theater

Sena, Jennifer

From: [redacted]
Sent: Tuesday, November 04, 2014 1:37 PM
To: Minor, Gregory; [redacted]
Cc: Sena, Jennifer; Steinberger, Allan; Whitney Leigh; Ferran, Elias
Subject: RE: Bella: Comedy event - Nov 5th, 8pm

Mr. Minor – I've spoken with [redacted]. He has informed me that they will cease accepting payment immediately, and that this was an oversight on their part to charge for the event. The comedy will be free of charge and will last from 8-11pm. This is not an event with dancing. My understanding is that if they do not charge admission and dancing is not permitted, that they are not conducting cabaret activity. Please let me know if I am mistaken.

Thank you,

Lee A. Hepner
Law Offices of Whitney Leigh
774 Montgomery, 5th Floor
San Francisco, California 94111
(415) 912-5950 (general)
(415) 912-5951 (facsimile)

From: Minor, Gregory [mailto:GMinor@oaklandnet.com]
Sent: Tuesday, November 04, 2014 12:01 PM
To: [redacted]
Cc: Sena, Jennifer; Steinberger, Allan; Whitney Leigh; Lee Hepner; Ferran, Elias
Subject: FW: Bella: Comedy event - Nov 5th, 8pm

Hi [redacted]

It has come to our office's attention that Bella Ultra Lounge is planning an event tomorrow, November 5th, that would qualify as cabaret activity, which we agreed as part of our settlement would not take place until at least November 13th.

For your convenience I am re-sending the City Of Oakland's Cabaret ordinance, which defines a "cabaret" should you have any questions.

Thank you,

Greg Minor
Assistant to the City Administrator
Nuisance Abatement/Special Activity Permits Division
1 Frank H. Ogawa Plaza, 11th Floor
Oakland, CA 94612
Phone: (510)238-6370
Fax: (510) 238-7084
gminor@oaklandnet.com

buy tickets

Gobaby Production Presents: Wednesdays Mic Life Showcase at Bella Ultra Lounge on Wednesday, November 5, 2014 at 8:00 PM.

Primary Ticket Sellers

PROVIDER	PRICE	PURCHASE
BROWN PAPER TICKETS	$10	Buy Now

GOBABY PRODUCTION PRESENTS: WEDNESDAYS MIC LIFE SHOWCA

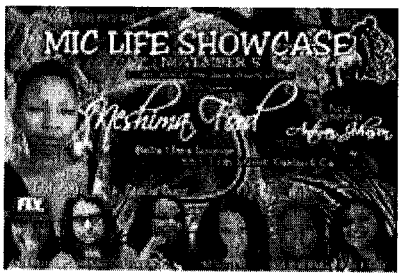
BELLA LOUNGE
OAKLAND, CA

Get Tickets

Date	Admission Level	Price
Nov 05, 2014 8:00 PM	General	$10.00 ($11.34 w/service fee)

Delivery
(United States - Change Country)

Will-Call (No additional fee!)



Event

GOBABY PRODUCTION PRESENTS: WEDNESDAYS MIC LIFE SH

Nicole Love is a laid back story teller comedian. Miss K Kidd is a no
observer comedian. Chey Bell cover every topic with such a witty eye
the seats to enjoy her. Ruby Gill is a female comic that has held her
so long that audiences love to take pics with her&tell her. Her own joke
my special poet of the night. A poet that leaves it all on stage. Lesa F
Texas just did a one women show. She is amazing. Neshima Ford our
Oakland,Ca native. She has open for Luenell&Eddie Griffin&many oth
brightest stars in the Bay Area. She tell about life uncut. She is Hilario

Discussion

0 Comments Brown Paper Tickets

Sort by Oldest Share

Start the discussion...

https://www.facebook.com/GoBabyProductions/photos/pcb.750244715013441/750244658346780/?type=1&theater

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2014.0.4765 / Virus Database: 4189/8482 - Release Date: 10/30/14

Sena, Jennifer

From: Minor, Gregory
Sent: Tuesday, November 04, 2014 4:44 PM
To: Sena, Jennifer; Ferran, Elias
Subject: Fwd: Bella proper email

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** [redacted]
> **Date:** November 4, 2014 at 2:02:57 PM PST
> **To:** GMinor@oaklandnet.com
> **Subject: Bella proper email**
>
> Greg,
> My lawyer forwarded me your email. All prior Wednesdays small comedy shows were free, we were unaware of host charging this Wednesday.We will inform host asap to stop. There is no dancing allowed. But thanks for the attachment, it helps understand license a bit better. Please use this email for all future corresponding, the one you used isn't working.
> Thank you
> [redacted]

