



# CITY OF SACRAMENTO

## OFFICE OF THE CITY CLERK

915 I STREET  
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5428

CITY MANAGER'S OFFICE  
**RECEIVED**  
FEB 19 1982

LORRAINE MAGANA  
CITY CLERK

February 19, 1982

Mayor and City Council  
City Hall  
Sacramento, CA 95814

Members in Session:

SUBJECT: Appeal of Jack Freels from the decision of the Chief of Police regarding an amusement arcade permit at 3718 "J" Street

### SUMMARY

Attached is the appeal of Jack Freels, Capital Coin Vending from the decision of the Chief of Police regarding an amusement arcade permit at 3718 J Street, as required by Section 5.74 of the Sacramento City Code.

### BACKGROUND

Steven Bair was originally appointed as hearing examiner in this issue. On February 16, 1982, the Council adopted a motion that Mr. Bair be requested to withdraw as hearing examiner in this matter pending the resolution of a planning matter Mr. Bair has before the City. Mr. Bair has agreed to withdraw as he also believes it would be in the best interests of all parties to avoid any suggestion of a possible conflict of interest.

Under Sections 2.323 and 2.324 of the City Code, the Council may appoint a hearing examiner to hear the appeal if it finds that "the appeal may involve a lengthy factfinding process which would be more appropriately accommodated by a formal hearing before a hearing examiner."

**APPROVED**  
BY THE CITY COUNCIL

*Rec. 1*

FEB 23 1982

OFFICE OF THE  
CITY CLERK

FINANCIAL DATA

The estimated cost would be \$200.00 and would be available from the Chief of Police budget.

RECOMMENDATIONS

1. If the Council should decide to appoint a hearing examiner, it is recommended that the following motion be adopted: "The Council hereby determines pursuant to Section 2.324, City Code, that this appeal will involve a lengthy factfinding process which will be more appropriately accommodated by a formal hearing before a hearing examiner. Therefore, the Council appoints Hermann Lorenz as hearing examiner to hear the appeal on March 22, 1982 at the hour of 9:30 a.m. in the City Council Chamber, City Hall, 915 "I" Street, Sacramento, California."
2. If the Council should decide to consider the appeal itself, it is recommended that the hearing be set for March 23, 1982.

Respectfully submitted,

  
Lorraine Magana  
City Clerk

LM/mm  
Attachment

cc: Hermann Lorenz  
Jack Freels  
Chief of Police

RECOMMENDATION APPROVED:

  
Walter J. Slipe  
City Manager

February 23, 1982  
District 1

RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO

JAN 8 12 56 PM '82

DATE: Jan 8/82

Pursuant to Section 2.320, City Code, I wish to appeal the decision \_\_\_\_\_

On a revocation license made on Jan 7/82  
regarding The premises located at  
3718 J St. Sec. C1.

as required by Sec 5.74, City Code.

My reason for appealing is as follows: \_\_\_\_\_

I am not running over  
point to the City Council  
on the denial

\*\*\*\*\*  
PLEASE PRINT:

NAME: Tack Freels

ADDRESS: 3718 J St

CITY: SAC. STATE: CA. ZIP CODE: \_\_\_\_\_

TELEPHONE NUMBER: 451-6113 422-4325

Tack Freels  
SIGNATURE

Pamela A. Bair  
Steven R. Bair

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CITY CLERKS OFFICE  
OF SACRAMENTO  
FEB 19 4 22 PM '82  
*Bair & Bair*  
*Attorneys at Law*  
*Van Voorhies Mansion*  
*925 G Street*  
*Sacramento, California 95814*

Telephone  
(916) 441-2247

February 18, 1982

Honorable Phillip L. Isenberg  
Mayor, City of Sacramento

Re: Appeal of Jack Freels  
Capitol Coin Vending

Dear Mr. Mayor and Members of the Council:

Please be advised that I have withdrawn as  
Hearing Examiner in the above Appeal.

A hearing in this matter was conducted on  
February 5, 1982, and continued to February 11th,  
at which time a member of the Council did appear  
and testify in opposition to Appellant's application  
for a permit to operate an amusement arcade. No  
decision has yet been rendered.

In December of 1981, my wife and I appealed  
a City Planning Commission ruling to the Council,  
and that matter is scheduled to be heard next month.  
I have withdrawn as Hearing Examiner in order to  
avoid any possible appearance to Appellant that the  
stated views of a member of the Council might be  
given inordinate weight under these circumstances.

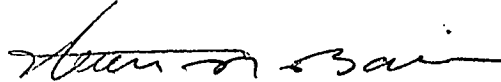
I respectfully recommend to the Council that  
this matter not be reassigned to another Hearing  
Examiner, if members of the Council intend to testify  
at the hearing. This situation might well appear to

Page 2

the parties as one in which the Council delegates authority over an issue to an impartial Hearing Officer, and then advises that person of a desired disposition. While there is certainly no actual impropriety, it is equally important to avoid this likely misconception, and assure the appearance of fundamental fairness in these proceedings.

Thank you for having afforded me the opportunity to serve the City of Sacramento in the capacity of Hearing Examiner.

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "Steven R. Bair".

Steven R. Bair

SRB/bb



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TELEPHONE (916) 449-5426

LORRAINE MAGANA  
CITY CLERK

February 12, 1982

Rick McWilliams  
1044 - 38th Street  
Sacramento, CA 95816

Dear Mr. McWilliams:

I am writing to advise you that the hearing on the matter of the appeal of Yousef Doumit, Sidewalk Pizza, from the decision of the Chief of Police denying an Amusement Arcade Permit, has been withdrawn. Mr. Doumit appeared in my office on the morning of February 11, 1982, and personally withdrew his appeal.

