



Legislation Text

File #: 22-0618, **Version:** 1

Recommendation to refer to Hearing Officer the special event application denial appeal by Ross Wallach (applicant) of the Southern California Speedboat Club for the 2022 Long Beach Sprint Nationals event requested to be held at Marine Stadium, 5255 Paoli Way, Long Beach, CA 90803. (District 3)

On April 5, 2022, pursuant Long Beach Municipal Code (LBMC), Section 5.60.060, the Office of the City Manager denied the special event application submitted to the Office of Special Events and Filming on August 25, 2021, due to the determination that the proposed event would present an unreasonable danger to the health, safety, and general welfare of racing participants and/or spectators in its current configuration and specified safety requirements. Findings as communicated previously to both the applicant and the Mayor and City Council can be found in Attachment A (Sprint Nationals Race, Marine Stadium - Results of Investigation).

On April 14, 2022, the applicant filed an appeal for the special event application denial (Attachment B).

Pursuant to LBMC Section 5.60.120, an applicant for a special event permit whose application for such permit has been denied by the City Manager may appeal to the City Council. 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 2.93.050(A). If the City Council refers the matter to a hearing officer, then City staff and the hearing officer will set the hearing date for not less than twenty (20) days nor more than sixty (60) days after the City Council referral. Such hearing may for good cause be continued by the order of the City Council. Further, Notice of the Hearing shall be sent to the interested parties at least twenty (20) days before the hearing, in accordance with LBMC 2.93.050(8)(1). In practice, the City Council decision to refer the matter to a hearing officer means that the hearing would occur anytime from June 13, 2022 through July 29, 2022.

This matter was reviewed by Deputy City Attorney Arturo D. Sanchez on May 17, 2022 and by Budget Operations and Development Officer Rhutu Amin Gharib on May 17, 2022.

If referred, upon selection of a hearing officer, the matter will be heard not less than twenty (20) days nor more than sixty (60) days thereafter.

There is no fiscal or local job impact associated with this item. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with City Council priorities.

Approve recommendation.

THOMAS B. MODICA
CITY MANAGER