



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

H-2

333 West Ocean Blvd • Long Beach, California 90802

January 5, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California
RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions on the application of MCK & Company LLC, DBA Cat Man Blu, 51 S. Pine Avenue, for Entertainment Without Dancing by Patrons. (District 2)

DISCUSSION

The Long Beach Municipal Code (LBMC) requires an application be filed and a hearing be held before the City Council whenever this type of activity is requested and before an entertainment permit is granted or denied.

The LBMC also requires that the City Council make a determination that the permit application is complete and truthful; the applicant and the officers and trustees of the entity are law-abiding persons who will operate and conduct the business activity in a lawful manner; and that public peace, welfare and safety will not be impaired. If this is so, the application shall be approved, a short-term entertainment permit shall be approved, or the application shall be denied.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Entertainment Permit, with or without conditions; or, 3) deny the Permit on the application.

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, the business ownership and permit history, and the entertainment permit application.

The following summarizes departmental findings:

- The Police Department recommends that the permit for entertainment without dancing by patrons be approved with conditions.
- The Fire Department finds that the building/location meets department requirements for the proposed use.

- The Health and Human Services Department finds that the building/location meets department requirements for the proposed use with the condition that the establishment remain in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- The Development Services Department finds that the building/location meets department requirements for the proposed use.

The Department of Financial Management, Business Relations Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment without dancing by patrons be approved as a One-Year Short-Term Permit subject to the standard entertainment conditions of the Downtown Dining and Entertainment District (attached).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant since December 2004.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on December 16, 2009.

TIMING CONSIDERATIONS

The hearing date of January 5, 2010, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

FISCAL IMPACT

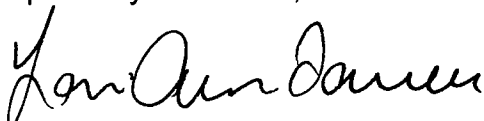
The following fees were collected with the application: Building Review \$20 and Zoning Review \$14 (Development Services Department), Police Investigation \$1,125 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$320.70 and Regulatory \$273 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:


PATRICK H. WEST
CITY MANAGER



Recommended Conditions of Operation
MCK & Company, LLC DBA Cat Man Blu, 51 S. Pine Ave
Application for Entertainment without Dancing

- 1) Indoor entertainment and outdoor non-amplified entertainment that otherwise conforms with the requirements of state and local laws and regulations may be offered pursuant to permit until 2 a.m., seven days a week.

Outdoor amplified entertainment is prohibited during the period of the pilot program, except for rooftop entertainment that was permitted at the time of the creation of this pilot program, or except in conjunction with a special events permit.

- 2) Each holder of an existing entertainment permit within the entertainment district and each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, attend a permit orientation session conducted by or at the direction of the City. Each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control.
- 3) The permittee shall comply with all applicable laws, regulations, ordinances and stated conditions. It is the intent of the City that each permittee make his or her own business decisions as to how to implement compliance; however, if the permittee fails to comply with the conditions of this permit, or if his or her operations result in excessive police service as defined below, the permittee will be required to operate under the more restrictive conditions described in Attachment "B" and made a permanent part of this permit without further hearing.
- 4) The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each permittee and promoter conducting business within the City of Long Beach must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation
- 5) The operation of the establishment shall be limited to those activities expressly indicated on the entertainment permit application and approved by the City Council. Any change in the operation that exceeds the conditions of the approved permit will require approval by City Council.

- 6) The permittee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." Permittee shall conduct all aspects of his or her operation, including before and after-hours deliveries and maintenance, in consideration of residences located nearby. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be audible from the middle of the street adjoining the premises.
- 7) No adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises. The permittee shall not allow, permit, procure, or encourage, anyone to expose male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
- 8) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320)
- 9) Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public. In the event of a conflict on this issue between the requirements of this permit and any permit issued by the Alcoholic Beverage Commission, the more stringent regulation shall control.
- 10) The permittee shall be responsible for maintaining an adequate security staff to supervise patrons and those waiting to enter. Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. For up to fifty (50) people inside (or in a defined queue waiting to enter) an establishment, the permittee shall provide a minimum of one (1) uniformed licensed security guard per floor. There shall be one additional guard for each subsequent increment or each partial increment of 50, plus one guard per each additional floor. (Example: a one-story establishment with 75 patrons present must have two guards. A two-story establishment with 75 patrons present must have three guards.) Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. The Chief of Police may relax these staffing levels during daylight hours, or during hours in which the primary activity in the establishment is dining, if he determines that a lower level of security staffing is consistent with the protection of public health and safety.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other clearly-visible form of identification.

- 11) If an establishment is licensed as a restaurant, all entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a private function held at a bona fide eating-place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks and hors d'oeuvres shall not constitute a complete and substantial meal. Taverns are not subject to this requirement.
- 12) Persons under eighteen (18) years of age shall not be permitted to enter nor permitted to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.
- 13) The permittee shall establish a program to discourage loitering and littering outside any of the entrance/exit doors at all times open for business. This should be done by use of security guards and/or signs near all exits that encourage patrons to "respect our neighbors" and the provision of trash receptacles.
- 14) At the conclusion of each event and at closing time, the permittee's staff shall remind patrons to refrain from loitering in the immediate area, littering or making excessive noise. Patrons should be reminded to use trash receptacles and to walk directly and quietly to their cars or other transportation.
- 15) The permittee shall not distribute, post or attach, and shall be responsible for ensuring that its promoters and or agents do not distribute, post or attach, advertising matter on public property or on any vehicle on public property.
- 16) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the permittee shall be removed or painted over within 24 hours of being applied.
- 17) When the Chief of Police determines that excessive police services are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations, the cost of such services shall be billed to the permittee as an expense of an emergency response. "Expense of an emergency response" means those costs incurred by the City of Long Beach in making any appropriate emergency response to the incident, and shall be comprised of all costs directly arising because of the response to the particular incident, including, but not limited to, the costs of providing police, firefighting, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident."

