

ABAT

Oakland Police Department  
**Alcoholic Beverage Action Team**  
Management Information System

**COPY**

Off. J. Silva 8375  
Oakland Police Department  
Alcoholic Beverage Action Team

C#: 08-198

Oracle No.: 12418

Beat: 01

AREA: 1

BA: CLUB ANTON

428 3rd ST

Ordinance Type: Deemed Approved

Store Type: Night Club

Comments: Also Owner of La Furia Chalaca Restaurant, 310 Broadway Club shares kitchen with La Furia

Chalaca

**Business**

Licensee: ANTON CARLOS ALBERTO

CDL: [REDACTED]

City: [REDACTED]

St: [REDACTED]

ZIP: [REDACTED]

ABC License: 415825 Type: 48

Conditions: YES

Issued: 25 Oct 04

Deemed Approved Fees paid for the year:

App Fee?

Phone #: 510-463-0165

**Property**

Street # 428

Street Name: 3rd ST

ZIP: 94607

Legal Address: 424 3rd St Oakland, CA 94607-3801

APN: 001-0139-008

Property Owner: Chau Jack & Hail

Zoning:

Owner Address: 3518 E Woodbine Rd Orange, CA 92867-2069

CDL: [REDACTED]

Business Tax Cert# 1856294

Health Permit #

PT0006460

Payment Status:

PAID 2013

Reason:

Tobacco Lic# NONE

Acct Status:

facade project

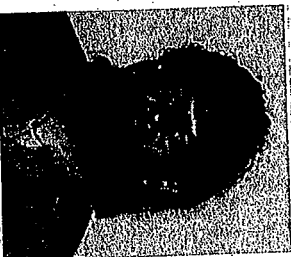
CA Seller's Permit # 100951261

Closed/IV

Date of last visit:  
**30 Jan 14**

Date of Last Decoy

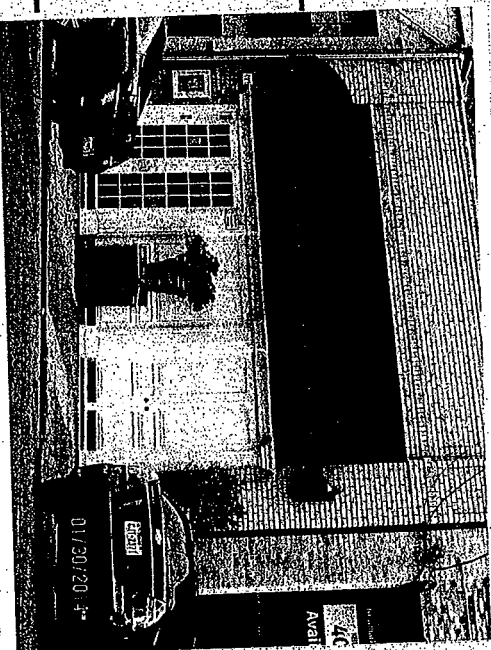
CLUB ANTON, 428 3rd ST



Licensee:



Property Owner:



Summary

Licensee

Property

ABC & Law

Motivations

Crime

Reports



**Other or Previous Owners & Licensees**



**CLUB ANTON, 428 3rd ST**

**COPY**

Name: Hedi M. Framm Anton

Type: Co-Licensee

Address:

CDL: [REDACTED]

Comments:

Name: Frandsen, Ruby

Type:

Address:

CDL: [REDACTED]

Comments:

Name: NGO, Melinda Hang

Type: Bartender

Address: 1 [REDACTED]

CDL: [REDACTED]

Comments: 03 OCT 09- Was working as the bartender during a site visit.