Parcel Locator
City of Oakland
Parcel Information
Parcel Number: 002 003500502
Buffer
Permit Info
Address: 587 11TH ST
City: OAKLAND
Zip: 94607
Owner Name: JEFFERSON LLC
Land: $650573
Improvements: $72285
Assessed Value: $722858
Number of Units: 0
Building Class:
Building Area: 0 sq.ft.
Lot Size: 20000 sq.ft.
Number Of Buildings: 0
Number Of Stories: 0
Number Of Rooms: 0
esri

Sena, Jennifer

From: [redacted]
Sent: Wednesday, November 05, 2014 11:45 PM
To: Sena, Jennifer; Sena, Jennifer; Minor, Gregory; Marcus, Nancy; Sze, Sun-Kwong (Michael); Bowie, Aaron
Cc: [redacted]
Subject: Re: Bella: Comedy event - Nov 5th, 8pm

Hi -
Bella had club security out at 8:15 tonight and the lights were on. It appears the comedy event (that charged $10) did proceed. Did anyone from OPD have a chance to go by and see if alcohol was served? Perhaps it was a family friendly dry event. If not, it is my understanding that this would be a cabaret event. It is also my understanding that cabaret activity is not permitted during the suspension permit. We were advised that community testimony would not be adequate in a hearing, so we did not go, but hopefully someone from OPD was able to check in on the event?

Thanks,
[redacted](Please do not share)

Oct 31, 2014, at 11:53 PM, [redacted] wrote:

fyi, here's the email i sent lt. steinberger.

----- Forwarded Message -----
From: [redacted]
To: Allan Steinberger <asteinberger@oaklandnet.com>
Cc: Jennifer Sena <jjsena@oaklandnet.com>; Gregory Minor <gminor@oaklandnet.com>; Nancy Marcus <nmarcus@oaklandnet.com>
Sent: Friday, October 31, 2014 11:50 PM
Subject: Bella: Comedy event - Nov 5th, 8pm

Lt. Steinberger,

Happy Halloween! I hope your team had a safe night out on the streets. I wanted to alert you to this event that is scheduled for next week, 11/5, at Bella. They are selling tickets (see screen shots below). If Bella sells alcohol that evening, I think it qualifies as a cabaret event.

I have mixed feelings about this. On one hand, this is the type of event that I would love to go to and support. It's exactly the kind of programming that I hope is successful at Bella.

On the other hand, if it is a cabaret event (paid entrance plus alcohol), then it is a blatant violation of their suspension. Ofc. Sena advised us that if a neighborhood resident went and verified whether there was alcohol being served, that this would not hold up later in a public hearing. However, if an OPD officer went to check on the event while it was happening, s/he could verify if it is cabaret activity. Rather than shut the event down, it might just get filed for later evidence, in case Bella goes back to a hearing in the future.

Thanks for your consideration.

[redacted]

<Bella Nov 5 event 2.png><Bella Nov 5 event.png><Bella Nov 5 event facebook.png>

buy tickets

Gobaby Production Presents: Wednesdays Mic Life Showcase at Bella Ultra Lounge on Wednesday, November 5, 2014 at 8:00 PM.

Primary Ticket Sellers

PROVIDER	PRICE	PURCHASE
BROWN PAPER TICKETS	$10	Buy Now

www.brownpapertickets.com/event/910485

mc life showcase Nov 5

Find An Event | Create Your Event | Help

Search events...

GOBABY PRODUCTION PRESENTS: WEDNESDAYS MIC LIFE SHOWCASE

BELLA LOUNGE
OAKLAND, CA

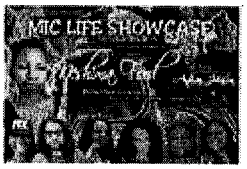
Share this event:

Get Tickets

Date	Admission Level	Price	Quantity
Nov 05, 2014 8:00 PM	General	$10.00 ($11.54 w/service fee)	0

Delivery
(United States - Change Country)
Will-Call (No additional fee)