Attachment B

Tiered Conditions

This page contains progressively more stringent regulations on entertainment and related activities in the Dining and Entertainment District. By applying for a permit, the applicant agrees to the conditions contained here and understands that he or she is not entitled to a public hearing if these conditions are applied. The City Council may add further conditions not listed here, or revoke the permit, if the permittee does not comply with the conditions imposed in this permit.

The conditions on this attachment do not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.

Tier 1 Conditions:

Permittee may have entertainment on the premises during the maximum hours permitted in the district, consistent with ABC requirements and conditions imposed under a Conditional Use Permit. As long as the primary requirements for safety and noise are met (Conditions 1-17), Permittee may choose the methods of meeting those requirements.

Noncompliance with Tier 1 conditions: when the Chief of Police determines that Permittee has violated the terms of the permit, including the Permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to Permittee's operation, Permittee will be asked to attend a meeting with the involved departments, pilot program area residents and businesses, and other interested persons to address community concerns and discuss how the implementation of Tier 2 Conditions can be avoided.

Tier 2 Conditions:

Noise:

Following the receipt of 3 or more noise complaints that require a response by the Police Department within a 30-day period and which are found to violate the "middle of the street" standard for noise, Permittee will be notified that his or her premises must comply with those Tier 2 Noise Conditions which the Chief of Police determines are necessary to protect the public peace and to comply with the City's noise ordinance, from among the following list:

---Permittee must keep all doors and windows closed except while patrons are entering or exiting.

---Meet with Health Department staff to discuss best practices to be implemented to mitigate noise.

---No outdoor entertainment of any kind will be permitted after 10 p.m.

--- No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.

Security/Public Safety:

For the purposes of this section, an “incident” means a complaint or occurrence that requires a police or Fire Marshal response to Permittee's premises due to Permittee's noncompliance with the terms and conditions of the Entertainment Permit. Following 3 or more incidents within a 30-day period, the Chief of Police or Fire Marshal will notify Permittee of additional measures and conditions to be implemented. These additional measures will be some or all of the following:

--- Additional security personnel at hours determined necessary by the Chief of Police to prevent Permittee's operations from creating a public nuisance.

--- Additional security checks on incoming patrons.

---No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.

---Any additional measures deemed necessary by the Chief of Police or the Fire Marshal to protect health and safety.

NOTE: upon the request of a permittee who has been required to implement Tier 2 conditions, the Chief of Police, in consultation with the Fire Marshal and the Health Department, shall review the permittee's recent compliance history and determine whether some or all conditions can be returned to Tier 1 levels consistent with the protection of public health and safety.

Tier 3 Conditions:

The failure of a permittee to resolve noise and/or security/public safety issues as directed by the Chief of Police or the Fire Marshal within a reasonable period, not to exceed 30 days in any case, shall result in the implementation of Tier 3 conditions:

Noise:

---No outdoor entertainment of any kind will be permitted at any time.

---Only non-amplified entertainment will be permitted at any time OR amplified entertainment will only be permitted until 10 p.m. any night.

--Contain all noise within the premises. No noise audible outside the establishment.

---Implement Health Department recommendations to mitigate noise. Provide pre- and post-implementation monitoring data collected by a certified noise expert approved by the Health Department.

Security/Public Safety:

---The establishment must cease entertainment not later than 10 p.m. on Sunday through Wednesday nights and no later than midnight on Thursday through Saturday nights. The Chief of Police is authorized to make adjustments of up to one hour in these times to protect the public peace.

RECOMMENDED CONDITIONS OF OPERATION

APPLICATION FOR ENTERTAINMENT WITHOUT DANCING—MCK & COMPANY, LLC DBA CAT MAN BLU

51 S. PINE AVE

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---Permittee shall limit the queue outside the establishment to no more than 20 people. There shall be no queue within 2 hours of the lawful closing time. Any persons gathering outside the establishment shall be considered to be loitering.

---Any additional measures determined necessary by the Chief of Police or the Fire Marshal to protect health and safety.

If the City determines that Permittee has not modified his or her operations in compliance with Tier 3 conditions and Permittee continues to fail to comply with the terms and conditions of the Entertainment Permit, the City shall begin revocation or suspension proceedings. Permittee is entitled to a hearing to contest such revocation or suspension.



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

Attached for your review and action is an application for MCK & Company LLC, DBA Cat Man Blu. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

SUBMITTED FOR CITY COUNCIL ACTION

	<u>Without Concern</u>	<u>With Conditions</u>	<u>With Concerns</u>
Police Department		X	
Fire Prevention Bureau	X		
Health and Human Services Department/Noise Control		X	
Development Services Department	X		

Questions concerning the above may be directed to the following:

Police Department, Chief of Police	570-7301
Fire Department, Fire Prevention Bureau	570-2500
Health and Human Services Department, Noise Control.....	570-4130
Development Services Department.....	570-6623

Compiled by: Department of Financial Management
Business Relations Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-5700 • Fax (562) 570-6867

