



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 09/19/06

AGENDA ITEM _____

WORK SESSION ITEM WSE2

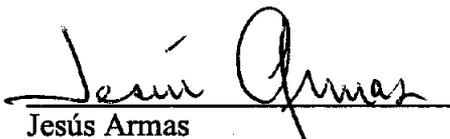
TO: Mayor and City Council
FROM: City Manager
SUBJECT: Direction To Staff Regarding Request for Modifications to Card Club Regulations

The Palace Card Club Room has been at its Mission Boulevard location near D Street for many years. Katherine Bousson is the sole owner of the Club. Staff has been contacted by Ms. Bousson's attorney, Mr. Edward Martins. According to Mr. Martins, Ms. Bousson is interested in:

1. transferring her interest in the club to her family as an estate planning activity. This activity would involve incorporating the Palace Club.
2. moving the club to another location within the City of Hayward that would provide better parking and lighting, and
3. expanding from eight tables to twelve tables.

Based on the existing card room ordinance, Ms. Bousson would not be able to accomplish any of these activities. Specifically, section 4-3.16(a) prevents the transfer of a permit for any reason, except the death of a partner. Section 4-3.16(b) prevents any permittee from incorporating after approval of a permit application. Section 4-3.47 prevents a card club from moving to another location, unless the existing property is the subject of an eminent domain proceeding. Finally, section 4-18 limits the number of tables to eight.

This item appears on the agenda to obtain direction from the Council on whether staff should spend time preparing an ordinance relative to any or all of the requests put forth on behalf of Ms. Bousson.


Jesús Armas
City Manager