VISA | AMERICAN EXPRESS | PayPal | amazon.com | Add to Cart



Event

GOBABY PRODUCTION PRESENTS: WEDNESDAYS MIC LIFE SHOWCASE

Nicole Lowe is a laid back story teller comedian. Miss K Kidd is a no nonsense life observer comedian. Chey Bell cover every topic with such a witty eye you have to be in the seats to enjoy her. Ruby Gill is a female comic that has held her own on male stages so long that audiences love to have pics with her!Still her. Her own jokes. Breeze Wil is the special treat of the night. A poet that leaves it all on stage. Lesa Rene Ray is from Texas just did a one woman show. She is amazing. Neshama Kaid her Headlines is a Oakland Ca native. She has open for Lionel&Eddie Griffin&many others she is one of the brightest stars in the Bay Area. She tell about life uncut. She is Hilarious

Discussion

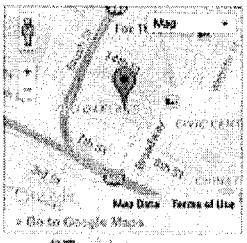
0 Comments Brown Paper Tickets Login

Sort by Oldest Share Favorite

Start the discussion...

Location

BELLA LOUNGE (View)
981 11 STREET
OAKLAND, CA 94607
United States



Maps: bing

Categories

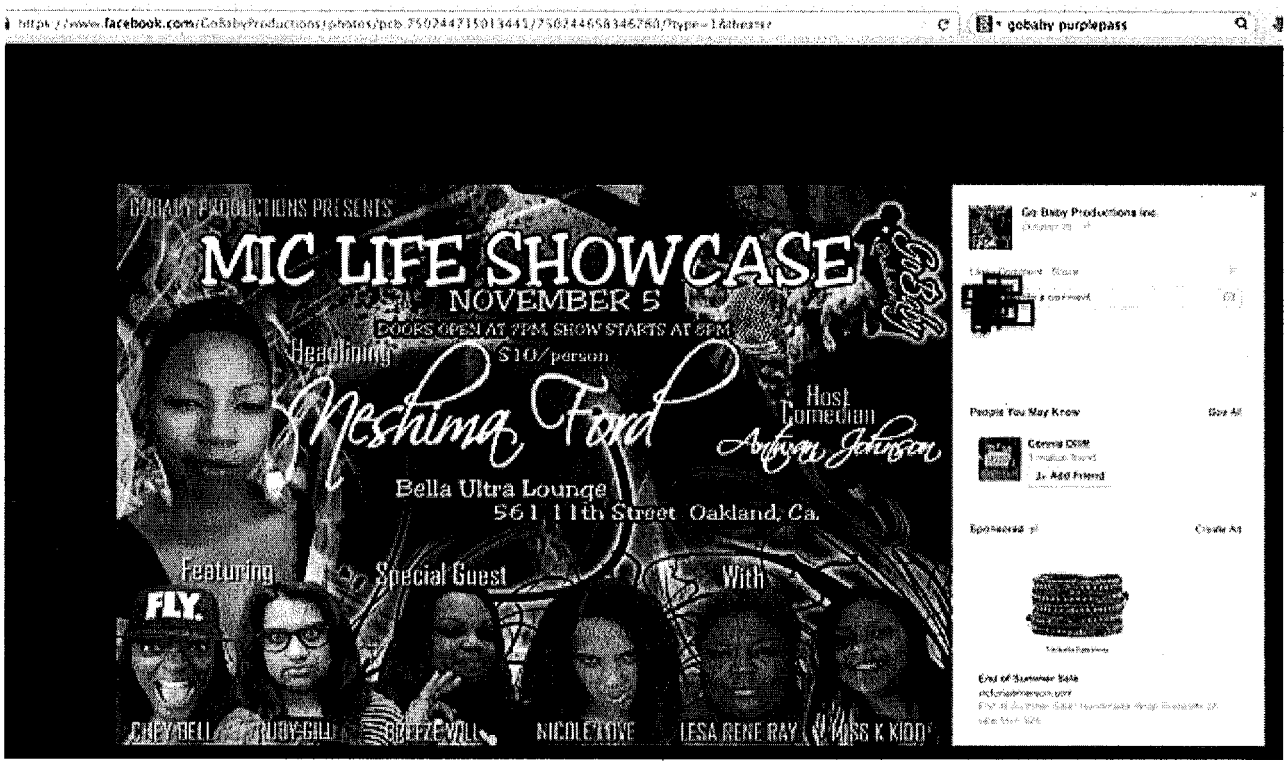
Comedy > Stand Up

Minimum Age: 18
Kid Friendly: No
Dog Friendly: No
Non-Smoking: No
Wheelchair Accessible: Yes!

