

# City of San Antonio



## Minutes Governance Committee 2023 – 2025 Council Members

Mayor Ron Nirenberg, Chair

Dr. Adriana Rocha Garcia, Dist. 4 | Melissa Cabello Havrda, Dist. 6

Manny Pelaez, Dist. 8 | John Courage, Dist.

Wednesday, June 26, 2024

2:00 PM

City Hall

The Governance Committee convened a regular meeting in the City Hall Media Briefing Room at 2:07 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Committee Members present:

**Members Present:** Ron Nirenberg, *Mayor, Chair*  
Dr. Adriana Rocha Garcia, *Member*  
Melissa Cabello Havrda, *Member*  
Manny Pelaez, *Member*  
John Courage, *Member*

**Members Absent:** None

### Approval of Minutes

#### 1. Governance Committee meeting on May 17, 2024.

Councilmember Rocha Garcia moved to Approve the minutes of the May 17, 2024 Governance Committee meeting. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

**Aye:** Nirenberg, Rocha Garcia, Cabello Havrda, Pelaez, Courage

### Briefing and Possible Action on

#### 2. Council Consideration Request by Councilmember Marina Alderete Gavito (District 7) on the Comprehensive Safety Measures for Loose and Dangerous Dogs. [David McCary, Assistant City Manager]

David McCary, Assistant City Manager and Interim Director of Animal Care Services (ACS) provided background and an overview of the Council Consideration Request (CCR) number

2024-0014 which was submitted on May 2, 2024. He stated that according to the CCR, San Antonio experienced a high number of roaming and stray animals which was primarily driven by irresponsible pet ownership and a lack of knowledge of the law. Assistant City Manager McCary indicated that the CCR suggested that spaying or neutering (sterilization) was an effective tactic to reduce the overpopulation of pets. He noted that the CCR requested the following action: 1) Increase fines for repeat owners for roaming dog violations, 2) Sterilization of owned pets found free of restraint, and 3) Implement a pseudonym program to protect the identity of people filing dangerous dog affidavits.

McCary reported that Chapter 5 of the City Code, allowed a pet owner 30 days to get their pet sterilized if their animal was caught free of restraint and/or if it bit someone. He stated that ACS was charged with issuing civil and criminal citations to pet owners that did not complete their sterilization agreement and the minimum fines were: \$100 for the first offense, \$200 for the second offense, and \$300 for the third offense.

McCary explained that City laws on dangerous and aggressive dogs were taken directly from State Law and ACS received and investigated approximately 300 sworn statements (affidavits) from the public for dangerous and aggressive dogs annually. He mentioned that additionally, ACS conducted outreach and education on how to file a dangerous dog affidavit including that a pseudonym could be used with the State form (affidavit), however, once appealed to an appellate court the actual name was required to be disclosed.

Historically ACS had not completed surgeries of owned animals onsite and lacked the capacity to complete a significant number of additional surgeries onsite, according to McCary, but ACS funded over \$40,000 for free or low-cost spay and neuter surgeries onsite and through partner agencies. He played a public service announcement video regarding responsible pet ownership and stated that the department was working on a comprehensive plan. McCary recommended referral of CCR 2024-0014 to the Public Safety Committee.

Mayor Nirenberg recognized Texas State Senator Jose Menendez who spoke regarding his efforts in the Texas Legislature to address dangerous dogs. He advocated for residents of San Antonio to have the ability to report dangerous dogs without a sworn witness statement that identified the witness. Senator Menendez reported that the bill had passed both houses, but Governor Abbott had vetoed the bill so it was not in effect, therefore, he supported the recommendations from Councilmember Alderete Gavito's CCR.

Mayor Nirenberg recognized Councilmember Alderete Gavito, the author of the CCR and invited her to speak. She thanked Senator Menendez for his support and noted that while campaigning she had committed to her residents that, if elected, she would do something about loose and dangerous dogs. Councilmember Alderete Gavito spoke in support of the CCR and requested support from the Governance Committee.

Councilmember Courage asked how many owned animals came in annually that were not spayed/neutered and noted that this would relieve the owner of the animal for having to pay for the surgery. McCary stated that there were 4,800 loose dogs picked up last year and Councilmember Rocha Garcia asked the percentage of compliance for those pet owners who issued a sterilization agreement for loose animals and bites. McCary stated that the percentage was low and the owner was given 30 days to comply, afterward, they were brought in for a

citation. City Manager Erik Walsh stated that the process was inefficient and needed to be streamlined which would be discussed at the Public Safety Committee. Councilmember Rocha Garcia asked what percentage of fines went unpaid and asked about the consequences if they did not pay. McCary noted that the Municipal Court would provide the information.

Councilmember Rocha Garcia asked how many surgeries were free. McCary stated that 13,000 out of 40,000 surgeries were free and some owners within high equity areas received a discounted rate. Councilmember Rocha Garcia supported the increase in fines and recommended implementation of a responsible pet course for first time offenders or service hours in lieu of the fines.

Councilmember Pelaez noted the importance of having a State Senator supporting the effort and thanked Councilmember Alderete Gavito for bringing this forward. He recommended a deeper conversation about the root cause of the problem noting that incidents were more prevalent in impoverished areas of the City as pet ownership was a huge economic burden for low-income families which could result in pet neglect simply because families could not afford the surgeries or even pet food and other medical care.

Councilmember Pelaez noted that some people including battered women and homeless persons refused to seek help at a shelter due to not wanting to leave their pets. Councilmember Pelaez commented that some people gravitated toward buying large breed dogs like Pit Bulls and Rottweilers then realized they could not take care of them. He also recommended a cultural conversation.

Councilmember Cabello Havrda noted that the problem had gone unrestrained for so long and working to make the issue better was imperative as the situation had become more dire. She thanked McCary for differentiating between stray and roaming dogs which indicated that roaming dogs had owners as well as the idea of guardianship of pets. Councilmember Cabello Havrda noted that the use of a pseudonym would allow people to report and still not be identified since anonymous complaints were not acceptable. She noted that packs of dogs might be individually sweet with their owners but could cause a danger to the community when they were loose.

Councilmember Cabello Havrda supported the strategic plan and noted that Municipal Court had ordered defendants to take responsible ownership courses but, in the past, ACS did not have the capacity to manage court-mandated community service. She mentioned that there was an Ordinance requiring dogs to be microchipped so the dogs could be returned to their guardian. Councilmember Cabello Havrda asked if a pet could be spayed/neutered without consent of the guardian. Segovia stated that they could. McCary stated that there currently was no capacity to perform that many surgeries. City Manager Walsh stated that since the City funded \$40,000 for free or low-cost spay/neuter surgeries we might be able to shift resources.

Mayor Nirenberg noted that this was not a nuisance issue but rather a public safety issue as there had been people mauled and killed in our streets. He thanked McCary and commented that he was far less concerned about people who were voluntarily bringing their pets to our programs and suggested prioritizing those animals that were picked up as they were causing more issues to the community. City Manager Walsh stated that they were receiving many 3-1-1 calls for those animals and staff would bring more ideas to the Public Safety Committee.

Mayor Nirenberg recognized Senator Menendez who noted that the State legislative process could be lengthy and suggested the education campaign would help with the issue.

Councilmember Rocha Garcia moved to Refer to Committee. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

**Aye:** Nirenberg, Rocha Garcia, Cabello Havrda, Pelaez, Courage

**Executive Session**

There was no Executive Session.

**Adjournment**

There being no further discussion, the meeting was adjourned at 2:48 p.m.

**Approved**

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*Ron Nirenberg*  
*Mayor*

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**Debbie Racca-Sittre**  
*City Clerk*