Name: Marilyn Aminta Todd [REDACTED]

Type: Girlfriend of Licensee/Manager

Address:

CDL: [REDACTED]

Comments:

COPY

Club Anton  
ABAT Case Notes 2008-2015

2008

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04 MAR 08 - 2008 Deemed Approved Fee received, receipt # 34570.  
PST T. Johnson, 4342

2009

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1/30/2009 - Deemed Approved Program fees paid

19 FEB 09 - ABC Final Order. Licensee has been suspended for 20 days. with 0 days stayed.  
Suspension begins on 30 Jan 09.  
PST T. Johnson/4342

03 OCT 09- Bar Check. The following violations were observed. Current permits not posted. Expired Health, No Business License, No Sellers permit, ABC permit expired. Bugs in Distilled spirit bottles 347 (b) PC. Upstairs office checked, strong odor of burnt marijuana inside office. Two zip lock small baggies, loose tobacco, and roach were found inside trash can. Nuisance abatement notice issued to ANTON, Carlos DOB: [REDACTED] who is the owner of the club. NGO, Melinda DOB: [REDACTED] was working as the bartender. OFC J. Sena, 8375P

2010

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1 APR 10 - 2010 fee paid via A/R report 031810.  
PST T. Johnson, 4342

27 AUG - Attempt to deliver 2010 permit, location closed.  
PST T. Johnson, 4342

31 AUG - 2010 permit mailed.  
PST T. Johnson, 4342

2010

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1 APR 10 - 2010 fee paid via A/R report 031810.  
PST T. Johnson, 4342

27 AUG - Attempt to deliver 2010 permit, location closed.  
PST T. Johnson, 4342

31 AUG - 2010 permit mailed.  
PST T. Johnson, 4342

2011

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12 JAN 11- Cabaret permit for 2011 completed. Occupancy is 281-131 persons, permit# s11-015. OFC J. Sena, 8375

# COPY

18 MAR - 2011 DA/TRL Final Notice to remit fee.  
PST T. Johnson, 4342

5 APR - 2011 DA/TRL fee rec'd, invoice # 1278, check # 156  
PST T. Johnson, 4342

04/28/11-Pre Seizure/Collections call to Licensee conducted today. Voice recorder was used to capture call. Business Closed.PST A. Lew 3976

2 AUG - Mailed 2011 DAP Permit. Several attempt were made to deliver.  
PST T. Johnson, 4342

09/23/11-Site visit made to get seller and business permits. Filemaker updated with new info. PST A. Lew 3976

30 NOV 11- Noise complaint from area residents regarding the club. Email complaint attached to file.  
OFC J. Sena, 8375

2012

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20 JAN 12-Letter sent to Marilyn Bladeras & Carlos Anton regarding special event permit requirements. Refer to letter attached to file. OFC J. Sena, 8375P

21 JUN - 2012 SA Permit mailed.  
PST T. Johnson, 4342

7 DEC - 2013 DA/TRL Invoice mailed.  
PST T. Johnson, 4342

20 DEC - 2013 DA/TRL fees paid - 15050, check no. 1153 - AAll S McDaniel, 4659

2013

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31 AUG 13- 187 PC occurred inside of club. Refer to RD -13-044513.

04 SEP 13- Nancy Marcus from OCA requested security plan from owner Carlos Anton. Refer to attached email. OFC J. Sena, 8375P

05 SEP 13- Email to Mr. Anton from Arturo Sanchez, OCA, regarding suspended cabaret permit and hearing to show cause scheduled for September 17, 2013 at 10 am, hearing room 1, city hall, OFC J. Sena, 8375P

06 SEP 13- Letter from OCA to Club Anton regarding the revocation of cabaret permit with notice of hearing on 09/17/13. Attached to file. OFC J. Sena, 8375P

10 SEP 13- Email from Edward Higginbotham, attorney of Club Anton regarding 30 day extension of cabaret hearing and agreement of no cabaret activity until hearing. Copy attached to file. OFC J. Sena, 8375P.

26 SEP - Ltr of Disorderly House to ABC.  
PST T. Johnson, 4342

# COPY

29 OCT 13- Cabaret license for Club Anton is surrendered. Club Anton to be converted into space used by La Furia Chalaca (type 47). Matter has been referred to ABC to R65 Club Anton's ABC License. Recommend remove from DA billing for 2014. OFC J. Sena, 8375 Refer to email attached to file.

