

Duke

**MINUTES**

**LAW AND LEGISLATION COMMITTEE MEETING**

April 14, 1988

City Council Chambers  
915 I Street, Second Floor  
Sacramento, California

The meeting was called to order at the hour of 3:15 p.m. by Chairman Terry Kastanis.

**PRESENT:** Committeemembers Kastanis, Mueller, Shore.  
**ABSENT:** Committeemember Pope.

Chairman Kastanis stated that the City's Legislative Advocate, Ken Emanuels, requested that Item 2 be first. The Committee agreed.

**2. Legislative update from Ken Emanuels, Legislative Advocate for the City of Sacramento.**

**RECOMMENDATION OF STAFF:** FILE.

**MINUTES:**

Mr. Emanuels discussed his list of pending legislation affecting the City of Sacramento.

(a) There are two Board of Control claims. The waste to energy plant claim will be heard next Wednesday and if approved will go into the 1988-89 budget, which is our goal. He stated this is not going to pass automatically; there will be problems.

(b) Flood control legislation. Nothing has occurred since November or December. A number of objections have been raised. This bill isn't moving ahead quickly, and there are no immediate committee deadlines. Garamendi's bill is in the second House; Doolittle's bill is just beginning.

(c) Mr. Emanuels didn't discuss this matter, as it is on the agenda for discussion later today.

(d) Firearms. Connelly strongly supports this, but doesn't want to spend a lot of time on it if it doesn't meet all the requirements of the ACLU and the National Rifle Association. There are no committee hearing deadlines.

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**COMMITTEE ACTION SHEET**

2. CONTINUED FROM PREVIOUS PAGE.

(e) MORT appropriation for a museum on railroad technology. The State Department of Parks and Recreation is enthusiastic in their support. Running into problems regarding asking for funds to begin plans and specifications without a clear indication of how this will ultimately be paid for.

(f) New Ramona Assessment District. This has been approved by the first Budget Committee in the Ways and Means Committee. Mr. Emanuels thinks this will be in the budget. The State is beginning to understand that if the State doesn't play a "responsible neighbor" at existing facilities, it will be difficult to get support for future State facilities.

(g) PERS merger. There was some discussion about the plans to merge PERS with the City's retirement system. Jim Jackson, City Attorney, stated that this was initiated by the City Manager, and that there is no contractual obligation that this be accomplished.

(h) National Guard Museum. This is an appropriation of \$500,000 from the 1984 State Bond Act for a National Guard museum. It is not likely to be approved, but it does have strong support.

(i)-(j) The Rail Corridor Studies, San Jose to Sacramento and Los Angeles to Sacramento, are long-term studies which warrant following very closely. The cities in the County will be asked to put a member on a task force. Chairman Kastanis suggested that Mr. Emanuels drop a note to the Mayor with that request. It was explained that this will be a joint appointment with other cities in the County.

Committeemember Shore asked that the City consider the Garamendi flood control bill a high priority, and stated that he wants to see it go. Committeemember Mueller asked that the Committee also hear SB 144 (abandoned vehicles) and AB 4498 (motor oil recycling) soon.

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1. AB 4355 (Connelly) relating to creation of the Sacramento Metropolitan Air Quality Management District.

RECOMMENDATION OF STAFF:

RECOMMEND SUPPORT

COMMITTEE ACTION:

SUPPORTED IN CONCEPT

VOTING RECORD:

MOVED: SHORE; SECONDED: MUELLER  
AYES: SHORE, MUELLER, KASTANIS  
ABSENT: POPE

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**COMMITTEE ACTION SHEET**

1. CONTINUED FROM PREVIOUS PAGE.

**MINUTES:**

Mike Davis, Director of Planning and Development, was present to discuss this item. He stated that the County has already taken a stand on this. Mr. Davis passed out the staff report on AB 4355 (copy attached). He said the staff is encouraging the Committee to support this bill, as the City has been attempting to promote air quality control. He went over some concerns and comments the staff has regarding the bill as written, which he asked that the Legislative Advocate and the department heads bring to the attention of the author. Chairman Kastanis stated that Councilmember Lynn Robie would like to have the Transportation and Community Development Committee hear this bill also. Chairman Kastanis also asked whether there were any timelines on this bill. Mr. Davis stated that Ken Emanuel's explanation is that this bill will have a hard time flying this way, and that his expectation is that the City has several months, at least. Mr. Davis feels there will be considerable discussion between this Council and the Board of Supervisors in the future on this issue. Committeemember Shore expressed his concern that it is one thing to have enforcement measures, but it is another thing where our local authority is overridden; he doesn't want to see the City's authority deleted. Chairman Kastanis stated that Mike (Davis) is asking for the Committee's conceptual support. Shore moved, Mueller seconded, and it was unanimously agreed to support AB 4355. Chairman Kastanis asked that Ken Emanuel's work independently with individual Council members on this bill, and suggested that no letter be written to Connelly regarding this bill until after it has been heard in T&CD.

