



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

C-19

333 West Ocean Blvd • Long Beach, California 90802

August 1, 2006

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Refer to Hearing Officer Appeal to Denial of Business License Application and Denial of Adult Entertainment Permit Application by M.J.S., Inc., DBA Flamingo Adult Sports Bar, 2421 E. Artesia Boulevard. (District 9)

DISCUSSION

On July 14, 2006, the Department of Financial Management denied the business license and adult entertainment permit applications of M.J.S., Inc., DBA Flamingo Adult Sports Bar, located at 2421 E. Artesia Boulevard, at the recommendation of the Chief of Police (Attachments A & B). During the periods of application review, M.J.S., Inc., operated a bar business and provided entertainment in violation of the Long Beach Municipal Code (LBMC) even after repeated written notices from the Department of Financial Management, Long Beach Police Department investigations, and written acknowledgements by the President of M.J.S., Inc., that he understood and would comply with the requirements of the LBMC for conducting adult entertainment. The business appealed these decisions in a letter dated July 14, 2006 (Attachment C).

Pursuant to the LBMC, denials of business licenses and adult entertainment permit applications may be appealed to the City Council by filing said appeals, within 10 days of the date of denial, with the Director of Financial Management. Thereafter, the City Council, at its next regular meeting or within 10 days of the filing of the business license appeal, and/or within 30 days following the filing of the adult entertainment permit appeal, shall set the appeal hearings to occur not less than 10 days nor more than 30 days thereafter. Good cause appearing, said hearings may be continued by order of the City Council. The City Council may, at its discretion, either conduct the hearing itself or appoint a hearing officer.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on July 20, 2006.

TIMING CONSIDERATIONS

August 1, 2006 is the first City Council meeting at which this item can be agendaized with proper noticing pursuant to the Brown Act.

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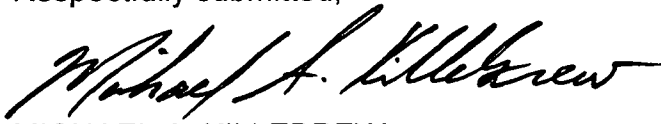
FISCAL IMPACT

There is no fiscal impact associated with this item.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL A. KILLEBREW
DIRECTOR OF FINANCIAL MANAGEMENT

MAK:JG:BV
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ATTACHMENTS

APPROVED:



GERALD R. MILLER
CITY MANAGER