



## Legislation Details (With Text)

<b>File #:</b>	ID 21-837	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	11/4/2021	<b>In control:</b>		City Council	
<b>On agenda:</b>	12/2/2021	<b>Final action:</b>		12/2/2021	
<b>Title:</b>	(CONTINUED FROM NOVEMBER 4, 2021, AT 10:00 A.M.) Actions pertaining to Club One Casino, Inc. Card Room Permit Application: 1. HEARING to consider the Club One Casino, Inc. Card Room Permit Application. 2. RESOLUTION - Amending Resolution 2021-225 relating to the Card Room Permit held by Club One Casino by increasing the number card room tables from 31 to 51.				
<b>Sponsors:</b>	Office of Mayor & City Manager				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Resolution, 2. City Managers Investigative Report of July 15, 2021				

Date	Ver.	Action By	Action	Result
12/2/2021	1	City Council	approved	Pass

### REPORT TO THE CITY COUNCIL

**FROM:** THOMAS C. ESQUEDA, City Manager  
Office of Mayor & City Manager

**BY:** GREGORY A. BARFIELD, Assistant City Manager  
Office of Mayor & City Manager

### SUBJECT

(CONTINUED FROM NOVEMBER 4, 2021, AT 10:00 A.M.)

Actions pertaining to Club One Casino, Inc. Card Room Permit Application:

1. HEARING to consider the Club One Casino, Inc. Card Room Permit Application.
2. RESOLUTION - Amending Resolution 2021-225 relating to the Card Room Permit held by Club One Casino by increasing the number card room tables from 31 to 51.

### RECOMMENDATION

It is recommended that the City Council (Council) conduct a hearing and approve the a resolution amending Council Resolution No. 2021-225 relating to the Card Room Permit held by Club One Casino, Inc. (Club One) to increase the number of card room tables from 31-51.

### EXECUTIVE SUMMARY

On August 19, 2021, Council granted Club One 31 of 51 card tables originally requested by the applicant. The Council further directed staff to bring back the application so it could further consider

the 20 card tables not originally approved no sooner than 90 days from that date. The hearing today accomplishes that directive. Approval of the attached resolution would authorize Club One to operate an additional 20 card tables, for a total of 51 card tables, in line with the applicant's original request. Note, however, because of changes to the City of Fresno Card Room Ordinance which have become effective since August 19, 2021, any additional card tables authorized would be subject to the Fresno Card Room Ordinance as modified by Ordinance No. 2021-041.

## BACKGROUND

On March 30, 2021, the City received a card room application from Kyle R. Kirkland and Dana D. Messina, the proprietors of Club One, to operate the card room at 3950 North Cedar, Avenue, at Granite Park. The application sought a card room permit for 51 card tables. Club One was in downtown Fresno for over 20 years and was being relocated to Granite Park.

In accordance with the City of Fresno Card Room Ordinance (FMC 9-2100 et seq.), the City Manager reviewed the application, and conducted due diligence, including law enforcement background checks of the proposed operators and their operations and the proposed operating submittals. The City Manager provided an Investigative Report and recommendation to Council in support of Club One's application for issuance of a permit for 51 card tables. The City Manager also set a public hearing on the application for July 15, 2021, which was properly noticed by the City Clerk; two additional hearings were held on July 29 and August 19, 2021.

On August 19, 2021, Council, through resolution, granted a card room permit to Club One for 31 of the 51 card tables requested and directed that the additional tables be reconsidered no sooner than 90 days from that date. The Council also allowed for the additional tables to be consider without an additional cost or additional investigation by the City Manager.

Club One opened it's doors at its new location in mid-September and has operated up to 31 card tables at that location.

The purpose of this hearing is to hear the application again and consider issuance of the remaining 20 card tables requested by applicant pursuant to it March 30, 2021, application.

After careful review of all the facts the City Manager has made the following findings as required under the City of Fresno Card Room Ordinance:

- (1) The proposed card room use will not result in the substantial aggravation of crime problems or make law enforcement unduly difficult, based on the long his with this operator.
- (2) The proposed card room use is not detrimental to the public peace, health, safety, and welfare.
- (3) The proposed card room use is in compliance with all laws, including but not limited to the city's zoning, fire, building or other ordinance; and
- (4) The proposed card room use would be consistent with the purposes and provisions of this article and is not contrary to public interest.

Based on all material received to date, application submittal, all required materials have been reviewed to the satisfaction of the City Manager. As such, the City Manager recommends that the City Council approve the addition of 20 card room tables to the card room permit issued pursuant to Council Resolution No. 2021-225 for a total of 51.

## **ENVIRONMENTAL FINDINGS**

This approval is not a project for the purposes of CEQA Guidelines Section 15378.

## **LOCAL PREFERENCE**

Local preference is not applicable to this item because this is an application for a card room permit.

## **FISCAL IMPACT**

Approval of the attached resolution will not detrimentally impact the General Fund. The award of the recommended 20 additional card room tables to Club One is consistent with the application originally submitted by Club One on March 30, 2021, requesting 51, and would result in the potential to generate over \$1 million per year in General Fund revenue via the associated business license tax which may be generated.

Attachment: Resolution  
City Managers Investigative Report of July 15, 2021