



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

July 12, 2005

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Refer to Hearing Officer revocation of entertainment permit BU20147980, for Libra Partners LLC, DBA Hamburger Mary's Long Beach, 740 E. Broadway. (District 2)

DISCUSSION

Libra Partners LLC, DBA Hamburger Mary's Long Beach, was licensed as a restaurant with alcohol on November 28, 2000. On April 30, 2002, the City Council approved permit BU20147980, for entertainment with dancing by patrons at the restaurant. The permitted entertainment included dancing by patrons, dancing by performers, live and amplified music, disc jockey, and karaoke. It specifically did not permit adult entertainment as defined in Long Beach Municipal Code (LBMC) 21.15.110 (Attachment 1).

The LBMC sections 5.06.020 and 5.72.145 prescribe that, following a public hearing before the City Council, a permit for entertainment may be revoked for any grounds that would warrant the denial of the issuance of such permit if the application therefore was being made or the permittee has failed to comply with any condition which may have been imposed as a condition of operation. In a letter dated May 27, 2005 (Attachment 2), the Chief of Police documents numerous violations of the conditions of the entertainment permit, as well as documenting grounds that would have warranted denial of the issuance of the permit if the application were being made today. Whenever a permit for entertainment is revoked, no other application by such permittee for a business permit shall be considered for a period of one year. Whenever it is provided that a hearing shall be heard by the City Council, the Council may, at its discretion, either conduct the hearing itself or appoint a hearing officer to conduct the hearing.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on June 28, 2005 and Budget Management Officer David Wodynski on June 27, 2005.

TIMING CONSIDERATIONS

City Council action on this item is not time critical.

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FISCAL IMPACT

There is no fiscal impact associated with this item.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

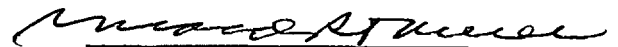


MICHAEL A. KILLEBREW
DIRECTOR OF FINANCIAL MANAGEMENT

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ATTACHMENTS

APPROVED:



GERALD R. MILLER
CITY MANAGER