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OAKLAND CITY COUNCIL

RESOLUTION No. 76024.7 C.M.S.

ORIGINAL

INTRODUCED BY COUNCILMEMBER _____

**A RESOLUTION DELEGATING TO THE CITY MANAGER
AUTHORITY TO REQUEST, WHEN APPLICABLE,
PURSUANT TO SECTION 23800(e) OF
THE CALIFORNIA BUSINESS AND PROFESSIONS CODE,
THAT THE CALIFORNIA DEPARTMENT OF ALCOHOL AND BEVERAGE CONTROL (ABC)
IMPOSE CONDITIONS UPON LIQUOR LICENSES THAT ARE BEING TRANSFERRED**

WHEREAS, the Oakland City Council places the utmost importance on a safe, clean and healthy environment for its citizens;

WHEREAS, irresponsibly operated alcohol outlets can hurt community pride and safety, as evidenced by arrest records, community complaints and other data;

WHEREAS, Sec. 23800(e) of the Business and Professions Code has been amended to permit a "local governing body or its designated subordinate officer or agency" to request the imposition of conditions upon a liquor license, at the time of its transfer, when such would mitigate problem at or in the immediate Vicinity of the premises;

WHEREAS, Sec. 23800(e) requires that a request for conditions be received by the California Department of Alcohol and Beverage Control (ABC) within 30 days of the filing of a liquor license transfer application;

WHEREAS, the City Manager is a subordinate office to the City Council and can meet the time lines and design effective conditions pursuant to the terms of Sec. 23800(e);

RESOLVED, that the City Council, as the governing body of the City of Oakland, delegates to the City Manager or his designee the authority to request, under Sec. 23800(e), the imposition of conditions on liquor licenses being transferred.

RESOLVED, that the delegation of *this* authority shall remain in place until such **time** as the City Council acts to modify or rescind said delegation.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT - 3 2000, 19 ____

PASSED BY THE FOLLOWING VOTE:

AYES-BRUNNER, CHANG, PRESIDENT DE LA FUENTE, MILEY, NADEL, REID, SPEES, WAN- *8*

NOES- *None*

ABSENT- *None*

ABSTENTION- *None*

EXCIJSED- *None*

ATTEST *[Signature]*
CED FLOYD
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA