



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

November 16, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Refer to Hearing Officer Appeal for Revocation of Business License
Number 20132560 Held by Gameplay, 6543 East Spring Street (District 5)

DISCUSSION

Pursuant to Long Beach Municipal Code (LBMC) Section 3.80.429.1, the Department of Financial Management revoked business license number 20132560 held by Gameplay, 6543 East Spring Street, on October 19, 2004, based on findings that criminal activity occurred at the location. Please see the attached notice of Final Action, dated October 19, 2004 (Attachment 1). The business has appealed the decision in a letter dated October 28, 2004 (Attachment 2).

Long Beach Municipal Code (LBMC) Section 3.80.429.5 prescribes that any licensee whose license is revoked shall have the right, within ten days after the date of the written notice of revocation, to file a written appeal to the City Council. This time requirement was met. In addition, the LBMC prescribes the City Council shall hold a hearing on the appeal within thirty days after its receipt by the City, or at a time thereafter agreed upon, and provide the appellant ten days written notice of said hearing. Wherever it is provided that a hearing shall be heard by the City Council, the Council may, in its discretion, either conduct the hearing itself or appoint a hearing officer to conduct the hearing.

Deputy City Attorney Cristyl Meyers reviewed this matter on November 3, 2004.

TIMING CONSIDERATIONS

LBMC requires the hearing be held by November 29, 2004, or at a time thereafter agreed upon.

FISCAL IMPACT

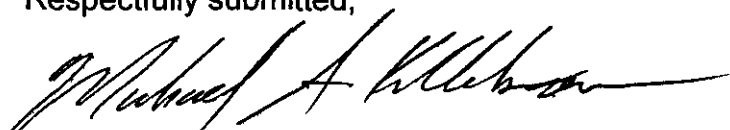
There is no fiscal impact associated with this item.

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IT IS RECOMMENDED THAT THE CITY COUNCIL:

Refer the matter to a Hearing Officer, in accordance with Long Beach Municipal Code (LBMC) 2.93.050 (B) (1), and request the City Clerk to notify the licensee and affected City departments of the time and place of hearing.

Respectfully submitted,



MICHAEL A. KILLEBREW
ACTING DIRECTOR FINANCIAL MANAGEMENT

MAK:PW-H:JAG:lqc

Attachments

APPROVED:



GERALD R. MILLER
CITY MANAGER