CITY OF OAKLAND

AGENDA REPORT

THEED OFFICE OF THE CITY CLERK OFFICEND

2004 DEC - I PM 3: 03

To: Office of the City Administrator

Attn: Deborah Edgerly

From: Police Department

Date: December, 2004

Re: Follow Up Report from the Chief of Police on the Collection of Annual Fees from Deemed Approved Program Participants by the Alcoholic Beverage Action Team (ABAT)

SUMMARY

This report responds to the Committee's request for information on those Deemed Approved Program participants who are delinquent in paying their fiscal year 2004 annual fees.

FISCAL IMPACT

Four hundred and sixteen (416) of the 466 registered participants in the Deemed Approved Program paid their FY 2004 annual fee of \$600, for a total collected amount of \$249,600. Small claims court actions are pending against the 50 delinquent establishments. The court has set hearing dates for January 2005. The outstanding revenue amount is \$30,000. The Revenue Division's Central Collections Section has petitioned for an additional \$100 per location (\$5,000 total) to cover additional administrative costs.

BACKGROUND

Since its inception in 1997, licensed California Alcohol Beverage Control (ABC) establishments enrolled in Oakland's Deemed Approved Program paid an annual fee of \$600. The funds received were used to cover some staff and operating costs. The Police Department General Fund budget assumed all other charges.

During the FY 2003 - 05 mid-cycle budget deliberations, City Council approved increasing the annual fee to \$1,500 per location in order to make the Deemed Approved Program cost neutral. ABAT will assess Deemed Approved participants at the new rate during the next billing cycle. Estimated revenues (with 100% payment compliance) are \$699,000, which is comparable to estimated program costs for vehicles, O&M, special operations, and personnel.

Item: Public Safety Comte. December 14, 2004

KEY ISSUES AND IMPACTS

FY 2004 Delinquent Accounts - Deemed Approved Participants

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874 - 85th Avenue Taiz Market Saeh, Fadhl			•
2808 International Blvd El Gato Negro Carrasco, Sinifred	2808 International Blvd	El Gato Negro	Carrasco, Sinifred

Item: _____ Public Safety Comte. December 14, 2004

Premise Address

900 Market Street 1000 - 18th Street 131 Broadway 1501 - 34th Street 1950 San Pablo Avenue 2201 - 14th Avenue 259 - 10th Street 3420 Fruitvale Avenue 3827 E. 12th Street 4005 MacArthur Blvd 5316 College Avenue 619 - 98th Avenue 6400 Shattuck Avenue 893 Willow Street 9786 Edes Street

Doing Business As (DBA)

GateWay Foods Oakland Mkt Bluesville Yemen Mkt A & C Club JLJ Market Good Luck Super Mkt Albertson's Apple Market SeaGull Mkt Rockridge Liquors Greer's Liquor Nic Nak Liquors United Market Brookfield Discount

Registered Owner

GateWay Food Co Saleh, Mosaed Lau, Garry Binali, Mohamed Dean, Nur Ali Graham, Jerlean Chuong, Muoi Albertson's Inc Cockrell, Evelyn F Tran, Thu B Slameh, Reyad Murched, Ahmed Pannell, A. Saleh, Maeen H Murched, Ahmed

Deemed Approved Participants

All of Oakland's bars (70) and liquor stores (368) participate in the Deemed Approved program. In addition, 28 full-service restaurants located on certain restricted streets are also part of the program. There are 466 establishments enrolled.

SUSTAINABLE OPPORTUNITIES

<u>Economic</u>

When performing site visits, ABAT personnel check to ensure that participating establishments possess current business licenses. As retail establishments, they contribute to the City's tax revenue base.

<u>Environmental</u>

No environmental opportunities were identified.

Social Equity

One of ABAT's main functions is to work with alcohol beverage establishments to ensure that they do not negatively impact the quality of life in local neighborhoods.

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DISABILITY AND SENIOR CITIZEN ACCESS

There are no ADA or senior citizen access issues contained in this report.

RECOMMENDATION

Staff recommends acceptance of this follow up report on the ABAT Unit's Deemed Approved Program collection efforts.

Respectfully submitted,

Richard L. Word Chief of Police

> Prepared by: Jacob Graef, MPA Admin. Analyst II/Planner II ABAT Unit, Vice/Narcotic Section Bureau of Field Operations

APPROVED AND FORWARDED TO THE PUBLIC SAFETY COMMITTEE:

Office of the City Administrator

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