

**FULL TEXT OF MEASURE Q  
CITY OF ANAHEIM**

**CHARTER AMENDMENT**

Section 519. GAMBLING ACTIVITIES AND GAMBLING FACILITIES PROHIBITED.

No ordinance shall be adopted by the City Council which would permit or authorize any gambling activities or gambling facility in the City of Anaheim. Any ordinance adopted by the City Council in violation of this section shall be null and void.

Neither the City Council, nor any officer or employee of the City when acting in his or her official capacity, shall (i) take any action or approve any license, permit or other entitlement, including but not limited to any zoning reclassification or zoning code amendment, which would directly or indirectly result in the authorization, approval, establishment or expansion of any gambling activities or gambling facility in the City of Anaheim; or (ii) acquiesce or concur in any action or decision of any other governmental agency or governmental official having jurisdiction concerning such gambling activities or gambling facility where a protest or objection procedure is available to the City and where failure to so protest or object could result in the approval, establishment or expansion of any gambling activities or gambling facility in the City of Anaheim or which could authorize any gambling activities or gambling facility to be so established or expanded; or (iii) approve, authorize, execute or enter into any agreement or understanding, or take any other action of any nature whatsoever, which would authorize, approve, or in any way facilitate or result in, any gambling activities or gaming facility in the City of Anaheim, including, but not limited to, any agreement or understanding relating to any gambling activities or gambling facility which would result in the receipt by the City of any revenue of any kind from such gambling activities or gambling facility.

The term "gambling activities" as used in this section shall mean any game, contest or activity in which one or more players wager, stake or otherwise risk money, checks, credits, merchandise, chips, markers or other items of value or representations of value for the chance to win money, checks, credits, merchandise, chips, markers or other items of value or representations of value based upon the outcome or result of such game, contest or activity, regardless of whether chance or skill is the determining factor, except those certain games, contests and activities lawfully permitted in the City of Anaheim as of November 1, 2006.

The term "gambling facility" as used in this section shall mean any property, lot, building or structure used in whole or part for any gambling activities.

Nothing contained in this section shall be deemed to apply to any gambling activities or gambling facilities which are beyond the power of the City of Anaheim to prohibit.

Nothing contained in this section shall be deemed to prohibit the adoption of an initiative measure by the electorate of the City of Anaheim relating to gambling activities or gambling facilities in the City of Anaheim, nor shall be deemed to prevent the City Council from prohibiting or otherwise regulating any games, contests or activities which were permitted within the City of Anaheim as of November 1, 2006, to the extent it is within the power of the City to do so.

**IMPARTIAL ANALYSIS BY CITY ATTORNEY  
MEASURE Q**

The Anaheim Municipal Code currently prohibits all forms of gambling within the power of the City to prohibit with the exception of (i) bingo games conducted by charitable and non-profit organizations in accordance with state law provisions, and (ii) certain carnival or arcade-type games known as "redemption games" involving games of skill played for the opportunity to win merchandise or prizes other than money. Certain other gambling activities, such as the state lottery and charitable raffles, are authorized by state law and are beyond the power of the City to prohibit.

Although most forms of gambling are now prohibited in Anaheim by City ordinances, the City Council currently has the power to amend or repeal such City ordinances in a manner which would allow additional gambling activities and gambling facilities in Anaheim in the future.

This measure would add Section 519 to the Anaheim City Charter to prohibit the City Council or any future City Council from adopting or amending City ordinances, or taking any other actions, which would approve any additional gambling activities or gambling facilities (including but not limited to card clubs and casino-type facilities) in Anaheim unless such new gambling activities or facilities are authorized by a vote of the people of the City at a municipal election. This measure would not prohibit any gambling activities currently permitted in Anaheim under existing City ordinances or state law.

Gambling on Indian tribal land in California is governed exclusively by Federal and State law and is regulated by compacts negotiated by the Governor and ratified by the California State Legislature. Neither Federal nor State law requires local approval of these compacts. However, to the extent City approval or concurrence may be required with regard to the siting of tribal lands in Anaheim for gambling activities or gambling facilities, the proposed measure would prohibit such approval or concurrence by City officials without a vote of the people of the City at a municipal election.

JACK L. WHITE  
Anaheim City Attorney

**The above statement is an impartial analysis of Measure Q. If you desire a copy of the measure, please call the election official's office at (714) 765-5166 and a copy will be mailed at no cost to you.**

## ARGUMENT IN FAVOR OF MEASURE Q

Anaheim has always been known as a family-friendly community – from great neighborhoods to a strong tourism industry that thrives on this reputation.

Few activities would be less compatible with Anaheim than large scale gambling enterprises. They bring crime, other vices, and detract from what is already working here – family-oriented tourism.