Please feel free to contact my office if you have any further questions on this matter.

Sincerely,

  
Lorraine Magana  
City Clerk

MM/LM/mm

cc: Chief of Police  
Hermann E. Lorenz



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LORRAINE MAGANA  
CITY CLERK

February 12, 1982

Mrs. Sidney Pope  
1332 - 40th Street  
Sacramento, CA 95819

Dear Mrs. Pope:

I am writing to advise you that the hearing on the matter of the appeal of Yousef Doumit, Sidewalk Pizza, from the decision of the Chief of Police denying an Amusement Arcade Permit, has been withdrawn. Mr. Doumit appeared in my office on the morning of February 11, 1982, and personally withdrew his appeal.

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LORRAINE MAGANA  
CITY CLERK

February 12, 1982

Richard Lyman  
3412 J Street  
Sacramento, CA 95816  
Dear Mr. Lyman:

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SACRAMENTO, CALIFORNIA 95814

TELEPHONE (916) 449-5426

LORRAINE MAGANA  
CITY CLERK

February 12, 1982

Peter Mancina  
1101 - 38th Street  
Sacramento, CA 95816

Dear Mr. Mancina:

I am writing to advise you that the hearing on the matter of the appeal of Yousef Doumit, Sidewalk Pizza, from the decision of the Chief of Police denying an Amusement Arcade Permit, has been withdrawn. Mr. Doumit appeared in my office on the morning of February 11, 1982, and personally withdrew his appeal.

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Sincerely,

  
Lorraine Magana  
City Clerk

MM/LM/mm

cc: Chief of Police  
Hermann E. Lorenz

Mrs. Sidney Pope  
1332 40 St  
SAC 95819

Rick McWilliam  
1044 38<sup>th</sup> St  
Sacto 95816

When finding in  
Notify her of  
decision by  
Blair

Peter Mancina  
1101 38<sup>th</sup> St  
Sacto 95816

Richard Lyman  
3412 J St  
Sacto 95816

Findings of Fact

Monica Conrad  
950 39<sup>th</sup> St  
SAC 95816

\* Carol Johns  
834 Santa Inez Way  
95816

**State of California**

Department of Developmental Services  
Labor Relations  
1600 9th Street  
Sacramento 95814



1044 38<sup>th</sup> ST  
SACTO 95816

George R. McWilliam  
Chief


47

(916) 322-4641  
ATSS 492-4641  
TTY 323-5901

2-11-82

I have an APPEAL scheduled for  
Feb 18 and wish to withdraw it

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CITY CLERK'S OFFICE  
CITY OF SACRAMENTO  
FEB 10 11 16 PM '82



Sidewalk P. 22A  
3720 Jst.



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LORRAINE MAGANA  
CITY CLERK

February 24, 1982

Jack Freels  
3817 "J" Street  
Sacramento, CA 95816

Dear Mr. Freels:

On February 23, 1982, the City Council accepted the withdrawal of Steven Bair as hearing examiner, and determined that pursuant to Section 2.324 of the Sacramento City Code, your appeal of the decision of the Chief of Police denying you a permit to operate an amusement arcade at 3718 "J" Street will still involve a lengthy factfinding process which will be more appropriately accommodated by a formal hearing before a hearing examiner.

Therefore, the Council appointed Hermann E. Lorenz, Jr., as Hearing Examiner to hear your appeal on March 22, 1982 at the hour of 9:30 a.m. in the Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California.

Sincerely,

  
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City Clerk

LM/mm/38

cc: Chief of Police  
Hermann E. Lorenz



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LORRAINE MAGANA  
CITY CLERK

February 24, 1982


Carol Johns  
834 Santa Ynez Way  
Sacramento, CA 95816

Dear Ms. Johns:

On February 23, 1982, the City Council accepted the withdrawal of Steven Bair as hearing examiner, and determined that pursuant to Section 2.324 of the Sacramento City Code, the appeal of Jack Freels from the decision of the Chief of Police denying a permit to operate an amusement arcade at 3718 "J" Street will still involve a lengthy factfinding process which will be more appropriately accommodated by a formal hearing before a hearing examiner.

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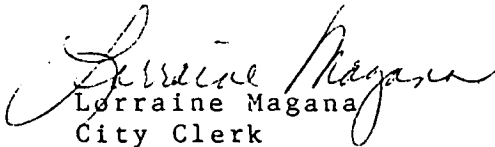
Monica Conrad  
950 - 39th Street  
Sacramento, CA 95816

Dear Ms. Conrad:

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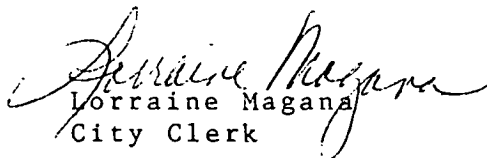
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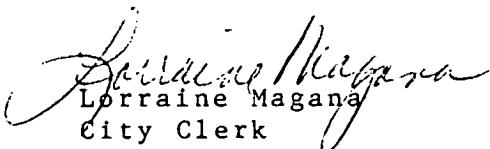
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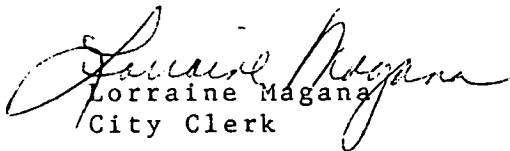
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