



**CITY OF MODESTO  
COUNCIL REPORT**

**MEETING DATE:**  
October 23, 2007

October 16, 2007

**TO:** Mayor and Council

**FROM:** Roy W. Wasden, Chief of Police

**SUBJECT:** Consider denying the appeal of Quality Tymes Corporation, dba Oceans 10 Restaurant, and aka Sin City Nights and upholding the decision of the Police Chief revoking their Dance Permit.

**CONTACT:** Lt. Ron Cloward, [Clowardr@modestopd.com](mailto:Clowardr@modestopd.com), and CSO Leslie Rodriguez, [Rodriguezl@modestopd.com](mailto:Rodriguezl@modestopd.com), 572-9679.

**RECOMMENDED COUNCIL ACTION:**

Adopt a resolution denying the appeal of Quality Tymes Corporation, dba Oceans 10 Restaurant, and aka Sin City Nights and upholding the decision of the Police Chief revoking their Dance Permit.

**BACKGROUND:**

On September 25, 2007, the City Council adopted Resolution No. 2007-572 suspending the dance permit of Quality Tymes Corporation, who operates Oceans 10 restaurant. The resolution included language directing the Modesto Police Department to return to the City Council on October 23, 2007 with a full report regarding Sin City's actions during the suspension period. On September 28, 2007, Sergeant Ridenour served the manager, Tony Havens, with a copy of the Council resolution suspending their dance permit for thirty days effective upon service.

**REASONS FOR RECOMMENDATION:**

Multiple violations have occurred during the suspension period. These violations were observed and documented on September 28, 2007, September 29, 2007, October 5, 2007 and October 7, 2007.

The weekend of October 12<sup>th</sup> and 13<sup>th</sup> no violations were observed. Information from the weekend of October 19<sup>th</sup> and 20<sup>th</sup> will be added to the oral communication of this item on October 23.

**EXISTING POLICY / RELATIONSHIP TO STRATEGIC PLAN:**

This action is directly related to Modesto Municipal Section 4-1.413 Revocation of Permit.

**POLICY ALTERNATIVES:**

Council could elect to approve Sin City's appeal.

**FISCAL IMPACTS:**

None.

**INTERDEPARTMENTAL COORDINATION:**

This item has been coordinated with the City Attorney's office.

**PUBLIC PARTICIPATION:**

Public comment was afforded during the City Council's Public Hearing on September 25, 2007.

**ENVIRONMENTAL REVIEW:**

This is not a project. Further environmental review is not required.

**STEPS FOLLOWING APPROVAL:**

If Council denies the appeal, the dance permit of Quality Tymes Corporation will remain revoked.

Prepared By:

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Approved By:

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Roy W. Wasden, Chief of Police

Reviewed By:

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George W. Britton, City Manager

Attachments: Council Resolution  
Letter to Chief dated October 17, 2007  
Dance Permit Conditions

cc: Roy W. Wasden, Chief of Police  
Michael Harden, Assistant Chief of Police  
Gene Balentine, Police Captain  
Joel Broumas, Police Captain  
Michael Zahr, Police Captain  
Ron Cloward, Lieutenant  
Leslie Rodriguez, CSO