

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 DEC - 1 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

| <u>Premise Address</u> | <u>Doing Business As (DBA)</u> | <u>Registered Owner</u> |
|-------------------------------|--------------------------------|-------------------------|
| 10729 MacArthur Blvd | Bruce Liquors | Chon, James |
| 10808 Bancroft Avenue | Leon's Market | Pollayil, Das Leon |
| 1450 Eighth Street | Cooper Bros Mkt | Cooper, Freddie L |
| 1466 High Street | Clem Daniels End Zone | Clem Daniels Inc |
| 1624 Peralta Street | Danny's Liquors | Hussein, Adnan |
| 201 Washington Street | The Fat Lady | Rossi, Gerald |
| 2286 - 35th Avenue | Queen of Sheba | Ahmed, Ahmed H |
| 3015 - 38th Avenue | Tea Cakes & Janet | Ezell, Janet |
| 3015 - 38th Avenue | Tea Cakes & Janet | Ezell, Janet |
| 320-334 Broadway | On Broadway | Clewis, Charles F |
| 355 - 19th Street | C & I Cocktail Lounge | Jackson, Ivy M |
| 363 Grand Avenue | Grand Express Mkt | Bali, Ram Prakash |
| 375 Ninth Street | New Dick's Super Mkt | Lam, Nam |
| 3820 Telegraph Avenue | Choice Liquors | Mohamed, Abraham |
| 3828 Foothill Blvd | Foothill Discount | Mohamed, Moufeed |
| 3917 Telegraph Avenue | Dori's 21 | Blackmon, Doris |
| 401 Second Street | Merchant's Saloon | Jackson, Patricia |
| 428 Third Street | Phoenix Bar | McDermott, Phuong |
| 4301 Telegraph Avenue | Connolly's | Heier Pickel Inc |
| 4318 Martin Luther King Jr Wy | Tea Cakes | Jackson, Willie |
| 441 - 443 Ninth Street | New Saigon Super Mkt | To, Hue |
| 5001 Bancroft Avenue | Bancroft Liquors | Saeed, Mohsen |
| 5352 College Avenue | McNally's Irish Pub | Cahill, Sean |
| 5921 Foothill Blvd | Rumors | Butler, Freddie |
| 5947 MacArthur Blvd | MacArthur's Liquor | Alghazali, Adel |
| 6310 Market Street | M & B Market | Mohamed, Naser |
| 6363 Telegraph Avenue | Alcatel Bottle Shop | TK Lanacorp |
| 6600 Foothill Blvd | Sekhon Gas Station | Sekhon, Mandeep |
| 6651 Bancroft Avenue | United Market | Alharbi, Nasser |
| 7210 Bancroft Avenue | Eastmont 76 | Singh, Rajinder K |
| 8138 MacArthur Blvd | Joseph's Liquor | Alabi, Joseph |
| 8144 MacArthur Blvd | Oak Knoll Club | Alabi, Esther |
| 8433 International Blvd | Oakland Super Mkt | Harbi, Abdo |
| 874 - 85th Avenue | Taiz Market | Saeh, Fadhil |
| 2808 International Blvd | El Gato Negro | Carrasco, Sinifred |

| <u>Premise Address</u> | <u>Doing Business As (DBA)</u> | <u>Registered Owner</u> |
|------------------------|--------------------------------|-------------------------|
| 900 Market Street | GateWay Foods | GateWay Food Co |
| 1000 - 18th Street | Oakland Mkt | Saleh, Mosaed |
| 131 Broadway | Bluesville | Lau, Garry |
| 1501 - 34th Street | Yemen Mkt | Binali, Mohamed |
| 1950 San Pablo Avenue | A & C Club | Dean, Nur Ali |
| 2201 - 14th Avenue | JLJ Market | Graham, Jerlean |
| 259 - 10th Street | Good Luck Super Mkt | Chuong, Muoi |
| 3420 Fruitvale Avenue | Albertson's | Albertson's Inc |
| 3827 E. 12th Street | Apple Market | Cockrell, Evelyn F |
| 4005 MacArthur Blvd | SeaGull Mkt | Tran, Thu B |
| 5316 College Avenue | Rockridge Liquors | Slameh, Reyad |
| 619 - 98th Avenue | Greer's Liquor | Murched, Ahmed |
| 6400 Shattuck Avenue | Nic Nak Liquors | Pannell, A. |
| 893 Willow Street | United Market | Saleh, Maeen H |
| 9786 Edes Street | Brookfield Discount | 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

Economic

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.

Environmental

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.

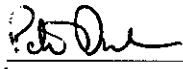
DISABILITY AND SENIOR CITIZEN ACCESS

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.

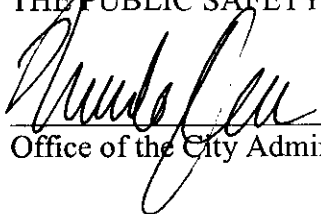
Respectfully submitted,



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

Item: _____
Public Safety Comte.
December 14, 2004