BUSINESS RELATIONS BUREAU

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 51 S Pine Avenue

M C K & Company LLC
DBA Cat Man Blu
Lic#20933670
09/09 – Pending

Entertainment Without Dancing

M C K & Company LLC
DBA Cat Man Blu
Lic#20926290
07/09– Active

Restaurant With Alcohol

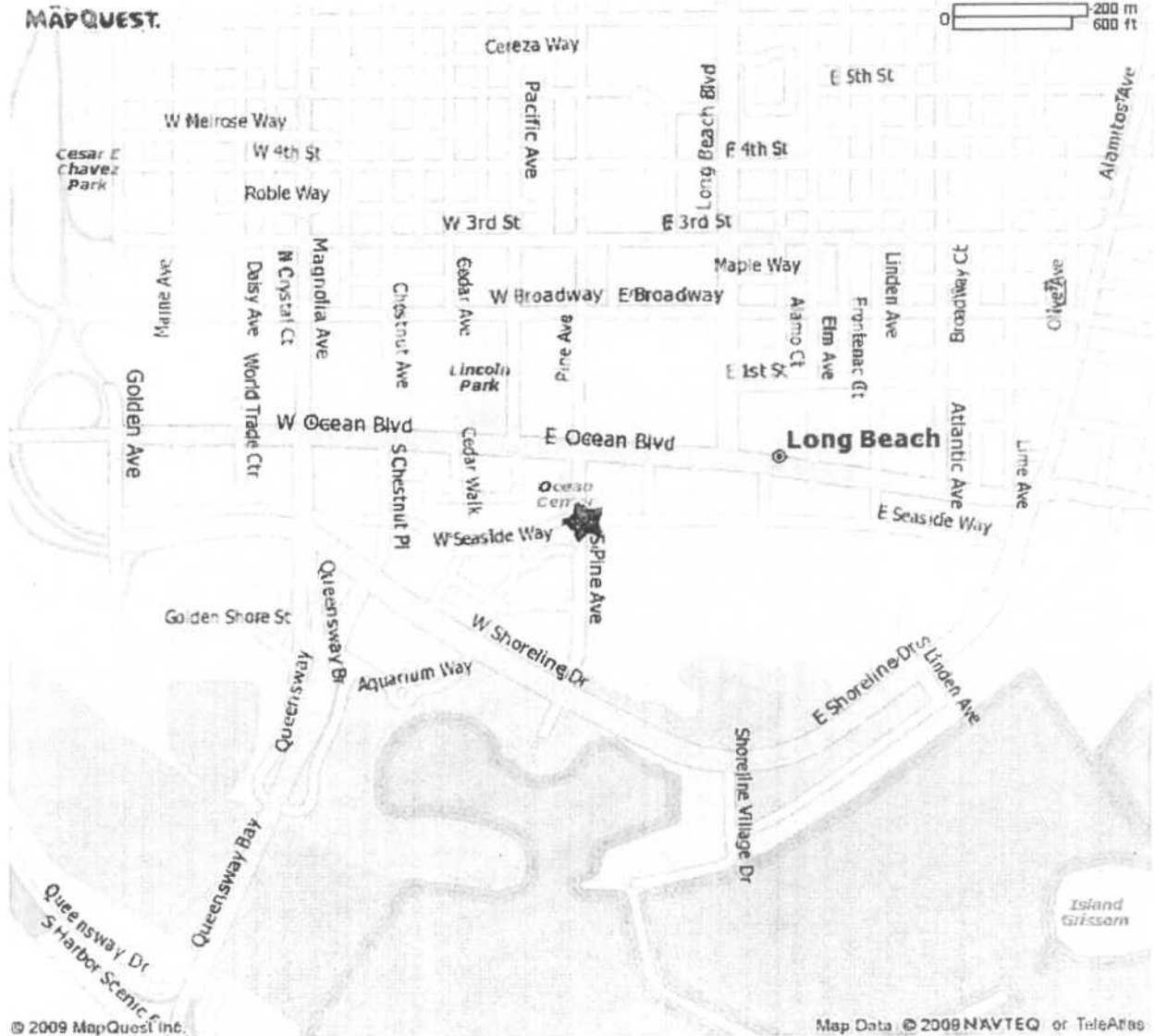
M C K & Company LLC
DBA: Casa Vino Wine Bar
Lic#20629780
11/06 – 01/09

Entertainment Without Dancing

M C K & Company LLC
DBA: Casa Vino
Lic#20461920
12/04 – 07/09

Restaurant With Alcohol

Cat Man Blu



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CITY OF LONG BEACH BUSINESS LICENSE APPLICATION
 Fourth Floor, City Hall
 333 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov
 (562) 570-6211

