



# Sacramento City Council

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**COUNCIL COMMITTEE ON  
LAW & LEGISLATION**  
DOUGLAS N. POPE  
CHAIRMAN  
DAVID M. SHORE  
LYNN ROBIE  
WILLIAM A. SMALLMAN

## MINUTES OF LAW AND LEGISLATION COMMITTEE June 20, 1985 3:30 P.M.

The meeting was called to order by Chairman Doug Pope at 3:40 p.m. Other members present included Bill Smallman and Dave Shore. The following agenda items were discussed:

1. SB 166 Relating to Air Pollution Emissions: Cogeneration Projects. This item was not discussed at this meeting at the request of Assistant City Attorney Ted Kobey.

2. AB 81 Relating to Toxic Air Contaminants - Fees; and
3. AB 2210 Relating to Air Pollution Control District - Fees.

Present to discuss Items 2 and 3 was Gary Glissmayer of the County Air Control District. After brief discussion, Dave Shore moved, Bill Smallman seconded, and it was unanimously agreed to recommend to the full Council that the City support these bills.

4. AB 2494 Costa - Rail Passenger Service Development. Dave Shore moved, Bill Smallman seconded, and it was unanimously agreed to support this bill.

5. California Arts Council FY85/86 Budget Request. Councilman Shore asked why the Law and Legislation Committee was hearing a California Arts Council budget item. Wendy Ceccherelli of the Arts Commission explained their organization receives money from the California Federation of the Arts and that this would help the City. Dave Shore moved, Bill Smallman seconded, and it was unanimously agreed to endorse the Legislature's recommended FY85/86 California Arts Council budget of \$16,585,000.00.

6. Proposed Amendments to Sacramento City Code Chapter 29, Burglary and Robbery Alarm System Ordinance. Captain Benton of the Police Department was present to discuss this matter. Councilman Shore asked if the industry was in support of this ordinance. Captain Benton and some members of the industry from the audience, including Bill Sweeny of the Sacramento Alarm Association, stated they were in support of this ordinance. Councilman Shore moved, Councilman Smallman seconded, and it was unanimously agreed to recommend these proposed amendments to the full Council.

7. Amendment to Sacramento City Code Section 5.3-11 Relating to Cardroom Ordinance. Jack Kearns, Chief of Police, was present to discuss this agenda item. He discussed the game known as Pai Gow, a percentage game, which has been played at several cardrooms in the City. He explained that the Police Department does not have the manpower to go to each cardroom to be sure all the games being played are being played correctly and legally. He feels that the City should have specific rules as to which games can and cannot be played. A representative of the Cardroom Owner's Association stated that Pai Gow is not going to be played in cardrooms as of 6:00 tonight. Chief Kearns stated that they had been requested to stop playing that game over a month ago, and they had supposedly agreed to stop at that time. Therefore, the need for such an ordinance still exists. The proposed changes in this ordinance would make it easy to understand and easy to enforce. The Sheriff's Department is working with the County for a similar law.

Jim Watson of the Attorney General's office stated that there are only 214 cities out of 461 in California that even allow gambling.

There was a lot of discussion regarding what games should or should not be listed as being legal in the ordinance. Councilman Smallman noted that with so many new games popping up all the time, all new games would then be illegal. This was agreed. It was also noted that adoption of this ordinance would have no financial impact for the cardrooms now in business. On the other hand, if this ordinance is not adopted, Chief Kearns said he would need to allow an additional three or more days of training for new police officers just to teach them how to play all the card games to determine if the cardrooms were complying with the law. Chief Kearns also said he doesn't think that the City of Sacramento wants a "little Reno" with wide-open gameplaying.

Bill Smallman made a motion, Dave Shore seconded, and it was unanimously agreed that recommendation of this amended ordinance would be presented to the full Council, with the stipulation that Chief Kearns report back to the Committee in three weeks with any recommendations, if any, for additional games to be added to the ordinance as legal games to be played in cardrooms.

8. AB 2344 Relating to Professional Sports Franchise Relocation Policy; and SRJ 10 Relating to Drug Abuse in Professional Sports. Michael Ross of the Franchise of Americans Needing Sports (FANS) was present to discuss these bills. He explained that the SRJ 10 measure related to drugs in sports, and that the AB 2344 bill related to sports teams in cities and counties. He stated that Sacramento was the only city which has not yet taken a position on these matters. He said that without support, the Kings could come into Sacramento, get the required zoning, get the sports facility,

and then sell the team and facility in two years. AB 2344 would allow for the purchase of a sports team.

Dave Shore stated that as he understood this bill, it would allow a team to give one year's notice and gives the City the option of buying the team, which is the practical part of all of this.

Doug Pope stated that as he read the bill, the City didn't have any rights in this anyway, and that this bill didn't even apply to the City of Sacramento. He said it looked like the "Board of Supervisors" would have to tell the City what to do. He wanted to know why Mr. Ross was asking the Council to endorse something that didn't help us anyway.

Dave Shore asked Mr. Ross about the timeline for this item. Mr. Ross said July 9th. Councilman Shore asked whether any other groups in the City or County have looked at this. Mr. Ross said no. Councilman Shore suggested that the Chamber of Commerce and the Kings look at this.

Chairman Pope stated that the way this bill reads, the City of Sacramento would not have any rights if the Kings should decide to move. He also wanted to know if the League of California Cities has taken a stand on this (they have not).

Dave Shore stated that this should be brought before the full Council, but first to get an opinion from the Kings and the Chamber of Commerce.

Chairman Pope stated that he does see some problems with this bill, and that he doesn't know what other bills are floating around out there along this line. He stated he would like to know the League's position. He also said that before he could support this particular bill, he would want to know what the legislative staff thinks, as he wants to know if there are problems.

It was moved by Dave Shore, seconded by Bill Smallman and unanimously agreed to support SRJ 10 regarding drug abuse in professional sports.

Regarding AB 2344, Doug Pope motioned that this be scheduled before the full Council some time in July with a Committee report that the City support some type of legislative concept similar to AB 2344, but not this particular bill. It was also requested that comments from the League of California Cities be presented at that meeting, as well as comments from the Chamber of Commerce. Dave Shore seconded the motion, and it was unanimously agreed.

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At this time, Maurice Reed of the Sacramento Sports Association commented that they see nothing that would prohibit the City and County from buying a team at this time, without this bill.

The Committee went into executive session at 4:45 p.m.

jmv