

COUNCIL COMMITTEE MINUTES

Concurrent Special Committee Meetings of the Sacramento City Council, Redevelopment Agency of the City of Sacramento, Housing Authority of the City of Sacramento and the Parking Authority of the City of Sacramento.

COMMITTEE NAME: LAW AND LEGISLATION

MEETING DATE: November 10, 1992

MEETING TIME: 1:00 p.m.

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

I HEREBY CALL Special Meetings of the Sacramento City Council, Redevelopment Agency of the City of Sacramento, Housing Authority of the City of Sacramento, and Parking Authority of the City of Sacramento to be conducted concurrently with the Council committee meetings listed below, which are incorporated herein by reference. The Special Meetings are called to permit Members who are not on the listed committees to attend the meetings and participate in the discussions. In the event five (5) or more members of the City Council are present at a Committee meeting, only those items listed on the agenda can be acted on or discussed.

The meeting was called to order at 1:00 p.m. by Chair Lynn Robie.

PRESENT: Committeemembers Robie, Chinn and Pane.*

ABSENT: Committeemember Serna.

*Committeemember Pane arrived at 1:10 p.m. and left at 1:55 p.m.

Chair Robie requested that the agenda items be heard out of order due to the fact that some items are more time-consuming than others. Item 2 was heard first.

2. An ordinance amending Sections 60.142 and 60.143, and adding Section 60.146 to the Sacramento City Code, relating to membership, powers and duties, and operations of the Sacramento Sports Commission.

Recommendation of Staff: Recommend support and forward to Council.

Committee Action: Supported and forwarded to Council.

Voting Record: Moved: Chinn
Seconded: Robie
Ayes: Chinn, Robie
Absent: Serna, Pane

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

4. An ordinance amending Article IV of Chapter 19 of the Sacramento City Code, relating to lawn and garden service.

Recommendation of Staff: Recommend support and forward to Council.

Committee Action: Supported and forwarded to Council.

Voting Record: Moved: Chinn
Seconded: Pane
Ayes: Chinn, Pane, Robie
Absent: Serna

MINUTES:

Gary Little, the City's Citizens Assistance Officer, explained that staff is seeking guidance from Council about placement of lawn and garden refuse on the streets. He pointed out that at the present time there is a 75-90% rate of non-compliance with the rule that it be placed in the street no more than 24 hours before regular garbage pickup, and that it is hard to enforce because staff would have to actually witness the refuse being put out too early or in the wrong place. He said that the City now issues warning notices to violators. He explained that the Committee could decide to leave the ordinance as it now is, to leave as it now is and increase enforcement (25 employees at \$1.5 million), to amend the ordinance as provided, or to discontinue the garden refuse program altogether (which is not recommended).

Chair Robie agreed that the ordinance is better the way it now reads, but it is still hard to enforce. She said that if you don't intend to enforce it, it shouldn't be on the books. She also expressed concern about the clause relating to undulations. Pane asked how many complaints are received regarding this problem. Mr. Little said it would probably be in the teens, but not in the hundreds, and that two or three people call continually.

Chair Robie told the Committee that her recommendation would be to try this ordinance allowing garden refuse to be placed on streets at any time and on the front or sides of corner lots. Chinn moved to support the ordinance relating to lawn and garden service, Pane seconded the motion, and it was unanimously supported.

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3. An ordinance amending the title, sections 452.4-1, 42.6, 42.9, 42.12, 42.14, 42.15, 42.18, 42.20, 42.21, and Article IV (sections 42.50 through 42.68) of Chapter 42 of the Sacramento City Code, relating to the operation of taxicabs and tow trucks.

Recommendation of Staff: Recommend support and forward to Council.

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

3. ITEM CONTINUED FROM PREVIOUS PAGE.

Committee Action: Continued for 60 days.