Contact

Owner: antwan johnson
On BPT Since: Oct 31, 2012

Gobaby Productions
510 378-6662
www.Gobaby Productions.com


GO BABY PRODUCTIONS PRESENTS
MIC LIFE SHOWCASE
NOVEMBER 5
DOORS OPEN AT 7PM, SHOW STARTS AT 8PM
Headlining
$10/person
Meshima Ford
Host
Comedian
Anthony Johnson
Bella Ultra Lounge
561 11th Street Oakland, Ca.
Featuring
Special Guest
With
FLY.
NICOLE STOVE
LESA RENE RAY
MISS K KIDD
Go Baby Productions Inc
People You May Know
See All
Add Friend
Sponsored
Create Ad
End of Summer Sale

CITY of OAKLAND

CITY HALL • 1 Frank H. Ogawa Plaza • 11th FLOOR • OAKLAND, CALIFORNIA 94612

City Administrator's Office
Nuisance Abatement Division
Greg Minor, *Assistant to the City Administrator*

TTY/TDD (510) 238-2007
FAX (510) 238-7084
Voicemail (510) 238-6370

30-DAY NOTICE TO ABATE

Certified and Regular Mail
7012 3460 0000 5828 5988

November 12, 2014

Jefferson LLC
ATTN: Nancy Pedot
63 W 17th Street
New York, NY 10011-5517

Subject Property: 577 – 11th St., Oakland, CA
APN: 002-0035-005-02
Declaration of Public Nuisance – **Nuisance Activity**
Civil Penalty: $1000 a day
Reference: Police Report #s14-036953; 14-015762

Dear Property Owner(s):

The Oakland Police Department has provided our office evidence of nuisance activity at the above-referenced property and is requesting that the subject property be declared a public nuisance pursuant to Oakland Municipal Code (OMC) Chapter 1, Section 1.08 et seq. Having reviewed the evidence and good cause existing, the City declares the following:

- The nuisance activity **including, but not limited to, loitering and disturbance of peace** documented in the attachment(s), constitute a public nuisance. These activities constitute a threat to the health, safety, and well-being of the surrounding community and as such constitute a public nuisance. A public nuisance shall also exist whenever a condition on a property is corrected but recurs, and continues as a recurrent problem (OMC Section 1.08.030.B); and

- A review of the aforementioned police reports for illegal activity subject you to daily penalties of $1000 should you not act immediately to abate the activity; and

- Pursuant to the Oakland Master Fee Schedule B-10 you are hereby assessed a $3,500.00 Nuisance Case fee.

Please be advised that thirty (30) days from the date of this letter, the City may impose daily penalty assessments of $1000.00 a day up to $365,000 a year (pursuant to OMC Chapter 1, Section 1.08 et seq), unless the nuisance conditions are abated. Assessments will be made every 30 days until you have identified remedial measures taken to prevent recurrence of activity to the satisfaction of the City. Further, buildings and structures or portions thereof which are determined to be a public nuisance, shall be abated by repair, rehabilitation, demolition or removal. It is your obligation to abate the nuisance condition.

Assessment will be based on number and frequency of recurrent nuisance conditions, as well as diligence of property owner in addressing concerns of the City. Fees, costs, payments, assessments, and penalties associated with our enforcement actions are significant and shall be a charge against the property and the owners and, if not reimbursed immediately, shall become a special assessment/priority lien recorded against the property title and are recoverable through the property tax general levy and court action, among other remedies available to the City. Failure to remedy or abate nuisance conditions may result in the City doing so and billing you for the costs.

Remedial Actions Required

Pursuant to the above findings and declarations, you are ordered to take all remedial measures necessary to abate nuisance activity identified above. These measures include but are not limited to:

- Within 14 days (from the date of this notification), pay all City assessments to date; and
- Continually maintain the premises free of blighted conditions; and
- Install security cameras whose footage OPD can access and obtain a Crime Prevention Through Environmental Design (CPTED) analysis by OPD; and
- Immediately cease and desist the nuisance activity including, but not limited to:
  - *Possession of controlled substances for personal use/sale/or distribution; and*
  - *Possession of any and all drug paraphernalia from the premises for personal use/sale/or distribution; and*
  - *Loitering on/near, or in the surrounding or rear area of your property.*

You have **fourteen days** in which to implement remedial measures.

APPEAL

As prescribed in OMC section 1.08 you have the right to appeal this determination. Pursuant to OMC section 15.08.410 your appeal must be received within 14 days from the date of this notice. An appeal hearing, if required will be conducted before an independent administrative hearing examiner. In order to request an appeal you must pay a $67.50 non-refundable filing fee, and submit in writing the details upon which you

base your claim that the City has erred or abused its discretion in these actions. Please be advised that you may be assessed fees for the actual costs incurred by the City for enforcement proceedings against your property.

