

**CITY OF LONG BEACH**

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

August 2, 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 LBMC 21.15.110 (Attachment 1).

The Long Beach Municipal Code (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 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.

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

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.

**TIMING CONSIDERATIONS**

City Council action on this item is not time critical.

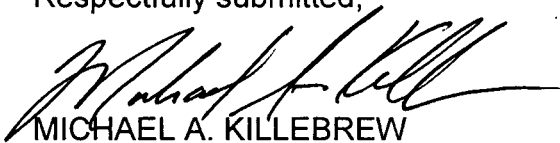
FISCAL IMPACT

There is no fiscal impact associated with this item.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

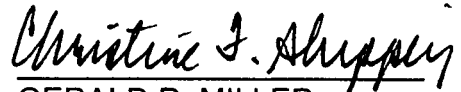


MICHAEL A. KILLEBREW  
DIRECTOR OF FINANCIAL MANAGEMENT

MAK:PW-H:JAG:bcv  
CC Letter Hamburger Mary's 08-02-05.doc

Attachments

APPROVED:



*for*

GERALD R. MILLER  
CITY MANAGER