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3. Ord. adding Chapter 76 to the Sacramento City Code, prohibiting discrimination by clubs or organizations which are not distinctly private.

RECOMMENDATION OF STAFF: RECOMMEND ENDORSEMENT AND FORWARD TO COUNCIL.

COMMITTEE ACTION: ENDORSED, WITH AMENDMENTS, AND FORWARDED TO COUNCIL.

VOTING RECORD: MOVED: SHORE; SECONDED: MUELLER  
AYES: SHORE, MUELLER, KASTANIS  
ABSENT: POPE

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## COMMITTEE ACTION SHEET

### 3. CONTINUED FROM PREVIOUS PAGE.

#### MINUTES:

Chairman Kastanis stated at this time that the Human Rights and Fair Housing Commission did an excellent job preparing this ordinance.

Martha Powers, Chairperson of the Human Rights and Fair Housing Commission of the City and County of Sacramento, along with Robbin DeShields Randolph and Randy Shiroy, were present to discuss this proposed ordinance. Ms. Powers read a statement regarding this matter. The main issue was that the the existence of clubs that discriminate in their membership and where business is frequently conducted is perceived by the community as an obstacle to the advancement of women and minorities in business and the professions. It was pointed out that the Sutter Club is the only club in the City of Sacramento which would be affected by this ordinance at this time.

The proposed ordinance was modified to reflect that the criteria should include groups of 200 or more members, rather than 100, which was originally the number. With 200 members or more, there's a better chance to prove that it is a business organization rather than a private club. Chairman Kastanis asked why the downtown Rotary Club was not considered a club affected by the proposed ordinance, since they have a very large membership, probably more than 200. Robin Randolph said that the Rotary Club was an open group covered under the Unruh Civil Rights Act. She explained that the proposed ordinance outlines specific criteria for determining what is and is not a private club. Mr. Shiroy stated that in discussions with the president of the Rotary Club, he learned that Rotary had just admitted its first woman member and they think it's a great idea. Diane Balter, Deputy City Attorney, stated that the Sutter Club is a group that serves meals on a regular basis, whereas the Rotary Clubs don't provide that service, and that is another reason why this ordinance doesn't attempt to reach Rotary-type clubs.

There was discussion regarding the City Attorney's office's ability to enforce this ordinance. The Commission feels the community should know that if an incident arises, there is someone to go to. Attorney Balter stated that the City Attorney's office does not have the available resources to provide enforcement of this ordinance, although general provisions of the City Code would authorize the office to seek injunctive relief. She said that putting the name of the City Attorney's office in the ordinance would be misleading to the community. Robin Randolph stated that

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COMMITTEE ACTION SHEET

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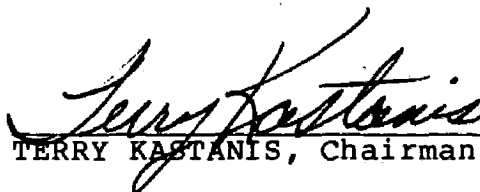
this ordinance was patterned after the Los Angeles ordinance, which states their City Attorneys provide enforcement. Councilmember Shore stated that enforcement will be the same, whether or not it is so stated in the ordinance, and that it doesn't matter one way or another to him. Attorney Balter said that if it is in, people will be expecting the City Attorney's office to do something in the way of enforcement. Mueller and Kastanis were in agreement that the City Attorney's office should be noted in the ordinance.

Councilmember Shore moved, Mueller seconded, and it was unanimously agreed to endorse the ordinance relating to prohibition of discrimination by clubs or organizations which are not distinctly private, leaving in the name of the City Attorney's office in enforcement sections.

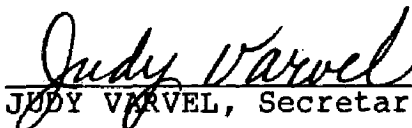
City Attorney Jim Jackson stated at this time that there is no money in the General Fund to cover the cost of this additional workload in the City Attorney's office, as his office really can't take on much more and the money just isn't there. Councilmember Shore said that it's up to the Council to make the appropriations, if necessary. Chairman Kastanis asked that the report to the Council identify the budget issue. Committeemember Mueller suggested the City Attorney's office keep a tally of requests and phone calls relating to this issue. Chairman Kastanis again thanked the Commission for their extremely thorough report. Attorney Balter noted that this matter will be heard by the Council on May 3rd.

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The meeting was adjourned at 4:13 p.m.

  
TERRY KASTANIS, Chairman

ATTEST:

  
JUDY VARVEL, Secretary