Voting Record: Moved: Chinn
Seconded: Pane
Ayes: Chinn, Pane, Robie
Absent: Serna

MINUTES:

Margaret Freeman, Revenue Manager, brought this matter to the Committee. She stated that the focus of this ordinance is on insurance coverage for taxicab and tow truck owners and operators, as well as to provide better enforcement capabilities that result in improved safety for citizens.

David Shore, attorney for the Yellow Cab Company, stated at this time that they have been encouraging the City for some time to make revisions to this code, including insurance and dispatch rules, and explained that they would like to sit down with staff and reassess this whole issue. Chair Robie agreed, saying she thinks every interested party should receive a notice of a meeting and then have everyone involved sit down and talk about it. Attorney Shore said that he would like to have until some time next month to have this matter heard. Chinn expressed concern that next month may be too soon, but agreed there is a problem out there that needs to be addressed. Chinn moved to have the matter of the tow truck and taxicab ordinance heard in 60 days, and that the companies work together to come back to this Committee with their ideas. Pane seconded the motion and it was unanimously agreed to continue this matter for 60 days.

1. An ordinance amending Section 5.3-12 of the Sacramento City Code, relating to cardrooms operated by fraternal organizations.

Recommendation of Staff: Recommend support and forward to Council.

Committee Action: Supported and forwarded to Council.

Voting Record: Moved: Chinn
Seconded: Robie
Ayes: Chinn, Robie
Absent: Serna, Pane

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

1. ITEM CONTINUED FROM PREVIOUS PAGE.

MINUTES:

Interim Chief Jerry Finney of the Sacramento Police Department brought this matter before the Committee. He explained that the current ordinance allows three types of games, and that it exempts fraternal organizations from the provisions of the ordinance. He noted that the illegal games have caused police problems, and the Police Department felt that fraternal organizations could be caught up in these problems. He said that the proposed ordinance exempts fraternal organizations from license fees and permits, but requires them to comply with the requirements as to types of games which could be played. Interim Chief Finney did say the Police Department does not have the resources to police these games.

Robie asked whether there had been surveys taken of other cities. Interim Chief Finney said yes, and that they also relied on the Attorney General's office and newspaper articles relating to problems with this in other cities.

A member of the Asian Advisory Committee gave a history of the types of games played in the Asian community and noted that Pai Gow involves games of up to \$10,000-\$20,000. He expressed his opinion that cardrooms are dangerous, and asked that the Committee approve this ordinance. There was considerable discussion between Interim Chief Finney and the Committee regarding the types of games, legal and illegal, being played in cardrooms. It was also noted that many Pai Gow parlors in other cities are thought to be controlled by Asian gang members.

Brewster Morgan, Attorney for a fraternal organization spoke at this time. Mr. Morgan passed out a letter (copy attached) opposing this proposed ordinance, as Pai Gow is not in violation of the California Penal Code. There was more discussion about the different types of games, including Pai Gow.

Another member of the Asian Advisory Committee and the Police Commission expressed his concern about Asian games in Sacramento. He said he doesn't believe this ordinance is discriminating against Asians, but that gambling in general has a very cruel effect on the community. He encouraged legislation to eradicate gambling problems in the City and recommended stiff penalties for violations. He noted that there is a close linkage between Pai Gow and Asian gangs. Interim Chief Finney reiterated that the proposed ordinance is simply to require fraternal organizations to be held to the same rules as other cardrooms in the City.

*Committeemember Pane left at 1:55 p.m.

Chinn moved to support the proposed ordinance relating to cardrooms operated by fraternal organizations, and Robie seconded the motion.

COMMITTEE ACTION SHEET

5. An ordinance amending Article I of Chapter 45 of the Sacramento City Code, relating to trees.

Recommendation of Staff: Recommend support and forward to Council.

Committee Action: Continued to the next Committee meeting.

MINUTES:

Ken Harris, Parks and Recreation Manager, was present to discuss this item. However, because of the lack of time, he agreed to bring this back to the next Law and Legislation Committee meeting.

The meeting was adjourned at 2:00 p.m.

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LYNN ROBIE, Chair

ATTEST:

JUDY SANDERS, Secretary