Should you have questions concerning this form or the appeal process or penalty procedures, please contact the Nuisance Abatement Division's Administrative Assistant weekdays from 9:30 to 11:00 am and 2:30 p.m. to 4:00 p.m. by telephone. Your written appeal must be filed directly with the Administrative Assistant, either in person or via first class mail:

Susan Vasquez, Administrative Assistant
City of Oakland – Nuisance Abatement Division
1 Frank Ogawa Plaza, 11th Floor
Oakland, CA 94612

The form for filing an appeal is enclosed. Please be advised that if your written appeal and filing fee is not received **before 4:00 p.m.** (local time), **Tuesday, November 25, 2014**, you **waive your right** for further administrative adjudication of this matter, and your only other method for redressing this matter may be judicial action. Please note that incomplete appeals including, but not limited to, oral notification of your intention to appeal, a written appeal postmarked but not received within the time prescribed, or a written appeal received by the filing deadline without a filing fee, are not acceptable and will be rejected.

OPTION TO MEET FOR COMPLIANCE PLAN

Depending on the nature of the violations, you may also request to meet with the Nuisance Abatement Division and the referring department to develop a compliance plan to abate the nuisance. In some cases, a performance bond will be required along with compliance plan. If you reach an agreement, the City may suspend the daily penalties while you meet the terms of the compliance plan. To set up a meeting, please call Susan Vasquez at 238-7487.

Sincerely,

Greg Minor
Assistant to the City Administrator

Encls.: Copy of Police Report # s14-036953; 14-015762
Administrative Appeal form; Proof of Service

cc: Ofc. J. Sena, ABAT/OPD (via email)
E. Ferran, City Attorney's Office (via email)
H. Gardner, Interim City Administrator (via Interoffice mail)
Chron

Central Parking, 1624 Franklin Street, Suite 1110, Oakland, CA 94612 (via regular mail)

City of Oakland Invoice

FMA - AR Unit, Suite #6211
150 Frank H. Ogawa Plaza
Oakland, CA 94612

Invoice No.: 12281
Invoice Date: 13-NOV-14
Due Date: 13-DEC-14
Trans Ref: Departmental Invoice

Bill To:

Customer No.: 23575

BELLA ULTRA LOUNGE
ATTEN: TEM KIFILT
66 FAIRMONT AVE #218
OAKLAND, CA 94611

Remit To:

City of Oakland
Police Services Agency - ABAT Unit
2651 73rd Avenue
Oakland, CA 94605

Department of Origin

Police Services Agency - ABAT Unit
Call: Foster, Jennifer L
Tel. Nbr: 510-777-8784
If you have any questions about this invoice.
Approved By:

Item #	Description	Qty	Unit Price	Amount
1	ABAT CPTED REPORT/ASSESSMENT - BELLA ULTRA LOUNGE	1	437.33	437.33
	Total Due			**437.33**

Instructions:

1. Do not send cash. **Remit check or money order payable to "City of Oakland".**
2. Write the Invoice number on your check.
3. Failure to pay Invoice amount by due date indicated above will result in additional fees and or legal action.

FOR OFFICE USE ONLY
Received By
Entered By
Batch No.

SECURITY PLAN FOR BELLA ULTR LOUNGE:

SECURITY PLAN KEY FACTS:

NUMBER OF EXITS: 3

KEY POINTS:

BELLA WILL HAVE SIGNAGE OUT FRONT AND IN FOYER AREA

EXPLAINING "DRESS CODE AND RULES OF CONDUCT FOR BELLA"

FRONT ENTRANCE SECURITY NUMBER WILL BE 1 -2

ALL ENTERING FOR BELLA WILL HAPPEN ON EAST SIDE

OF THE BUILDING ON CLAY STREET. THE LINE WILL BE ON CLAY STREET TO THE NORTH AND THEN WRAP AROUND ON 11th STREET TOWARDS JEFFERSON STREET

ALL ENTERING FOR BELLA WILL HAPPEN ON CLAY STREET

*NOTE ALL START TIMES ARE BASED ON EVENTS

IN THE BUILDING

SECURITY OFFICIER NUMBER (MIN-MAX) SECURITY OFFICIERS IS 3-7 FOR

3 ARMED AND 4 UNARMED

*ALL NUMBERS ARE BASED OFF A RATIO OF 1 SECURITY PERSON PER

50 ANTICITPATED ATTENDEE.

SUPERVISOR OF SECURITY/ JOHN PAYNE

DOORMEN COREY LYONS

MONITOR AND MANAGE ALL SECURITY PERSONNAL, HANDLE ALL REPORTS AND INDICENTS LEAD TRAINING AND TEAM MEETINGS.

