



Legislation Details (With Text)

File #: 11-1220 **Version:** 1 **Name:** FM - refer to hearing officer El Sonora Bar
Type: Agenda Item **Status:** Approved
File created: 12/2/2011 **In control:** City Council
On agenda: 12/20/2011 **Final action:** 12/20/2011
Title: Recommendation to refer to Hearing Officer the appeal of business license revocation by Donaciano Nunez and Nicanor Nunez, dba El Sonora Bar, located at 1862 Santa Fe Avenue; or revoke business license number BU04048840 issued to Donaciano Nunez and Nicanor Nunez, dba El Sonora Bar, located at 1862 Santa Fe Avenue, due to abandonment of appeal. (District 1)
Sponsors: Financial Management
Indexes: Licenses
Code sections:
Attachments: 1. 121311-R-8sr&att.pdf, 2. 122011-UB-12sr&att.pdf

Date	Ver.	Action By	Action	Result
12/20/2011	1	City Council	second substitute motion	Pass
12/13/2011	1	City Council	laid over	Pass

Recommendation to refer to Hearing Officer the appeal of business license revocation by Donaciano Nunez and Nicanor Nunez, dba El Sonora Bar, located at 1862 Santa Fe Avenue; or revoke business license number BU04048840 issued to Donaciano Nunez and Nicanor Nunez, dba El Sonora Bar, located at 1862 Santa Fe Avenue, due to abandonment of appeal. (District 1)

On September 9, 2011, the Long Beach Chief of Police recommended that the Department of Financial Management revoke the business license issued to Donaciano Nunez and Nicanor Nunez, DBA El Sonora Bar, located at 1862 Santa Fe Avenue (Attachment A), due to violations of the Long Beach Municipal Code (LBMC) and state law.

On November 9, 2011, a business license revocation hearing was conducted, in compliance with LBMC Section 3.80.429.1. On November 11, 2011, the hearing officer recommended that the Director of Financial Management revoke business license number BU04048840 (Attachment B).

Pursuant to LBMC Section 3.80.429.5, a licensee can appeal the revocation of a business license to the City Council. The licensee lodged its written request for an appeal on November 18, 2011 (Attachment C). Whenever it is provided that a hearing shall be heard by the City Council, the City Council may, in its discretion, conduct the hearing itself or refer it to a hearing officer, in accordance with LBMC Section 2.93.050 (A).

This matter was reviewed by Deputy City Attorney Kendra Carney on December 1, 2011.

If referred, upon selection of a hearing officer, the matter will be heard not less than thirty (30) days thereafter.

There is no fiscal impact associated with this item.

Approve recommendation.

JOHN GROSS
DIRECTOR FINANCIAL MANAGEMENT/CFO

APPROVED:

PATRICK H. WEST
CITY MANAGER