8 Nov 13 - 2014 Invoice #10002010 cancelled. JFoster 4607

2014

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30 Jan - Site Visit, Facade Project, New Photo taken  
PST. T. Johnson, 4342



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City Hall ■ 1 Frank Ogawa Plaza ■ 11<sup>th</sup> Floor ■ Oakland, California 94612

City Administrator's Office  
Nuisance Abatement Division  
Arturo Sanchez, Deputy City Administrator

Main FAX (510) 238-7084  
Voicemail (510) 238-7542

January 10, 2012

Carlos Anton  
c/o CLUB ANTON  
310 Broadway  
Oakland, CA 94607

**RE: Nuisance Activity at 310 Broadway, Oakland  
dba Club Anton**

Dear Business Owner(s):

This is a courtesy notice intended to advise you that nuisance activity has been reported as occurring on your business. The Nuisance Abatement Division of the City of Oakland is designed to work with property/business owners to prevent and control nuisance activity on properties.

This letter is designed to inform you that as a business owner you are responsible for the nuisance activity that may be occurring on your property. It is also intended to facilitate early nuisance abatement efforts. In each instance where this letter is being sent, the Nuisance Abatement Division has received complaints either from police, city workers and/or citizens alleging specific activity in violation of the City's Public Nuisance Ordinance (PNO), Ordinance # 12550 C.M.S and/or the Nuisance Eviction Ordinance, Ordinance # 12592 C.M.S.

Our office has been informed that your property is the site of Noise Nuisances, OMC 8.18.010 Excessive and annoying noises prohibited; and 8.18.020 Persistent noises, a nuisance. This activity may constitute a violation of the PNO due to its impact to the use and quiet enjoyment of the surrounding community's property. There are reports that loud, annoying and excessive music is emanating from your establishment during the hours of operation.

COPY

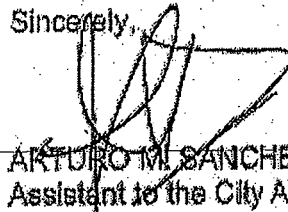
310 Broadway  
Page 2 of 2

This letter is intended to inform you of this violation and afford you an opportunity to abate. Should the NAD move forward with a public nuisance abatement case against your property you will be subject to a variety of fees and penalties until the nuisance is abated. These fees and penalties include, but are not limited to: a \$3500.00 Nuisance case fee and civil penalties of \$500.00 a day.

Each situation will be different. Your property is the site of nuisance activity, and it is up to you to determine the exact nature of the problem and take the steps necessary to abate the nuisance. Proprietors of rental units and commercial properties play an important role in maintaining the integrity of their neighborhoods. We advise you to take the time to assess your property, identify the problems and call us for assistance.

Please call our office for an appointment at 238-7487. Thank you in advance for your attention to this matter.

Sincerely,



ARTURO M. SANCHEZ  
Assistant to the City Administrator

cc: Offcr. J. Sena, ABAT/OPD (via email)  
E. Ferran, Office of City Attorney (via email)  
R. Ilgen, Office of City Attorney (via email)  
N. Marcus, Special Activity Permits (via email)  
D. Santana, City Administrator (via interoffice mail)

via regular mail

Nelson & Paula Mock, Property Owners, 578 10<sup>th</sup> St., Oakland, CA 94607

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City Hall ■ 1 Frank Ogawa Plaza ■ 11<sup>th</sup> Floor ■ Oakland, California 94612

City Administrator's Office  
NUISANCE ABATEMENT DIVISION  
Arturo Sanchez, Assistant to City Administrator

TTY/TDD (510) 238-2007  
Main FAX (510) 238-7084  
Voicemail (510) 238-7542

January 12, 2012

Marilyn Balderas  
Carlos Anton  
c/o Club Anton  
310 Broadway  
Oakland, CA 94607

### **MEETING NOTICE**

Subject Property: 310 Broadway, Oakland dba Club Anton


Dear Ms. Balderas

Thank you for calling our office. This will confirm your meeting with us as follows:

Date/Day: **January 20, 2012, Friday**  
Time: **10:00 a.m.**  
Location: **1 Frank Ogawa Plaza, City Hall, 11<sup>th</sup> Floor**

Please feel free to call our office at 238-7487 if you have any questions.