GENERAL INFORMATION						
OWNER'S NAME (or corporate name, partnership name, or partners) <u>Yesenia Hernandez MCK & Company LLC</u>		DRIVER'S LICENSE NUMBER [REDACTED]	STATE [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		
BUSINESS NAME (D.B.A) <u>CAT MAN BLU</u>		TYPE OF BUSINESS (Be specific) <u>Entertainment without dancing</u>		HOME OCCUPATION <input type="checkbox"/>		
BUSINESS ADDRESS <u>51 S. PINE AVE</u>	STREET <u>LB.</u>	CITY <u>CA</u>	STATE <u>90802</u>	ZIP <u>562-216-1590</u>	AREA CODE/TELEPHONE	
BILLING ADDRESS (if different)		STREET	CITY	STATE	ZIP	
RESIDENCE ADDRESS (if different)		STREET	CITY	STATE	ZIP	
LIST OF PRINCIPAL OFFICERS' OR PARTNERS' NAMES AND RESIDENTIAL ADDRESSES (IF MORE, PLEASE ATTACH A LIST)				TITLE	% OWNERSHIP	
<u>Yesenia Hernandez</u>				<u>President</u>	<u>100%</u>	
[REDACTED]				TITLE	% OWNERSHIP	
<input type="checkbox"/> New Business <input type="checkbox"/> Address Change <input checked="" type="checkbox"/> Ownership Change <input type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> LLP <input checked="" type="checkbox"/> LLC						
BUSINESS OPERATIONS INFORMATION						
START DATE <u>4-10-09</u>	NO. OF EMPLOYEES <u>2</u>	NO. OF VEHICLES <u>0</u>	FEDERAL TAX ID. NUMBER [REDACTED]	SALES TAX (SELLER'S PERMIT) NUMBER [REDACTED]		
Does your business have a Calif State Lic? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		STATE LICENSE NUMBER	CLASSIFICATION(S)	RENEWAL DATE		
FOOD/ALCOHOL/TOBACCO/ENTERTAINMENT			SERVICES/CONTRACTING			
Do you plan to sell or serve food? (including pre-packaged) <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			Will you offer massage, tanning, body-wrap, escort or other similar personal services? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
If serving food, how many seats?: <u>193</u>			Will you provide a towing service? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
Do you plan to sell wholesale food? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			Will you engage in fund raising? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
Do you plan to sell or serve alcoholic beverages? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			Will you deal in coins, stamps, firearms, jewels, or second-hand property? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
If yes, ABC License number: <u>415153</u>			BUILDING AND FACILITY INFORMATION			
Does your business involve amusement machines, video games, vending machines, jukebox and/or pool tables? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			Property Owner's Name: _____			
How many: _____ Type: _____ Owner: _____			Business sq. ft.: <u>1200</u> Warehouse on site? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
Do you plan to sell tobacco products or tobacco paraphernalia? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			Do you: <input type="checkbox"/> Own or <input checked="" type="checkbox"/> Rent/Lease your business property?			
Will you have: <input type="checkbox"/> Music <input type="checkbox"/> Dancing <input type="checkbox"/> Performers <input type="checkbox"/> Adult Entertainment			Does your business require construction and/or remodeling? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
HAZARDOUS MATERIALS/MEDICAL WASTE						
			Will you use, store, or transport chemicals (new or waste state)? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
			Will you manage or produce bio-hazardous materials or waste? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
ACKNOWLEDGEMENT						
I understand that before I can operate my business in Long Beach, my establishment must comply with applicable City departmental laws and regulations completely and obtain a business license or I will be in violation of L. B. M. C., Section 3.80. I declare, under penalty of perjury, that I am authorized to complete this application. To the best of my knowledge and belief, the provided information and statements are true and correct.						
<ul style="list-style-type: none"> • SIGN and return this statement with your remittance. • Make checks payable to City of Long Beach 						
OWNER(S) OR AUTHORIZED AGENT						
Signature	[Signature]	Date	<u>7/14/09</u>	PRINT NAME/TITLE	<u>Yesenia Hernandez</u>	
Signature		Date		PRINT NAME/TITLE		
DO NOT WRITE BELOW THIS LINE						
Inspection(s):	<input type="checkbox"/> Bldg	<input type="checkbox"/> Fire	<input type="checkbox"/> Health	<input type="checkbox"/> HazMat	<input type="checkbox"/> PD	<input type="checkbox"/> Other
Basic Tax	\$ _____		Prev Use: <u>Restaurant</u> Exp Date: _____			
Employees	# _____ @ _____	\$ _____ = _____	Prev Lic: _____			
Vehicles	# _____ @ _____	\$ _____ = _____	Exp Date: _____			
Other	# _____ @ _____	\$ _____ = _____	District: <u>05</u>			
PIA			CR# <u>00508</u>			
PIA Employees	# _____ @ _____	\$ _____ = _____	SIC: <u>5813</u>			
Regulatory Investigation			Entered Date: <u>8/2/09</u>			
Misc. Fees			Date: <u>8/2/09</u>			
Sub Total			20933070			
Zoning			BU			
Building Review						
Total						
			Zoning Review <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A By: _____ Date: _____ <input type="checkbox"/> New construction <input type="checkbox"/> Reuse Zone: <u>PD-6</u> Comments: <u>Heads-Entertainment</u> <u>Not Dancing</u>			

NOTE: THIS IS NOT A BUSINESS LICENSE: DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY CONTACTING (562) 570-6211



Accepted By: <u>Pre-OK AK</u>	Date: <u>9-2-09</u>
Zoning Approval By: <u>[Signature]</u>	Date: <u>9-2-09</u>

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): McK & Company LLC
 Business Name (DBA): CAT MAN BLU Business Phone: 562 216-1590
 Business Site Address: 51 S. PINE AVE L.B., CA 90802
 Date Business Proposes To Open: 7/10/09
 Days & Time Premises Are Open For Inspection: Tues - Sunday 11 A.M - 2 AM

Proposed Use(s):

- Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Live Entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Ysenia of ANDREZ
 Contact Person(s) Phone Number: (562) 216-1590

Type of Organization:

- Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC Other, explain: _____

OFFICE USE ONLY	
<input type="checkbox"/> Building	<input type="checkbox"/> Fire <input type="checkbox"/> Health (Check Inspecting Department) Date Received: _____
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use.	
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use subject to the following conditions: _____ _____	
<input type="checkbox"/> Building/Location does not meet Department requirements for the proposed use. Inspection Completed On (date): _____ By: _____	
POLICE DEPARTMENT	
<input type="checkbox"/> Police Department finds no for basis for denial <input type="checkbox"/> Police Department finds basis for denial	
<input type="checkbox"/> Police Department finds no for basis for denial with conditions	
Conditions or Basis for Denial: _____ _____	
By: _____	Title: _____ Date: _____

GENERAL INFORMATION (All Applicants)

Principal place of business (if other than the address listed on page 1): _____

Fictitious business names(s) or dba(s) used: Mexico to Hollywood LLC YR
CAT MAN BLU

Place and date of filing fictitious business name statement: County of L.A. Calif.
3/16/09

County(ies) in which fictitious name statement is (are) filed: L.A., Calif

Names and address of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of Long Beach:

Yosevia Hernandez [REDACTED]
Andre Bolton [REDACTED]

Name and address of person (agent) authorized to accept service of process in California:

YR ~~NAME~~ Paracorp incorporated 51 5 Pine Ave LB CA 90802

State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which held, and expiration date thereof:

None

Is this applicant a subsidiary of a present corporation or business?
If yes, explain:

YES NO

How long has the corporation or business been in operation?

4/12

Is the location: Owned? Rented/Leased?

If Rented/Leased, state the name and address of property owners:

Name: Ocean LLC

Address: 110 Ocean Ave
L.B. Beach, CA 90802

IF APPLYING AS A PARTNERSHIP

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

MEX & Company LLC.

Percentage of Partnership

Name and residence addresses of *General Partners*:

Interest:

Yesenia Hernandez

[REDACTED]

100 %

%

%

%

Names and residence addresses of *Limited Partners*:

Interest:

%

%

%

%

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:

LA County

7-10-2009

Please Note:

Attach certified copies of *Articles of Partnership* or *Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.

