



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

August 19, 2009

Mr. Vincent Cravens
District Administrator
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite No. 250
Lakewood, California 90712

Re: Application of Oscar Olaf Cuellar, dba El Picosito Restaurant for an Original Alcoholic Beverage Control License at 5140 Long Beach Boulevard

Dear Mr. Cravens:


Please be advised that the Long Beach City Council, at its meeting held August 18, 2009, approved the request of Councilwoman Rae Gabelich, Eighth District, that the subject application be protested based on:

- 1) High crime.
- 2) Residences within 100 feet.
- 3) School within 600 feet.

Enclosed is a copy of the City Council documentation and a certified excerpt of the minutes for your file.

The City of Long Beach thanks you for taking this request into consideration.

Respectfully submitted,


LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachments

Cc: Councilmember Rae Gabelich, Eighth District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

POLICE DEPARTMENT

400 WEST BROADWAY • LONG BEACH • CALIFORNIA 90802 • (562) 570-7260 • FAX (562) 570-7114

~~R-18~~

UB-25

ANTHONY W. BATTS
Chief of Police

August 11, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Oscar Olaf Cuellar, dba El Picosito Restaurant, for an original Alcoholic Beverage Control license, at 5140 Long Beach Boulevard, with conditions. (District 8)

DISCUSSION

It is City Council policy to review applications for Alcoholic Beverage Control licenses to determine if a basis for protest against the issuance of the license exists. The attached application lists the possible bases for protest.

TIMING CONSIDERATIONS

City Council response is due to the Department of Alcoholic Beverage Control by August 14, 2009. Accordingly, City Council action is required at the August 11, 2009 City Council meeting.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ANTHONY W. BATTS
CHIEF OF POLICE

APPROVED:

PATRICK H. WEST
CITY MANAGER

AWB:DBS:dbs
attachments

ADMINISTRATION BUREAU
(562) 570-5830
FAX (562) 570-5833

INVESTIGATIONS BUREAU
(562) 570-7350
FAX (562) 570-7175

PATROL BUREAU
(562) 570-7214
FAX (562) 570-7058

SUPPORT BUREAU
(562) 570-7342
FAX (562) 570-6018

HONORABLE MAYOR AND CITY COUNCIL
August 11, 2009

Council District: 8

Applicant: Oscar Olaf Cuellar
DBA: El Picosito Restaurant
Address: 5140 Long Beach Boulevard

Type of Application: An original application for an On-Sale Beer and Wine for bonafide eating place license.

Bases for possible protest: High crime.
School within 600 feet.
Residences within 100 feet.

PUBLIC CONVENIENCE DETERMINATION: A determination by the City of public convenience and necessity **is not** required for this application.

Census Tract: 5717.01

Boundaries: Market Street to the North
Union Pacific Railroad to the South
Atlantic Avenue/Carmelitos housing development to the East
Cedar Avenue/Long Beach Boulevard to the West

Number of licenses allowed: 6
Number of licenses existing: 4

Police Reporting District: 233

Boundaries: Market Street to the North
Del Amo Boulevard to the South
Locust Avenue to the East
Long Beach Boulevard to the West

Reported crimes in this district for ABC purposes are 334. Crime in a reporting district must be at least 191 to qualify for a high crime protest.

Type of business: A restaurant.

Last day to request

Conditions and protest: August 14, 2009



Date: August 11, 2009
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **EL PICOSITO RESTAURANT, 5140 LONG BEACH BOULEVARD**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (07/16/08-07/16/09)

1	Dispute	Dispute Call	Advised
1	Fight	Fight Call	Advised

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

18 East Morningside Street	Multi-Unit Complex
34 East Morningside Street	Single Family Dwelling
35 East Morningside Street	Single Family Dwelling
17 East Sunset Avenue	Multi-Unit Complex
21 East Sunset Avenue	Single Family Dwelling

CHURCHES, SCHOOLS, PARKS, HOSPITALS AND PLAYGROUNDS WITHIN 600 FEET

5075 Long Beach Boulevard	Dooley Elementary School
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DBS:dbs
cfs.memo

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, AUGUST 18, 2009**

UNFINISHED BUSINESS: (6:15 PM)

25. (09-0813) Recommendation to receive and file the application of Oscar Olaf Cuellar, dba El Picosito Restaurant, for an original Alcoholic Beverage Control License, at 5140 Long Beach Boulevard, with conditions. (District 8)

Suggested Action: Approve recommendation.

Councilwoman Gabelich spoke.

Motion: That a protest be filed with ABC Department based on high crime, residences within 100 feet, and a school within 600 feet.
Moved by Gabelich, seconded by Andrews.

Vote: That a protest be filed with ABC Department based on high crime, residences within 100 feet, and a school within 600 feet. (Carried 8-0)
Yes: Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich, and Lerch.
Absent: Garcia.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH *n. drutt*

DATE: August 19, 2009