Sincerely,

  
Susan Vasquez  
Administrative Assistant





City Hall ■ 1 Frank Ogawa Plaza ■ 11<sup>th</sup> Floor ■ Oakland, California 94612

City Administrator's Office  
Nuisance Abatement Division  
Arturo Sanchez, Deputy City Administrator

Main FAX (510) 238-7084  
Voicemail (510) 238-7542

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FCN 08-198

ENTERED JAN 20 2012



January 20, 2012

Carlos Anton  
Marilyn Balderas  
c/o CLUB ANTON  
310 Broadway  
Oakland, CA 94607

RE: Cabaret and Special Event Activities at 310 Broadway  
dba Club Anton

Dear Mr. Anton and Ms. Balderas,

It is disappointing that you were unable to attend our scheduled meeting today, Friday January 20, 2012 at 10:00 a.m. The purpose of the meeting was to put you on notice for current conditions that impact your ability to renew your cabaret permit. This letter is intended to document the issues raised by this office with Ms. Balderas on Friday, January 20, 2012, which include, but are not limited to:

1. You do not have a public assembly permit and a cabaret permit cannot be issued without a public assembly permit.
2. The City has received complaints about noise emanating from your establishment and in violation of both cabaret permit and your alcohol license.
3. You are conducting activities that exceed the scope of a cabaret permit may require a special event permit:

Pursuant to OMC Chapter 9.52 a special event permit is required when:

"Special event" (hereinafter "event") means, for the purpose of this chapter, an event sponsored by any person, entity, business or group including but not limited to the Oakland Unified School District, the Port of Oakland, the Oakland Coliseum complex, the Paramount Theater, and at any event venue within the city and open to the public:

A. Which is held in any public park and/or facility or on any property and/or facility which is open to the public, and

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
Bay Area Field Office  
1800 Sutter Street, Suite 400  
Concord, CA 94520  
(925) 602-7715



February 19, 2009

Chief Wayne G. Tucker  
Oakland Police Department  
428 Third Street  
Oakland, CA 94607

ANTON Carlos Alberto  
Club Anton LLC  
428 3<sup>rd</sup> Street  
Oakland, CA 94607

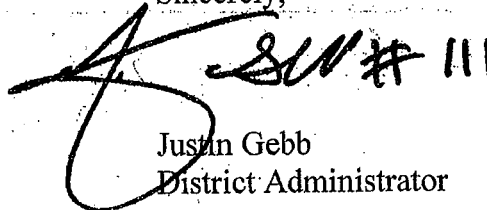
Dear Chief Tucker:

This is a notice of the Final Order of the Department in the action against the above licensed premises.

The license has been ordered suspended for a period of 20 days, with 0 days stayed. The 20 day suspension began on January 30, 2009.

Exercising the privileges of a license during a suspension of such license is a violation of Section 23300 of the Alcoholic Beverage Control Act.

Sincerely,

 # 111

Justin Gebb  
District Administrator

JG:saj



**Oakland Police Department**  
**Eastmont Precinct • 2651 73rd Avenue • Oakland, CA 94605**  
**A.B.A.T. Unit (510) 777-8670**

**COPY**

**ALCOHOLIC BEVERAGE & TOBACCO SALE REGULATIONS**  
**NUISANCE ABATEMENT NOTICE**



Licensee Name: <u>CARLOS ALBERTO</u>		DBA: <u>CLUB ANTON</u>	
Location Address: <u>1128 2nd St</u>		Location Type: <input checked="" type="checkbox"/> Alcohol/Tobacco <input type="checkbox"/> Tobacco Only	
Date: <u>03 OCT 09</u>	Time: <u>2135</u>	<u>On-view</u>	Annual Inspection
ABC Lic. #: <u>46-415815</u>	Tobacco Lic. #:	Bus. Tax #: <u>NONE</u>	Health Pmt #: <u>PT PPD 466</u>
Cabaret Pmt #: <u>9970800</u>	Seller's Pmt #: <u>NONE</u>	BOE Tobacco Pmt#:	

An inspection of your business was made on the above date. Below is a list of violations which must be corrected in accordance with the State, County and Municipal codes by the **COMPLIANCE DATE**.