IF APPLYING AS A PARTNERSHIP

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

PRINCIPAL PARTNER I

Name: Yesenia Hernandez Title: Pres
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 51 S. Pine Ave L.B., CA Phone: 562-712-5195
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

PRINCIPAL PARTNER II

Name: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

PRINCIPAL PARTNER III

Name: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

PRINCIPAL PARTNER IV

Name: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

Attach a list for additional partners

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

1. Will liquor be sold or consumed on the premises? YES NO

a. If Yes, complete the following box:

Check one box to indicate License Type

Alcohol Beverage Control License No.

Premises Type: (Club (restaurant) or Commercial (store))

On sale beer

On sale beer and wine

On sale distilled spirits

415153

Restaurant

2. Is a bonafide-eating place provided on the premises? (Bonafide eating place means a place which is regularly used for serving meals for compensation, which has suitable kitchen facilities containing conveniences for cooking an assortment of foods for ordinary meals other than fast foods, sandwiches or salads. The kitchen must contain proper refrigeration for food and must comply with all applicable regulations of the Health and Human Services Department.)

YES NO

a. If yes, list types of food sold:

southern style cooking

b. If no, list any products (such as snacks sold):

3. Are non-alcoholic beverages sold?

YES NO

4. How many tables for seating?

30

5. Are other types of businesses conducted on the premises?

YES NO

a. If yes, list type(s):

6. Are pool tables provided?

YES NO

a. If yes, indicate number:

7. Is there a license for the pool table?

YES NO

a. If yes, license number:

8. Are amusement machine(s) and/or jukebox(es) provided?

YES NO

a. If yes, indicate number and type:

Amusement Machines

Jukebox(es)

9. Is there a license for the amusement machine(s) and/or jukebox(es)?

YES NO

a. If yes, decal number(s):

10. Owner of machine(s) and/or jukebox(es):

Name:

N/A

Address:

Telephone No. ()

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO
 a. If yes, number of security officers: _____
12. Is any other type of security provided? YES NO
 a. If yes, describe type of security: _____

Days and hours security officers or other security will be provided (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	_____						
Security	_____						

13. Will a private security firm be used? YES NO
 a. If yes, provide the following information of the contracted security firm:
- Name: _____ City Business License No.: _____
 Address: _____ Telephone No.: () _____

ADMISSION and/or MEMBERSHIP FEES CHARGED

14. Will minors be allowed on the premises? YES NO
 15. Will the premises be open to the general public? YES NO
 16. Will an admission fee be charged? YES NO

a. If yes, fee schedule: THURS - SAT 9p.m. - 2AM
Fee's Vary Depending on Headliner Act min \$5 - max \$10

17. Is there a private area for exclusive use of members and their guests only? YES NO
 a. If yes, types of membership fees: _____

18. Will guests of members pay an admission fee or other charges? YES NO
 a. If yes, describe the fee schedule and other charges: _____

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

HOURS OF OPERATION

Establishment hours of operation by day (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11 AM	11 AM	11 AM	11 AM	11 AM	11 AM	11 AM
Close	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? Restaurants / club

20. Are there surrounding residences? YES NO

a. Approximately how close? one block west

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available? YES NO

a. If no, what is the street address of the off-premises parking facility? _____

b. Describe the business arrangement made with owner of the parking facility if not part of business premises. (Please attach a copy of parking contract or deed restriction) N/A

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From							
To	All Day			Every Day			

d. How many individual parking spaces (approximately)? 100

END OF GENERAL OPERATING CONDITIONS SECTION – PLEASE CONTINUE TO NEXT SECTION

ENTERTAINMENT FACILITY AND ACTIVITY

Entertainment - Restaurant Entertainment - Tavern (bar) Entertainment - Other

Does the Proposed Activity have:

- Outdoor Entertainment? Y N
- Dancing by patrons, guests, customers, participants, attendees? Y N
- Dancing by performers? Y N
- Live music by more than two (2) performers? Y N
- Amplified music (live)? Y N
- Amplified music (recorded)? Y N
- Disc Jockey? Y N
- Karaoke? Y N
- Adult Entertainment as defined by LBMC Section 21.15.110? Y N
- Adult Entertainment as defined by LBMC Section 5.72.115 (B)? Y N
- Will the establishment serve as a family pool/billiard hall as provided in Section 5.69.090 of the LBMC? Y N
- Any other type of entertainment not listed above? Y N

If yes, briefly describe the entertainment activity. _____

Describe entertainment by performers: Live music and comedy

Dance Floor? Y N Stage? Y N

If yes, provide dimensions and type of material of dance floor. L _____ X W _____ = _____ sq ft.

If yes, provide dimensions and type of material of stage. L 16 W 12 H 2ft

Describe floor material and surface type: carpet

Schedule of entertainment. Please provide days of the week and time of day. If entertainment is not provided the same days and times every week, please provide a detailed schedule of specific dates and times of entertainment. Attach an additional sheet if necessary: (Fill Out Completely)

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type	Live music	Live Music & comedy	Live Music & Comedy	Live Music & comedy	Live Music & comedy	Live Music & Comedy	Live Music & comedy
Start Time	11 AM ^{4K}	11 AM ^{4K}	11 AM ^{4K}	11 AM ^{4K}	11 AM ^{4K}	11 AM ^{4K}	11 AM ^{4K}
End Time	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM

RELEASE FORM

The undersigned, on behalf of (owner(s)) m c k & company yto
Yasenia Hernandez, hereby authorizes the City of Long Beach, by and through its appropriate officers, agents and employees to verify and confirm the information contained in this application, and to conduct such other investigations as may be reasonably required by the City of Long Beach, its officers, agents and employees for the purpose of determining the capability, fitness and capacity of:

(DBA) CAT MAN Blu

to obtain the (entertainment type) Without Dancing permit/license.

The applicant by signing this application consents service of any notice required or provided for by the laws, rules, regulations, or ordinances of the City of Long Beach upon the person at the address designated in this application as the business address, will constitute sufficient and legal notice. Any change in the person or the address listed in the application may be made only in writing to the Director of Financial Management.

The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. **The applicant by signing this application understands any incomplete or false information may constitute grounds for denial.**

I swear under penalty of perjury I have read the forgoing application and all information and statements made by the undersigned/applicant regarding this applicant are true and correct.