Keeps order at the entrance, and checks IDs to ensure that people seeking entrance have a valid government issued photo ID, and are of legal age. They also deny entry to persons who are visibly intoxicated, or don't meet the club's dress code, or who are known to have previously caused problems, and/or been barred by management. MUST MAINTAIN AN ACCURATE COUNT OF PATRONS INSIDE TO AVOID OVERCROWDING

ON CLOCK THIRTY MINUTES BEFORE EVENT

END OF EVENT

CLEAR OFF ALL PATRONS IN FRONT UNTIL 3 0 MINS AFTER CLOSING OR LONGER IF NECESSARY

SECURITY/ FRONT DOOR, LINE

CHECK ID, MONITORS OUTSIDE, SEARCHES W/ HANDS AND WAND FIRST LINE OF DEFENSE.

Keeps order at the entrance, and checks IDs to ensure that people seeking entrance have a valid government issued photo ID, and are of legal age. They also deny entry to persons who are visibly intoxicated, or don't meet the club's dress code, or who are known to have previously caused problems, and/or been barred by management.

ON CLOCK 30 MINUTES BEFORE EVENT

SECURITY INTERIOR

GOAL: To deter patrons from becoming unruly.

Be visible presence, alertness and interaction with guests and staff, observing and assessing all that goes on within their sight and hearing. plus Verbal and/or physical intervention if necessary. Communicate with other security and staff of problem individuals. Deterrence and prevention first!

SECURITY GUARDS WILL BE TRAINED IN TECHNIQUES TO DE-ESCALATE

POTENTIAL VIOLENT ENCOUNTERS AND DIFFICULT SITUATIONS.

BELLA WILL MANDATE THAT SECURITY SEPARATE AND REMOVE ALL

POTENTIALLY VIOLENT PATRONS IN A MANNER, CONSISTENT WITH THE LAW THAT IS DESIGNED TO PREVENT A CONTINUATION OF VIOLENT ACTIVITY INSIDE OR WITHIN 20 FEET OF THE PREMISE.

CALLS WILL BE MADE TO 911 TO REPORT CRIMINAL ACTIVITY, WHICH IS OBSERVED ON THE STREET AND IN THE PARKING LOTS SURROUNDING BELLA.

MAY CALL 911 OR OTHERWISE NOTIFY POLICE FOR ASSISTANCE IN THESE

CIRCUMSTANCES.

SIMILARLY, CALL 911 TO REPORT SERIOUS MEDICAL EMERGENCIES SUCH AS DRUG OVERDOSES OR INTOXICATED INDIVIDUALS WHO CANNOT CARE FOR THEIR OWN SAFTEY.

ALL SECURITY GUARDS WILL BE DISTINCTIVELY AND UNIFORMLY ATTIRED – TO BE EASILY IDENTIFIED.

ALL SECURITY GUARDS WILL BE SPREAD THROUGHOUT BELLA EXTERIOR SURROUNDINGS AND NOT

JUST AT THE DOOR.

PERPETRATORS WILL BE DETAINED BY SECURITY THROUGH LAWFUL MEANS.

WITNESSES WILL BE ENCOURAGED TO WAIT FOR THE POLICE TO ARRIVE IN ORDERTO ASSIST IN THE INVESTIGATION. AT A MINIMUM, THEY WILL BE ASKED TO PROVIDE THEIR IDENTIFYING INFORMATION SO THAT THE POLICE MAY CONTACT THEM IN THE FUTURE. THEY WILL ALSO BE ENCOURAGED TO MAKE A STATEMENT TO BELLA PERSONNEL REGARDING THE INCIDENT. BELLA WILL ACT AS COMPLAINANTS IN APPROPRIATE CASES.

BELLA WILL ENCOURAGE EMPLOYEE WITNESSES TO GO TO COURT AND TESTIFY WHEN REQUESTED, AND PAY WAGES TO THEM FOR THEIR TIME.

DIGITAL VIDEO OF ANY UNLAWFUL CONDUCT WILL BE IDENTIFIED AND PROVIDED TO THE OPD WHEN REQUESTED.