- |  |  |
|--|--|
| <input type="checkbox"/> Sales without a License (5.91.020, 24040 B&P)   | <input type="checkbox"/> Sale to Minor Cigarettes (308 PC)                     |
| <input type="checkbox"/> Failure to Pay Fee's (5.91.080, 17.156.190 OMC) | <input type="checkbox"/> Violation of ABC License Restrictions (23804 B&P)     |
| <input type="checkbox"/> Incoming Calls on Pay Phone (8.20.080 OMC)      | <input checked="" type="checkbox"/> Display of Permits (24046 B&P)             |
| <input type="checkbox"/> Loitering (9.08.170 OMC)                        | <input type="checkbox"/> Sale to Intoxicated Person (25602(a) B&P)             |
| <input type="checkbox"/> Drinking in Public (9.08.180 (A)(1) OMC)        | <input type="checkbox"/> Premise Lighting (25612.5 (c) B&P)                    |
| <input type="checkbox"/> Signs Required (9.08.190 (B) OMC)               | <input type="checkbox"/> Litter (25612.5 (c) B&P)                              |
| <input type="checkbox"/> Open Containers of Alcohol (9.08.190 (A) OMC)   | <input type="checkbox"/> Excessive Signage (25612.5 (c) B&P)                   |
| <input type="checkbox"/> Illegal Construction (15.04.035 OMC)            | <input type="checkbox"/> Graffiti (25612.5 (c) B&P)                            |
| <input type="checkbox"/> Expired Products (113980 CA Retail Food Code)   | <input type="checkbox"/> Window Visibility (25612.5 B&P)                       |
| <input type="checkbox"/> Loud Music (415 PC)                             | <input type="checkbox"/> Sale to Minor Alcohol (25868(a) B&P)                  |
| <input type="checkbox"/> Sale of Drug Paraphernalia (11364.5 H&S)        | <input type="checkbox"/> Clerks Affidavits (25658.4 B&P)                       |
| <input type="checkbox"/> Drug Dealing/Possession (11500 H&S)             | <input checked="" type="checkbox"/> Other Violations <u>DRUG PARAPHERNALIA</u> |

**Narrative:**

EXPIRED HEALTH PERMIT 2/6/09 - FOUND TWO SMALL  
NO BUSINESS LICENSE - 2 BLACK BAGGIES w/  
NO SELLER'S PERMIT - THE SMELL OF MARIJUANA  
ABC EXPIRED - IN THE KITCHEN  
BUGS IN (3) LIQUOR BOTTLES - ONE BAGGIE (SMALL) CIGARETTES  
- BLUNT / MARIJUANA

**COMPLIANCE DATE:** 6 OCT 09

Licensee/Clerk: <u>MELINDA NGO</u>	Officer/Serial#: <u>J. BANDOLO 8623</u>
CDL/ID: <u>ANTON, CARLOS - 1128 2ND ST</u>	Signature: <u>[Signature]</u>

Your business will be reinspected on or after the Compliance Date listed above. If by that date you have failed to correct all violations noted above, a Reinspections Fee Charge of \$200 will be imposed against you (OMC \$5.91.080, 5.91.140, 17.156.190, 17.156.220). Additional Reinspections for the above violations will be fee charged at \$200 per reinspection until compliance is achieved. Moreover, if the violations continue, the City may institute its Administrative Hearing Process to impose Conditions of Approval to reduce/eliminate the violations/nuisances (OMC \$5.91.110, 17.156.140). If you have already been through the hearing process, the next hearing will result in the possible revocation of your Deemed Approved Status to operate (OMC \$5.91.110, 17.156.150).