[Signature] Pics 7/14/09
(SIGNATURE OR AUTHORIZED AGENT) (TITLE) (DATE)
[Redacted] [Redacted]
DRIVER'S LICENSE OR ID CARD NUMBER STATE

[Signature] CSRT II 8/2/09
ACCEPTED BY (CITY STAFF) TITLE DATE



**State of California
Secretary of State**

**STATEMENT OF INFORMATION
(Limited Liability Company)**

Filing Fee \$20.00. If amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. LIMITED LIABILITY COMPANY NAME (Please do not alter if name is preprinted.)

MCK & COMPANY, LLC

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

JUL 10 2009

This Space For Filing Use Only

DUE DATE:

FILE NUMBER AND STATE OR PLACE OF ORGANIZATION

2. SECRETARY OF STATE FILE NUMBER
200400710080

3. STATE OR PLACE OF ORGANIZATION
CALIFORNIA

COMPLETE ADDRESSES FOR THE FOLLOWING (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE CITY AND STATE ZIP CODE
51 SOUTH PINE AVE LONG BEACH 90802

5. CALIFORNIA OFFICE WHERE RECORDS ARE MAINTAINED (DOMESTIC ONLY) CITY STATE ZIP CODE
51 SOUTH PINE AVE LONG BEACH, CA CA 90802

NAME AND COMPLETE ADDRESS OF THE CHIEF EXECUTIVE OFFICER, IF ANY

6. NAME ADDRESS CITY AND STATE ZIP CODE
YESENIA HERNANDEZ 51 SOUTH PINE AVE LONG BEACH, CA 90802

NAME AND COMPLETE ADDRESS OF ANY MANAGER OR MANAGERS, OR IF NONE HAVE BEEN APPOINTED OR ELECTED, PROVIDE THE NAME AND ADDRESS OF EACH MEMBER (Attach additional pages, if necessary.)

7. NAME ADDRESS CITY AND STATE ZIP CODE
YESENIA HERNANDEZ 51 SOUTH PINE AVE LONG BEACH, CA 90802

8. NAME ADDRESS CITY AND STATE ZIP CODE

9. NAME ADDRESS CITY AND STATE ZIP CODE

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and item 11 must be completed with a California address. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1805 and item 11 must be left blank.)

10. NAME OF AGENT FOR SERVICE OF PROCESS

PARACORP INCORPORATED

11. ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE
CA

TYPE OF BUSINESS

12. DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY

RESTAURANT & BAR

13. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

Yesenia Hernandez
TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM

[Signature]
SIGNATURE

Pres
TITLE

7/9/09
DATE



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 9/9/2009*

License Information	
License Number: 415153	Status: ACTIVE
Primary Owner: MCK & COMPANY LLC	
ABC Office of Application: LB/LAKEWOOD	
Business Name	
Doing Business As: CAT MAN BLU	
Business Address	
Address: 51 S PINE AVE Census Tract: 5760.	
City: LONG BEACH County: LOS ANGELES	
State: CA Zip Code: 90802-4723	
Licensee Information	
Licensee: MCK & COMPANY LLC	
Company Officer Information	
Officer: HERNANDEZ YESENIA, MEMBER	
License Types	
1) License Type: 41 - ON-SALE BEER AND WINE - EATING PLACE	
License Type Status: ACTIVE	
Status Date: 02-DEC-2004	Term: Month(s)
Original Issue Date: 02-DEC-2004	Expiration Date: 30-NOV-2009
Master: Y	Duplicate: 0 Fee Code: NA
License Type was Transferred On: 02-SEP-2009 To: 482600	
Current Disciplinary Action	
... No Active Disciplinary Action found ...	
Disciplinary History	
... No Disciplinary History found ...	
Hold Information	
... No Active Holds found ...	
Escrow	
... No Escrow found ...	

--- End of Report ---

For a definition of codes, view our [glossary](#).



Accepted By: PRE-DK JK Date: 9-2-09
 Zoning Approval By: PRE-DK JK Date: 9-2-09
Sharon

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): mck & company LLC
 Business Name (DBA): CAT MAN BLU Business Phone: 562 216-1590
 Business Site Address: 51 S. PINE AVE L.B., CA 90802
 Date Business Proposes To Open: 7/10/09
 Days & Time Premises Are Open For Inspection: Tues - Sunday 11 A.M - 2 AM

Proposed Use(s):

- Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building: Live Entertainment ~~4th~~ 4th

Contact Person(s) Name (authorized agent, manager, etc.): Yesevia of ANDRE

Contact Person(s) Phone Number: (562) 216-1590

Type of Organization:

- Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): _____ By: _____


POLICE DEPARTMENT

- Police Department finds no for basis for denial Police Department finds basis for denial
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: [Signature] Title: CHIEF OF POLICE Date: 10/29/09



Date: November 4, 2009
To: Erik Sund, Bureau Manager, Business Relations Bureau
From: Billy B. Quach, Chief of Police 
Subject: **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT CAT MAN BLU
51 SOUTH PINE AVENUE**

In response to your request for a recommendation regarding the above named permit application for Entertainment without Dancing, the Police Department recommends **approval**, subject to the following seventeen (17) standard conditions of the Downtown Dining and Entertainment District:

Cat Man Blu is located on the southwest corner of Pine Avenue and Seaside Way. The establishment has a southern style food menu and provides live music and comedy. Based on the Police Department's investigation, and the South Division Patrol Commander's recommendation, the Long Beach Police Department does not believe the issuance of an Entertainment Permit without Dancing will have an adverse impact on Patrol Division resources.

CONDITIONS OF OPERATION

- 1) Indoor entertainment and outdoor non-amplified entertainment that otherwise conforms with the requirements of state and local laws and regulations may be offered pursuant to permit until 2 a.m., seven days a week.

Outdoor amplified entertainment is prohibited during the period of the pilot program, except for rooftop entertainment that was permitted at the time of the creation of this pilot program, or except in conjunction with a special events permit.