IDENTIFYING INFORMATION ON EJECTED AND/OR ARRESTED PATRONS WILL BE RETAINED ON A "BANNED LIST" DATABASE. THESE PATRONS WILL NOT BE ALLOWED SUBSEQUENT RE-ENTRY.

BELLA WILL MAINTAIN PROPERLY WORKING DIGITAL CAMERAS THAT WILL BE

MOUNTED TO EXTERIOR OF BULIDING PER RECOMMENDATION BY OPD

BELLA WILL ENSURE THAT LEVELS OF LIGHTING INSIDE AND OUTSIDE THE

PREMISE IS SUFFICIENT FOR OBSERVATION BY SECURITY.

ALL THOSE AWAITING ADMISSION WILL BE PLACED IN A LINE, NOT BLOCKING THE SIDEWALK. ALL INDIVIDUALS ON ADMISSION LINES WILL BE INFORMED THAT IF THEY ARE NOT ORDERLY, THEY WILL NOT BE ADMITTED. INDIVIDUALS WHO WILL NOT BE ADMITTED WILL BE ENCOURAGED TO LEAVE THE AREA.

AT CLOSING, SECURITY WILL ENSURE ORDERLINESS WHEN PATRONS ARE

EXITING THE VENUE & WALK THE ENTIRE BLOCK TO ENSURE IT IS CLEARED.

WHEN METAL DETECTORS ARE USED, EVERY PATRON WILL GET MAG'ED IN

ACCORDANCE WITH VENUE POLICY. VIP'S, DJ'S, PROMOTERS, ENTOURAGES, ETC. WILL NOT RECEIVE SPECIAL TREATMENT AND WILL LIKEWISE BE MAG'ED.

BELLA WILL SAFEGUARD EVIDENCE CONNECTED WITH COMMISSION OF A CRIME ON THE PREMISES AND WILL MAINTAIN THE INTEGRITY OF ANY CRIME SCENE.

BELLA SPOT CHECKS OF EMPLOYEES WILL BE CONDUCTED TO ENSURE COMPLIANCE WITH VENUE'S POLICIES AND APPLICABLE LAWS AND RULES, INCLUDING INTEGRITY TESTS FOR FALSE ID AND UNDERAGE SALES.

SECUIRTY RESPONSIBILITIES AFTER CLOSING:

A MINIUM OF 3 GUARDS SHALL WALK THE BLOCKS FROM CLAY STREET to 10TH STREET AT CLOSING TIME TO ENSURE THAT PATRONS LEAVING THE CLUB DO NOT LOITER IN THE AREA AND CREATE A NUISCANCE T O THE COMMUNITY.

EMPLOYEES

ALL EMPLOYEES WILL HAVE A PHOTO ID ON FILE IN THE LOCATION, WITH A

DESCRIPTION OF HIS/HER POSITION AND CONTACT INFORMATION..

BELLA WILL DESIGNATE A PERSON TO BE IN CHARGE OF THE PREMISES. THE

NAME AND PHONE NUMBER OF BOTH THE MANAGER AND THE PERSON

DESIGNATED TO BE IN CHARGE OF THE PREMISES, IF DIFFERENT, DURING THE HOURS OF OPERATION, WILL BE AVAILABLE TO APPROPRIATE GOVERNMENT

AGENCIES.

BELLA WILL DESIGNATE CLEANUP CREWS INSIDE AND OUTSIDE THE VENUE. ALL FLYERS, HANDBILLS, CUPS, DEBRIS, ETC. WILL BE CLEANED FROM IN FRONT OF THE PREMISES THROUGHOUT THE NIGHT.

BELLA WILL DESIGNATE SPECIFIC EMPLOYEES TO CONDUCT OCCUPANCY

COUNTS PERIODICALLY THROUGHOUT THE NIGHT.

MANAGERS WILL IDENTIFY THEMSELVES TO RESPONDING GOVERNMENT

AGENCIES.

