



County of Fresno
Board of Supervisors
Minute Order

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August 7, 2018

Present: 5 - Vice Chairman Andreas Borgeas, Supervisor Nathan Magsig, Supervisor Buddy Mendes, Supervisor Brian Pacheco, and Chairman Sal Quintero

Agenda No. 7.

Administrative Office

File ID: 18-0788

Re: Consider and take action on request for determination of public convenience or necessity on application for Alcoholic Beverage License Type 21 filed by Alwajih Enterprise, Inc., DBA Cargo Mart, located on 20952 S Elm Ave., Laton, CA 93242

A MOTION WAS MADE BY SUPERVISOR MENDES, SECONDED BY SUPERVISOR MAGSIG, TO APPROVE REQUEST FOR DETERMINATION. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions: This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

ALWAJIH ENTERPRISE, INC.

2. PREMISES ADDRESS (Street number and name, city, zip code)

20952 S ELM AVE, LATON, CA 93242-9404

3. LICENSE TYPE

21

4. TYPE OF BUSINESS

- | | | | |
|---|--|---|--|
| ☐ Full Service Restaurant | ☐ Hofbrau/Cafeteria | ☐ Cocktail Lounge | ☐ Private Club |
| ☐ Deli or Specialty Restaurant | ☐ Comedy Club | ☐ Night Club | ☐ Veterans Club |
| ☐ Cafe/Coffee Shop | ☐ Brew Pub | ☐ Tavern: Beer | ☐ Fraternal Club |
| ☐ Bed & Breakfast: | ☐ Theater | ☐ Tavern: Beer & Wine | ☐ Wine Tasting Room |
| ☐ Wine only ☐ All | | | |
| ☐ Supermarket | ☐ Membership Store | ☐ Service Station | ☐ Swap Meet/Flea Market |
| ☐ Liquor Store | ☐ Department Store | ☐ Convenience Market | ☐ Drive-in Dairy |
| ☐ Drug/Variety Store | ☐ Florist/Gift Shop | ☒ Convenience Market w/Gasoline | |
| ☐ Other - describe: | | | |

5. COUNTY POPULATION

995,975

6. TOTAL NUMBER OF LICENSES IN COUNTY

n/a

☐ On-Sale ☐ Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1088

☐ On-Sale ☒ Off-Sale

8. CENSUS TRACT NUMBER

74

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

3

☐ On-Sale ☒ Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

4

☐ On-Sale ☒ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- ☒ Yes, the number of existing licenses exceeds the number allowed
- ☐ No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- ☐ Yes (Go to Item #13)
- ☒ No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- ☐ Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- ☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- ☐ a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- ☐ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- ☒ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FRESNO COUNTY BOARD OF SUPERVISORS

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE	23. DATE SIGNED
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PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☐ Yes	☐ No	☒ See Attached (i.e., letter, resolution, etc.)
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25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME Sal Quintero	27. CITY/COUNTY OFFICIAL TITLE Chairperson, Board of Supervisors	28. CITY/COUNTY OFFICIAL PHONE NUMBER 559-600-3000
29. CITY/COUNTY OFFICIAL SIGNATURE 		30. DATE SIGNED 8-7-2018

ABC-245 REVERSE (rev. 01-11)

ATTEST:
BERNICE E. SEIDEL
Clerk of the Board of Supervisors
County of Fresno, State of California

By Susan Bishop
Deputy