- 2) Each holder of an existing entertainment permit within the entertainment district and each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, attend a permit orientation session conducted by or at the direction of the City. Each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control.

ENTERTAINMENT WITHOUT DANCING AT CAT MAN BLU
51 SOUTH PINE AVENUE

Page 2

- 3) The permittee shall comply with all applicable laws, regulations, ordinances and stated conditions. It is the intent of the City that each permittee make his or her own business decisions as to how to implement compliance; however, if the permittee fails to comply with the conditions of this permit, or if his or her operations result in excessive police service as defined below, the permittee will be required to operate under the more restrictive conditions described in Attachment "B" and made a permanent part of this permit without further hearing.
- 4) The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each permittee and promoter conducting business within the City of Long Beach must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation
- 5) The operation of the establishment shall be limited to those activities expressly indicated on the entertainment permit application and approved by the City Council. Any change in the operation that exceeds the conditions of the approved permit will require approval by City Council.
- 6) The permittee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." Permittee shall conduct all aspects of his or her operation, including before and after-hours deliveries and maintenance, in consideration of residences located nearby. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be audible from the middle of the street adjoining the premises.
- 7) No adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises. The permittee shall not allow, permit, procure, or encourage, anyone to expose male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
- 8) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320)

ENTERTAINMENT WITHOUT DANCING AT CAT MAN BLU
51 SOUTH PINE AVENUE

Page 3

- 9) Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public. In the event of a conflict on this issue between the requirements of this permit and any permit issued by the Alcoholic Beverage Commission, the more stringent regulation shall control.
- 10) The permittee shall be responsible for maintaining an adequate security staff to supervise patrons and those waiting to enter. Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. For up to fifty (50) people inside (or in a defined queue waiting to enter) an establishment, the permittee shall provide a minimum of one (1) uniformed licensed security guard per floor. There shall be one additional guard for each subsequent increment or each partial increment of 50, plus one guard per each additional floor. (Example: a one-story establishment with 75 patrons present must have two guards. A two-story establishment with 75 patrons present must have three guards.) Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. The Chief of Police may relax these staffing levels during daylight hours, or during hours in which the primary activity in the establishment is dining, if he determines that a lower level of security staffing is consistent with the protection of public health and safety.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other clearly-visible form of identification.

- 11) If an establishment is licensed as a restaurant, all entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a private function held at a bona fide eating-place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks and hors d'oeuvres shall not constitute a complete and substantial meal. Taverns are not subject to this requirement.
- 12) Persons under eighteen (18) years of age shall not be permitted to enter nor permitted to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.

ENTERTAINMENT WITHOUT DANCING AT CAT MAN BLU

51 SOUTH PINE AVENUE

Page 4

- 13) The permittee shall establish a program to discourage loitering and littering outside any of the entrance/exit doors at all times open for business. This should be done by use of security guards and/or signs near all exits that encourage patrons to "respect our neighbors" and the provision of trash receptacles.
- 14) At the conclusion of each event and at closing time, the permittee's staff shall remind patrons to refrain from loitering in the immediate area, littering or making excessive noise. Patrons should be reminded to use trash receptacles and to walk directly and quietly to their cars or other transportation.
- 15) The permittee shall not distribute, post or attach, and shall be responsible for ensuring that its promoters and or agents do not distribute, post or attach, advertising matter on public property or on any vehicle on public property.
- 16) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the permittee shall be removed or painted over within 24 hours of being applied.
- 17) When the Chief of Police determines that excessive police services are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations, the cost of such services shall be billed to the permittee as an expense of an emergency response. "Expense of an emergency response" means those costs incurred by the City of Long Beach in making any appropriate emergency response to the incident, and shall be comprised of all costs directly arising because of the response to the particular incident, including, but not limited to, the costs of providing police, firefighting, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident."

BBQ:CNA:cna
AppvlCondCatManBlu

Attachment

Attachment "B"

Tiered Conditions

This page contains progressively more stringent regulations on entertainment and related activities in the Dining and Entertainment District. By applying for a permit, the applicant agrees to the conditions contained here and understands that he or she is not entitled to a public hearing if these conditions are applied. The City Council may add further conditions not listed here, or revoke the permit, if the permittee does not comply with the conditions imposed in this permit.

The conditions on this attachment do not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.

Tier 1 Conditions:

Permittee may have entertainment on the premises during the maximum hours permitted in the district, consistent with ABC requirements and conditions imposed under a Conditional Use Permit. As long as the primary requirements for safety and noise are met (Conditions 1-17), Permittee may choose the methods of meeting those requirements.

Noncompliance with Tier 1 conditions: when the Chief of Police determines that Permittee has violated the terms of the permit, including the Permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to Permittee's operation, Permittee will be asked to attend a meeting with the involved departments, pilot program area residents and businesses, and other interested persons to address community concerns and discuss how the implementation of Tier 2 Conditions can be avoided.

Tier 2 Conditions:

Noise:

Following the receipt of 3 or more noise complaints that require a response by the Police Department within a 30-day period and which are found to violate the "middle of the street" standard for noise, Permittee will be notified that his or her premises must comply with those Tier 2 Noise Conditions which the Chief of Police determines are necessary to protect the public peace and to comply with the City's noise ordinance, from among the following list:

---Permittee must keep all doors and windows closed except while patrons are entering or exiting.

---Meet with Health Department staff to discuss best practices to be implemented to mitigate noise.

- No outdoor entertainment of any kind will be permitted after 10 p.m.
- No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.

Security/Public Safety:

For the purposes of this section, an "incident" means a complaint or occurrence that requires a police or Fire Marshal response to Permittee's premises due to Permittee's noncompliance with the terms and conditions of the Entertainment Permit. Following 3 or more incidents within a 30-day period, the Chief of Police or Fire Marshal will notify Permittee of additional measures and conditions to be implemented. These additional measures will be some or all of the following:

- Additional security personnel at hours determined necessary by the Chief of Police to prevent Permittee's operations from creating a public nuisance.
- Additional security checks on incoming patrons.
- No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.
- Any additional measures deemed necessary by the Chief of Police or the Fire Marshal to protect health and safety.