INTOXICATION

STATE LAW AND COMMON SENSE PROHIBIT PREMISES FROM SERVING ALCOHOL TO A PERSON WHO IS VISIBLY INTOXICATED, OR PERMITTING SOMEONE ELSE TO SERVE THE INTOXICATED PERSON. IT IS OF COURSE IN THE BEST INTEREST OF EVERYONE INVOLVED TO PREVENT THE KINDS OF BEHAVIOR WHICH ARE ASSOCIATED WITH INTOXICATED PATRONS, AND ALL EMPLOYEES WILL BE HIGHLY AWARE OF THE SIGNS OF INTOXICATION:

SPEECH SLURRED, THICK, CONFUSED, ABUSIVE, PROFANE, ANTAGONISTIC OR INCOHERENT APPEARANCE IN DISARRAY, CLOTHING STAINED BALANCE UNSTEADY, OR BODY SWAYING, USING A WALL OR FURNITURE AS A PROP, FACE PALE OR FLUSHED EYES BLOODSHOT, RED, OR PUFFY FUMBLING OR DROPPING OF GLASS, ID, CASH, ETC., OR MISJUDGING DISTANCE UNUSUAL PHYSIOLOGICAL SYMPTOMS, E.G., VOMITING, EXCESSIVE HICCUPPING, LOSING FOCUS, SLEEPY OR FAINTING\

ALL EMPLOYEES WILL MAINTAIN CONTINUAL AWARENESS OF THE LEVEL OF

INTOXICATION OF PATRONS, AS WELL AS WHETHER INDIVIDUALS ARE BUYING

DRINKS FOR OTHERS WHO MAY HAVE IN FACT BEEN CUT OFF.

PROMOTERS

BELLA WILL ONLY WORK WITH PROMOTERS WHO ARE PROFESSIONAL.

PROMOTERS WILL BE REQUIRED TO PROVIDE FULL CONTACT INFORMATION FOR THEMSELVES AND ANYONE THEY HIRE TO WORK AT THE PREMISE. IF THE PROMOTER IS INSURED, BELLA WILL BE LISTED AS ADDITIONALLY INSURED ON ALL RELEVANT POLICIES.

MANAGEMENT WILL REQUIRE THAT ALL PROMOTIONAL MATERIALS BE

APPROVED BY BELLA PRIOR TO BEING PUBLISHED OR RELEASED TO THE

PUBLIC.

MANAGEMENT WILL MAKE ABSOLUTELY CLEAR TO PROMOTERS WHAT THEIR

POLICIES ARE, ESPECIALLY REGARDING NON ADMISSION OF THOSE UNDER 21 YEARS OLD, AND MAKE CLEAR THAT PROMOTERS ARE EXPECTED TO FULLY ADHERE TO THESE POLICIES.

MANAGEMENT WILL HAVE REPRESENTATION AT THE DOOR TO ENSURE THAT

PROMOTERS AND THEIR EMPLOYEES ADHERE TO ALL DOOR POLICIES.

MANAGEMENT WILL RESERVE THE RIGHT TO REFUSE ENTRANCE TO ANY GUEST PURSUANT TO THEIR EXISTING ADMISSION POLICIES.

ALL GUESTS OF THE PROMOTIONAL TEAM MUST BE TREATED AS ANY OTHER

PATRON, CONSISTENT WITH BELLA'S SEARCH AND ID POLICIES, WITHOUT

EXCEPTION, AND INCLUDING THE PROMOTERS THEMSELVES, DJ'S AND

EMPLOYEES.

MANAGEMENT WILL CHECK THE PAST PERFORMANCE OF PROMOTERS BEFORE CONSIDERING CONTRACTING WITH THEM, BY INQUIRING WITH OTHER VENUES ABOUT WHAT TYPE OF CROWD THEY ATTRACT, HOW THEY OPERATE, HOW RESPONSIVE THEY ARE TO PROBLEMS OR CONCERNS, ETC.

A PROFESSIONAL LOOKING SIGN CONTAINING PATRON CODE OF CONDUCT

RULES WILL BE DISPLAYED INSIDE THE PREMISE.

BELLA WILL KEEP ALL PERMITS UP TO DATE AND READILY AVAILABLE IF

NEEDED.

MANAGEMENT WILL ENSURE THAT CLUB POLICIES ARE ADHERED TO.

IF A CRIMINAL INCIDENT OCCURS, AN INCIDENT REPORT LISTING FULL DETAILS WILL BE GENERATED AND MAINTAINED FOR THREE YEARS.

POLICE/CITY – COMMUNICATION RELATIONS

A LIST OF ALL SCHEDULED EVENTS WILL BE SENT TO THE OPD SPECIAL EVENTS OFFICE AND CITY OF OAKLAND CABERT OFFICE.

A SIGN WILL BE AFIXXED TO THE OUTSIDE OF THE PERMISE WITH A PHONE NUMBER TO CALL FOR THE COMMUNITY TO REGISTER COMPLAINTS DURING HOURS OF OPERATION AND SPEAK WITH THE MANAGER REGARDING NUISCANCE ACTIVITY.