

COUNCIL COMMITTEE MINUTES

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COMMITTEE NAME: LAW AND LEGISLATION

MEETING DATE: January 17, 1995

MEETING TIME: 1:00 P.M.

LOCATION: 915 I STREET, 2ND FLOOR, COUNCIL CHAMBER

The meeting was called to order at 1:10 P.M. by Deborah Ortiz, Chairperson.

PRESENT: Committee Members Ortiz, Fargo, Steinberg and Cohn

ABSENT: None.

1.0 CONSENT CALENDAR

ALL ITEMS LISTED ON THE CONSENT CALENDAR ARE CONSIDERED AND ACTED UPON BY ONE MOTION. A MEMBER OF THE COMMITTEE OR STAFF MAY REQUEST AN ITEM TO BE REMOVED FOR SEPARATE CONSIDERATION.

2.0 STAFF REPORTS

2.1 Modification of Card Room Ordinance

This item was presented by Kevin Johnson, Captain of the Sacramento Police Department. He explained that this ordinance consolidated the City and County Cardroom Ordinances. It adds two games that may be played at cardrooms and the cardrooms will be allowed to remain open 24 hours a day, 7 days a week.

Kevin Johnson explained that we currently have one detective assigned to vice and gambling and that the City of Sacramento does not want to become known as a gambling community. There is a provision in the Ordinance that if too many calls for service occur, the City can require the cardroom to have a security officer on premise.

Another area this ordinance addressed is the fees that are charged. The City is currently looking at charging \$225 per table.

Councilmember Fargo asked why there is a need for 24 hour operation. She felt that with the ordinance allowing 24 hour operation, it encourages them to stay open 24 hours a day. Kevin Johnson explained that calls for service are minimal between 2:00 A.M. and 6:00 A.M. It is not an undue burden to the Police Department. Kevin explained that the only real difference is adding Sunday.

It was explained that the reason for these changes is that the City and County vice control can now work together. It is also difficult to justify the difference. It is easier to have the same rules apply Countywide.

Councilmember Steinberg wanted to know the rationale behind 12 persons per table. Kevin Johnson explained that it was for the purposes of a specific game that was played. It did not adversely effect that activity in the cardrooms.

Chairperson Ortiz asked how they came up with the number of cardrooms within the City. The ratio will be 1 cardroom per 100,000 persons. There are currently 6 licenses within the City of Sacramento, two of which are not currently operating. They will have 90 days from the passage of the Ordinance amendments to begin operating, otherwise, they will forfeit their license.

Councilmember Fargo thought that it made a lot of sense to have a lottery for the licenses. She also said that the Delta King would like to have a license. She feels that it would be in the best interest of the City to have the authority to determine where the cardrooms go. The Police Department Agrees. They do not want the cardrooms all concentrated in one area.

Bruce Kline, Deputy City Attorney, said that with the lottery system, the City would still have discretion. It would create a list, give everyone an equal chance, and the Police Department could qualify the location.

Councilmember Fargo stated that at the present time we have no competition the way things are presently set up.

Deputy City Manager, Robert Thomas, stated that he would have the City Attorney's office come back to the Law and Legislation Committee with other options -- alternatives to land use, etc., whether the lottery system is fair and equitable and whether it gives the City control.

Ted Sheedy, representing the Silver Fox, Lime Lite and the Sundonner said that they could live with the Ordinance.

Councilmember Fargo moved this item forward with the understanding that the Law and Legislation Committee would receive a report back on the lottery and land use issue.

Councilmember Steinberg seconded this item and it was an unanimous vote.

2.2 Proposed Schedule of Parking Penalties

This item was moved forward to the next Law and Legislation meeting. Councilmember Fargo needed to meet with staff and wanted the parking people to meet with the downtown businesses.

2.3 ACA 2 Relating to Civil Rights - Richter

Chairperson Ortiz said that this item will continue to come back. She would like to plan for a full community meeting in the evening.

Ken Fleming, Affirmative Action Officer, gave an overview of the report. He stated that he had no current knowledge on how it impacts.

Eric Veda, Chicano Activist, stated that activist across the state were organizing.

Chairperson Ortiz stated that MWBE was pre-empted by ACA 2 as well as affirmative action.

Councilmember Steinberg said that the Committee should think about how it is going to go against opposing this legislation. He wants the City to make a good case.

Councilmember Fargo asked what other jurisdictions were doing about this legislation. She suggested a joint hearing with Human Rights and Fair Housing Commission. She suggested a forum that could explain benefits not just for specific individuals, but for the community at large.

Councilmember Cohn concurs with the idea of a community meeting. He feels that ACA 2 is unconstitutional.

Chairperson Ortiz stated that she would sit down with staff and plan opposition to this legislation. She will look at the best way to educate constituency so that we can be better prepared to take the appropriate action. She will seek the participation by the Affirmative Action Task Force and the Human Rights and Fair Housing Commission in joining the City in opposition to this litigation. She stated that she would like to plan an evening meeting for the community to participate.

he meeting was adjourned at 2:00 P.M.

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Deborah Ortiz, Chair

ATTEST:


Marti Flores, Secretary