NOTE: upon the request of a permittee who has been required to implement Tier 2 conditions, the Chief of Police, in consultation with the Fire Marshal and the Health Department, shall review the permittee's recent compliance history and determine whether some or all conditions can be returned to Tier 1 levels consistent with the protection of public health and safety.

Tier 3 Conditions:

The failure of a permittee to resolve noise and/or security/public safety issues as directed by the Chief of Police or the Fire Marshal within a reasonable period, not to exceed 30 days in any case, shall result in the implementation of Tier 3 conditions:

Noise:

- No outdoor entertainment of any kind will be permitted at any time.
- Only non-amplified entertainment will be permitted at any time OR amplified entertainment will only be permitted until 10 p.m. any night.
- Contain all noise within the premises. No noise audible outside the establishment.
- Implement Health Department recommendations to mitigate noise. Provide pre- and post-implementation monitoring data collected by a certified noise expert approved by the Health Department.

Security/Public Safety:

- The establishment must cease entertainment not later than 10 p.m. on Sunday through Wednesday nights and no later than midnight on Thursday through Saturday nights. The Chief of Police is authorized to make adjustments of up to one hour in these times to protect the public peace.

---Permittee shall limit the queue outside the establishment to no more than 20 people. There shall be no queue within 2 hours of the lawful closing time. Any persons gathering outside the establishment shall be considered to be loitering.

---Any additional measures determined necessary by the Chief of Police or the Fire Marshal to protect health and safety.

If the City determines that Permittee has not modified his or her operations in compliance with Tier 3 conditions and Permittee continues to fail to comply with the terms and conditions of the Entertainment Permit, the City shall begin revocation or suspension proceedings. Permittee is entitled to a hearing to contest such revocation or suspension.



Accepted By: [Signature] Date: 9/2/09
 Zoning Approval By: [Signature] Date: 9/2/09

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): McK & Company LLC
 Business Name (DBA): CAT MAN BLU Business Phone: 562 216-1590
 Business Site Address: 51 S. PINE AVE L.B., CA 90802
 Date Business Proposes To Open: 7/10/09
 Days & Time Premises Are Open For Inspection: Tues - Sunday 11 A.M - 2 AM

Proposed Use(s):

- Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building: Live Entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Ysenia of ANDRE
 Contact Person(s) Phone Number: (562) 216-1590

Type of Organization:

- Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC Other, explain: _____

OFFICE USE ONLY

- Building Fire Health (Check Inspecting Department) Date Received: 9/15/09
 Building/Location meets Department Requirements for the proposed use.
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed On (date): 12/9/09 By: WENDY GOETZ

POLICE DEPARTMENT

- Police Department finds no for basis for denial Police Department finds basis for denial
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____
 By: _____ Title: _____ Date: _____



CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

100 W BROADWAY STE 400 ! LONG BEACH, CA 90802 ! 562-570-6513 FAX 562-570-6930

ENVIRONMENTAL HEALTH
NOISE OFFICE

DEPARTMENT OF HEALTH AND HUMAN SERVICES ENTERTAINMENT PERMIT APPLICATION REQUIREMENTS

Date: 1/17/09

Name of Business (DBA): CAT MAN BLD

Name of Business Owner: Yesenia Hernandez y/o MCK + Company

Business Address: 51 S. PINE AVE
LONG BEACH, CA 90240

Dear New Business Owners:

The Entertainment establishment must abide by the Long Beach Municipal Code Noise Ordinance, Chapter 8.80.

You must make sure that the noise generating inside your business is not impacting adjacent residences.

If loud music is to be played as part of the entertainment permit, you must also post a sign in the customer area in a conspicuous location that states:

Warning: Sound Levels Within May Cause Permanent Hearing Impairment.

I understand that in order to provide Entertainment, my establishment must comply with the Long Beach Noise Ordinance (LBMC Chapter 8.80)

Owner or Authorized Agent Signature(s) [Signature]

Title Pres

Phone # 562 216-1590

FAX # 562 216-1593



Accepted By: Pre-OK JK Date: 9-2-09
 Zoning Approval By: [Signature] Date: 9-2-09

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): mck & company LLC
 Business Name (DBA): CAT MAN BLU Business Phone: 562 216-1590
 Business Site Address: 51 S. PINE AVE L.B., CA 90802
 Date Business Proposes To Open: 7/10/09
 Days & Time Premises Are Open For Inspection: Tues - Sunday 11 A.M - 2 AM

Proposed Use(s):

- Entertainment/Restaurant With Dancing Without Dancing
- Entertainment/Tavern With Dancing Without Dancing
- Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building: Live Entertainment ~~club~~ 4th

Contact Person(s) Name (authorized agent, manager, etc.): Yesenia of ANDRE
 Contact Person(s) Phone Number: (562) 216-1590

Type of Organization:

- Corporation Partnership Individual Unincorporated Association or Club
- Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: 9-2-09

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Planning approval of parking, fire approved

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): _____ By: FSJ 09-02-09

POLICE DEPARTMENT

- Police Department finds no for basis for denial Police Department finds basis for denial
- Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



Date: September 17, 2009
To: Erik Sund, Manager of Business Relations Bureau
From: Derek Burnham, Current Planning Officer *DB*
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 51 S. Pine Ave
Long Beach, CA 90802

Applicant: MCK & Company, LLC, DBA Cat Man Blu

Zoning District: PD-6 (Downtown Shoreline Planned Development District)

Proposed Use: Entertainment without Dancing

The Current Planning Division of the Department of Development Services has the following comments:

No CUPs or AUPs were found for the subject site.

The applicant is seeking to obtain a permit for entertainment without dancing. An entertainment permit without dancing is allowed as an accessory use to a restaurant in the PD-6 zone. No extra parking is required.

Planning Bureau recommends that the entertainment permit without dancing for "Cat Man Blu" be approved.

If you have any questions regarding this response, please call Jorge Ramirez, Planner, at (562) 570-6952.