# Alcoholic Beverage Action Team

2651 73rd Avenue • Oakland, CA 94605

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## DEEMED APPROVED ALCOHOLIC BEVERAGE SALE REGULATIONS NUISANCE ABATEMENT NOTICE

Licensee Name: ANTON CARLOS ALBERTO		ABC License No.: 415825	
Address: 428 THIRD ST Club Anton		Date: 3/24/07	Time: 2:15
<input checked="" type="checkbox"/> On-view	<input type="checkbox"/> Decoy Operation	Business Tax #:	Health Permit#:
Clerk Name: RUBY FRANDSEN	CDI: [REDACTED]	DOB: [REDACTED]	Home Address:

An inspection of your business was made on the above date. Below is a list of violations which must be corrected in accordance with the State, County and Municipal codes by the **COMPLIANCE DATE**.

- |  |   |
|--|---|
| <input type="checkbox"/> Sale to Minor Alcohol (2568(a) B&P)       | <input type="checkbox"/> Premise Lighting (25612.5 (c) 4 B&P)       |
| <input type="checkbox"/> Sale to Minor Cigarettes (308 PC)         | <input type="checkbox"/> Litter (25612.5 (c) 5 B&P)                 |
| <input type="checkbox"/> Drug Dealing/Possession (11500 H&S)       | <input type="checkbox"/> Graffiti (25612.5 (c) 6 B&P)               |
| <input type="checkbox"/> Sale to Intoxicated Person (25602(a) B&P) | <input type="checkbox"/> Excessive Signage (25612.5 (c) 7 B&P)      |
| <input type="checkbox"/> Urinating in Public (374 PC)              | <input type="checkbox"/> Loitering (9.08.170 OMC)                   |
| <input type="checkbox"/> Signs Required (9.08.190 (B) OMC)         | <input type="checkbox"/> Open Containers of Alcohol (9.08.190a OMC) |
| <input type="checkbox"/> Loud Music (415 PC)                       | <input type="checkbox"/> Drinking in Public (9.08.180 A (1) OMC)    |
| <input type="checkbox"/> Window Visibility                         | <input type="checkbox"/> Unlabeled Products                         |
| <input type="checkbox"/> Illegal Construction                      | <input checked="" type="checkbox"/> Failure to Pay Fee's            |
| <input type="checkbox"/> Violation of CUP (17.134 OMC)             | <input type="checkbox"/> Violation of ABC License Restrictions      |
| <input type="checkbox"/> Sale of Drug Paraphernalia                | <input type="checkbox"/> Incoming Calls on Pay Phone                |
| <input type="checkbox"/> Clerks Affidavits                         | <input type="checkbox"/> Display of Permits                         |

- |  |             |
|--|-------------|
| <input type="checkbox"/> No Violations. Congratulations. | RD#:        |
| <input type="checkbox"/> Other Violation: 17.156.190 omc | Citation #: |

Narrative: Failure to pay Deemed Approved Fees (\$1500.00) for the year 2007-03-20

Payments can be made in person at the Central Collections Dept. located at 150 Frank Ogawa Plaza 5<sup>th</sup> Flr, Suite # 5342 Oakland CA, or remit payments by check or money order payable to the City of Oakland along with a copy of this notice to the City of Oakland, Central Collections, P.O. Box 12365, Oakland VA 94604-2365. (Late fees may apply)

**COMPLIANCE DATE:** 4/24/07

Licensee/Clerk: Contact Phone: Signature: [Signature]	Officer: B. Ocampo Serial #: 8557
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# Alcoholic Beverage Action Team

2651 73rd Avenue • Oakland, CA 94605

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Your business will be reinspected on or after the Compliance Date listed above. If by that date you have failed to correct all violations noted above, a Reinspections Fee Charge of \$200 will be imposed against you (OMC §§17.156.190, 17.156.220).

Additional Reinspections for the above violations will be fee charged at \$200 per reinspection until compliance is achieved. Moreover, if the violations continue, The City may institute its Administrative Hearing Process to impose Conditions of Approval to reduce/eliminate the violations/nuisances (OMC§ 17.156.140). If you have already been through the hearing process, the next hearing will result in the possible revocation of your Deemed Approved Status to operate (OMC § 17.156.150).

No Violations. Congratulations.

Other Violations \_\_\_\_\_