That is why Measure Q was placed on the ballot and why we strongly support it, because we must make it clear that we do not support gambling in our city.

Neighboring cities have held meetings with gaming interests who were seeking to locate a large casino right on the border of Anaheim. Some Native American tribes are hoping to locate new casinos, not on their reservations as allowed by law, but off reservations in urban and suburban communities.

Anaheim does not currently have gambling establishments. In reviewing existing rules, it became clear that our citizens are not currently guaranteed the right to vote before any such activities could locate here.

That is what Measure Q is about. It guarantees that no future City Council can negotiate to allow a gambling establishment in Anaheim without a vote of the people.

Join community leaders and your Anaheim Police Association in voting Yes on Measure Q.

s/ Bob Hernandez  
Councilmember  
City of Anaheim

s/ Lorri Galloway  
Councilmember  
City of Anaheim

s/ Ed Thaete  
Secretary  
Anaheim Police Association

s/ John Fuhr  
Vice President of Marketing  
Anaheim/Orange County Visitor &  
Convention Bureau

s/ Curt Pringle  
Mayor  
City of Anaheim

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## REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE Q

The proponents of this proposed Charter change are framing it as a right to vote on gambling guarantee. In this, they are completely disingenuous. The proponents know full well, that should this pass, the only vote possible would be a vote to remove this measure from the Charter.

It was placed on your ballot by four city councilpersons. If passed, no future council could ask you to remove it. Or, for that matter, even discuss doing so. It would require an initiative with tens of thousands of valid voter signatures for reconsideration. Its passage would amount to a permanent "poison pill" for developers of legal enterprises.

The Anaheim City Charter is the City's Constitution. Don't allow it to be used by existing entertainment interests to protect themselves from competition!

Steve White, President Anaheim H.O.M.E.

## ARGUMENT AGAINST MEASURE Q

"THERE IS SOMETHING ROTTEN IN THE STATE OF ANAHEIM".

Unnecessary ballot measures to modify our city charter are expensive to put on the ballot, a waste of taxpayer money. It is unfortunate that incumbent politicians often are not careful with our tax money. They seem to limit their concerns only to millions of dollars, not thousands of tax dollars, such as the cost of adding an existing law to the city charter.

There is a cheap political trick used by incumbents when running for re-election. The trick is to author a popular ballot measure and have it on the same ballot as their re-election. Better yet, author two popular ballot measures and have both of them on the same ballot as their re-election. Voters usually have a favorable perception of any incumbents who author such ballot measures and will have a tendency to vote for them.

These ballot measures in order to be popular must have a subject matter that should be almost nonsensical in nature, such as being for "Motherhood" and "Apple pie" or against such perceived common evils as "Gambling" and "Eminent Domain".

A ballot measures to amend the city charter as with "Gambling" or "Eminent Domain" is completely unnecessary and is an expensive duplication of effort. A city ordinance is already a law that is completely enforceable. Wasting time and tax money to put a law in the city charter does not in any way increase or decrease the enforceability of that law.

Anaheim H.O.M.E. urges the voters of Anaheim to vote **NO** on this ballot measure to modify our city charter. In voting **NO** and defeating this ballot measure, we will be sending a message to incumbent politicians that cheap political tricks do not work in Anaheim.

s/ Steve White  
President  
Anaheim H.O.M.E.

## REBUTTAL TO ARGUMENT AGAINST MEASURE Q

Prohibiting the decline of the family-friendly atmosphere of Anaheim is neither a "cheap political trick" nor "wasting time."

Measure Q is simple; it prohibits the City Council from taking any action to allow or expand gambling in the City of Anaheim without first placing the question before the people for a vote. How could anyone oppose allowing the people to vote before such a major decision as expanding gambling?

Why is Measure Q necessary? Quite simply, the current ban on any expansion of gambling in Anaheim is part of the City Code, not the Charter, and that means it could be overturned by a future City Council. Voters would have no say in the matter.

We already know that a neighboring city has secretly met with Indian tribes and Las Vegas casino operators who would like to build a large casino right in the middle of Orange County.

Our city charter is like our "constitution" – a place for fundamental principles about what the city can and cannot do. A decision to change our character by allowing gambling is far-reaching, and the additional protection of placing this prohibition in the Charter is appropriate.

We urge you to join us in voting Yes on Measure Q.

s/ Bob Hernandez  
Councilmember  
City of Anaheim

s/ Lorri Galloway  
Councilmember  
City of Anaheim

s/ Ed Thaete  
Secretary  
Anaheim Police Association

s/ John Fuhr  
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s/ Curt Pringle  
Mayor  
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