

RESOLUTION NO. _____

RESOLUTION OF THE CHULA VISTA CITY COUNCIL
APPROVING AMENDMENTS TO THE CHULA VISTA
GAMING PLAN TO INCREASE MAXIMUM NUMBER OF
GAMING TABLES FROM 18 TO 20, UP TO 15 TABLES OF
ANY ONE CLASS, AND RELATED CHANGES, INCLUDING
A FIVE YEAR OPERATING AGREEMENT

WHEREAS, in connection with its proposed move to a new facility on Bay Boulevard, the Village Club Card Room has proposed amendments to the City's Gaming Plan;

WHEREAS, the proposed changes would (1) increase the maximum number of allowed tables from 18 to 20, as allowed by State law; (2) increase to 15 the number of tables that it can operate as "Class II" tables, and related changes;

WHEREAS, in consideration for this, the Village Club Card Room has proposed to increase the table license tax to a set rate of \$7,100 per table per quarter, with a reduced annual increase of 3%;

WHEREAS, Council approval of this item would also allow the Village Card Room to operate on these terms for 5 years per the operating agreement required in the Gaming Plan, and with the approval of an administrative amendment to its existing CUP

WHEREAS, Police Department concerns regarding a potential increase in vehicle related emergency calls has been addressed with adequate parking spaces and areas, ingress and egress, and parking lot cameras and security;

WHEREAS, the Police Department has no other material concerns with security issues that might arise from the proposed changes to the Gaming Plan;

WHEREAS, as required by Chula Vista Municipal Code Section 5.20.001 and Gaming Plan Section 5.3, prior to City Council action on the proposed Gaming Plan amendment a public hearing was properly noticed and held, and the City Council considered the proposed amendment and all testimony presented with respect thereto;

WHEREAS, the Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 1 Categorical Exemption pursuant to 15301 (Use of Existing Facilities) of the State CEQA Guidelines. The proposed project consists of negligible or no expansion of an existing use. In addition, the Development Services Director has determined that there is no possibility that the activity may have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Chula Vista as follows:

1. The proposed amendments to the Chula Vista Gaming Plan attached to this resolution, with changes presented in underline strikeout format, are hereby adopted, with such minor changes as may be required or approved by the City Attorney, a copy of which shall be kept on file with the City Clerk.

2. The City Manager is hereby authorized and directed, pursuant to Section 5.5 of the Gaming Plan to finalize and execute on behalf of the City an operating agreement with the Village Card Room license interest holders, consistent with the terms provided therein, including provision for an initial five year term of operations, as a condition precedent to commencement of operations at the Bay Boulevard location.

3. Village Card Room rights under the Gaming Plan for operations at the Bay Boulevard site are contingent upon receiving any and all required approvals therefor from the California Department of Justice Division of Gambling Control;

Presented by

Approved as to form by

Chance Hawkins
Deputy City Attorney

Glen R. Googins
City Attorney