

MINUTES

SEP 22 11 38 AM '87

LAW AND LEGISLATION COMMITTEE MEETING

Thursday, September 3, 1987

City Council Chambers
915 I Street, Second Floor
Sacramento, California

The meeting was called to order at the hour of 4:05 p.m. by Committee Member Dave Shore.

PRESENT: Committee Members Shore and Bradley.

ABSENT: Committee Members Kastanis and Pope.

1. An Ordinance Amending Sections 5.3-4 and 5.3-11 of the Sacramento City Code Relating to Cardrooms.

RECOMMENDATION OF STAFF: RECOMMEND APPROVAL AND FORWARD TO FULL COUNCIL.

REPORTS BACK: NONE.

COMMITTEE ACTION: APPROVED AND FORWARDED TO FULL COUNCIL.

VOTING RECORD: MOVED: BRADLEY; SECONDED: SHORE.
AYES: BRADLEY, SHORE.
ABSENT: KASTANIS, POPE.

MINUTES:

Diane Balter, Deputy City Attorney, and Captain Bob Benton of the Police Department, were present to discuss this matter. There was some discussion regarding whether or not the amendments included amending the types of games which can be played. It was pointed out that the games which can be played are still the same, except that the rules have been specified to avoid any misunderstandings by the card-room owners/operators. Captain Benton also explained how the ordinance would affect the number of cardrooms allowed in the City, by reducing the number allowed from one per 30,000 population to one per 10,000 population. He also noted that we now have ten cardrooms in Sacramento, and a population of approximately 327,000.

ITEM CONTINUED TO NEXT PAGE

COMMITTEE ACTION SHEET

CONTINUED FROM PREVIOUS PAGE:

Albert Fisk of the Henderson Group on Arden Way spoke at this time. Mr. Fisk represents Yoeng C. Chang, who has one of the two applications pending before the City for issuance of a license to operate a cardroom. Mr. Fisk explained that Mr. Chang's application was presented prior to the preparation of this proposed ordinance, and that therefore he should be allowed to have his application considered. There was some discussion as to the date Mr. Chang submitted his application, when the other application was submitted, and when the proposed ordinance was first considered. Mr. Fisk explained that Mr. Chang's application has been approved by four agencies, and is now awaiting the last stage -- approval from the Police Department, which, he was told, takes from 30-60 days for approval and issuance of a license. Attorney Balter stated at this time that there is nothing specific in the ordinance saying that a decision must take 60 days or less.

Attorney Balter explained that Mr. Chang's application was not the reason for this proposed ordinance, but that it was merely a coincidence his application was submitted at the same time the proposed ordinance was prepared.

Mr. Carnick Georgian of Georgian's Cardroom spoke at this time. He asked why cardrooms were not allowed to play 7-Card Stud or other games not listed in this proposed ordinance. Attorney Balter pointed out that the games listed in this ordinance are the same games allowed by Ordinance 86-086, passed in 1986, but that the rules of these games have been detailed in this proposed ordinance. It was pointed out by Captain Benton that 7-Card Stud is illegal pursuant to California Penal Code Section 330, but that it is played in Nevada where it is legal.

Attorney Balter explained at this time that the proposal of one cardroom for every 30,000 people in the City of Sacramento is much more generous than other counties in California.

There was further discussion between Mr. Fisk of the Henderson Group, Attorney Balter, Captain Benton and the Committee members as to whether or not Mr. Chang's application for a license to operate a cardroom should be considered an exception to this proposed ordinance. It was explained that when the population reached 330,000 (it is now 325,000) an 11th cardroom could be added, and Mr. Chang's application would be the first in line for that cardroom.

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COMMITTEE ACTION SHEET


CONTINUED FROM PREVIOUS PAGE:

Committee member Bradley motioned to approve the proposed ordinance, adding "and a portion thereof", which would in essence allow an 11th cardroom (Mr. Chang's) for the additional 27,000 population presently in excess of 300,000. There was no second. Committee member Shore asked Bradley if he was in favor of the proposed ordinance amendments, and Bradley said he was. Shore clarified that he and Bradley were both in favor of the ordinance, but split on whether or not to create an exception for the Chang application.

Committee member Bradley motioned to approve the proposed ordinance, and it was seconded by Shore. This matter will go before the full Council in about two weeks.


The meeting was adjourned at 4:30 p.m.

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DAVE SHORE, Acting Chairman

ATTEST:



JUDY VARVEL, Secretary

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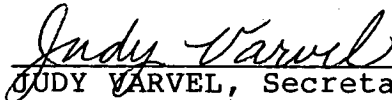
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DAVE SHORE, Acting Chairman

ATTEST:



JUDY VARVEL, Secretary