

**RESOLUTION 2023-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA  
DESIGNATING THE POLICE CHIEF AND, IN HIS ABSENCE, THE CITY MANAGER  
TO MAKE DETERMINATIONS OF PUBLIC CONVENIENCE OR NECESSITY FOR  
PERSONS OR PREMISES APPLYING FOR CERTAIN ALCOHOL BEVERAGE  
CONTROL LICENSES WITH THE CITY**

**WHEREAS**, the City of Fortuna, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, pursuant to Section 23958.4 of the Business and Professions Code, with respect to certain Alcohol Beverage Control Licenses, the Department of Alcohol Beverage Control (“ABC”) may issue such licenses if the local governing body, or its designated subordinate officer, determines that issuance of the license would serve a public convenience or necessity; and

**WHEREAS**, pursuant to this Resolution, the City Council desires to appoint the Police Chief and, in his or her absence, the City Manager, to make determinations as to whether the issuance of the license would serve a public convenience or necessity; and

**WHEREAS**, if the City Council does not designate itself or a subordinate officer, the determination as to public convenience or necessity would vest with ABC.

**NOW, THEREFORE, the City Council of the City of Fortuna does hereby resolve as follows:**

1. The Police Chief of the City of Fortuna is authorized to make determinations as to whether the issuance of applicable Alcohol Beverage Control Licenses would serve a public convenience or necessity; and
2. If the event of a vacancy of the position of Police Chief, the City Manager is appointed to make such determinations.
3. The City Clerk is directed to send notice of this determination to the Department of Alcohol Beverage Control.

**PASSED and ADOPTED** at a regular meeting of the City Council of the City of Fortuna, California, on this 6<sup>th</sup> day of March 2023 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Tami Trent, Mayor

ATTEST:

\_\_\_\_\_  
Siana Emmons, City Clerk