

City of San Antonio



Minutes Public Safety Committee

2023 – 2025 Council Members

Melissa Cabello Havrda, Dist. 6, Chair
Dr. Sukh Kaur, Dist. 1 | Jalen McKee-Rodriguez, Dist. 2
Marina Alderete Gavito, Dist. 7 | Marc Whyte, Dist. 10

Tuesday, October 15, 2024

9:30 AM

San Antonio Fire Training Academy

The Public Safety Committee convened a regular meeting at the San Antonio Fire Training Academy beginning at 9:33 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Committee Members present:

Members Present: Melissa Cabello Havrda, *Chair*
Dr. Sukh Kaur, *Member*
Jalen McKee-Rodriguez, *Member*
Marina Alderete Gavito, *Member*
Marc Whyte, *Member*

Members Absent: None

Approval of Minutes

1. Approval of minutes from the September 17, 2024 Public Safety Committee Meeting

Councilmember McKee-Rodriguez moved to Approve the minutes of the September 17, 2024 Public Safety Committee meeting. Councilmember Whyte seconded the motion. The motion carried by the following vote:

Aye: Cabello Havrda, McKee-Rodriguez, Whyte
Absent: Kaur, Alderete Gavito

Consent

2. Briefing and possible action on a \$600,000.00 award from the US Department of Justice, Office of Justice, Office for Victims of Crime for the FY 2024 Enhanced Collaborative Model Task

Force to Combat Human Trafficking Grant Program for the period of October 1, 2024, to September 30, 2027. [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Councilmember McKee-Rodriguez moved to Approve. Councilmember Whyte seconded the motion. The motion carried by the following vote:

Aye: Cabello Havrda, McKee-Rodriguez, Whyte
Absent: Kaur, Alderete Gavito

- 3. Briefing and possible action on an Interlocal Cooperation Contract between Texas State University and the San Antonio Police Department for the continued participation in the State of Texas' Tobacco Enforcement Program.** [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Councilmember McKee-Rodriguez moved to Approve. Councilmember Whyte seconded the motion. The motion carried by the following vote:

Aye: Cabello Havrda, McKee-Rodriguez, Whyte
Absent: Kaur, Alderete Gavito

Briefing and Possible Action on

- 4. Briefing and possible action on the Council Consideration Request by Councilmember Marina Alderete Gavito (District 7) on the Comprehensive Safety Measures for Loose and Dangerous Dogs.** [David W. McCary, Assistant City Manager; Michael Shannon, Interim Director, Animal Care Services]

Deputy City Manager Maria Villagomez introduced Interim Director of Animal Care Services (ACS) Mike Shannon who summarized the Council Consideration Request (CCR 2024-0014) submitted by Councilmember Alderete Gavito (District 7) on May 2, 2024, titled Comprehensive Safety Measures for Loose and Dangerous Dogs. He stated that the CCR maintained that San Antonio was experiencing a high number of roaming and stray animals, primarily due to irresponsible pet ownership and a lack of knowledge of the law. Shannon noted that the CCR requested the following actions: 1) Increase fines for repeat offenders for roaming dog violations, 2) Sterilization of pets found free of restraint, and 3) Implement a pseudonym program to protect the identity of people filing Dangerous Dog affidavits. Shannon reported that the CCR was assigned to the ACS Department and was presented to the Governance Committee on June 26, 2024. He indicated that the Governance Committee assigned the CCR to the Public Safety Committee.

Shannon explained that currently, Chapter 5 of the City Code Section 5-21(a) included fines of \$100 for the first offense, \$200 for the second offense, and \$300 for the third offense. Shannon stated that City laws on dangerous dogs were taken directly from State Law. He stated that ACS received and investigated approximately 300 sworn statements (affidavits) annually and the department provided outreach and education on how to file dangerous dog affidavits. He added that currently, ACS required a legal name on the State form (affidavit).

Shannon recommended increasing the minimum fines to \$100 for the first offense, \$500 for the second offense, and \$750 for the third offense and beyond. Shannon proposed adding fines for failure to prevent bites in Code Section 150(3) as follows: \$1,000 for the first offense, \$1,500 for the second offense, and \$2,000 for the third offense and beyond. Shannon's proposal would require an update to the City Code.

Shannon proposed to allow pseudonyms, such as "Jane Doe" on the affidavit to protect the name of the person filing the complaint, however, if or when dangerous dog designation was appealed in court, real names would be required to be revealed. This process change would not require a change to the City Code and could be performed administratively.

Under the current process, (City Code Section 5-150) pet owners were issued a 30-day sterilization order if their animal was free of restraint or for bite cases, according to Shannon. He stated that ACS offered sterilization for on-campus reclaim of pets, but City Code Section 5-156 did not require sterilization before one could reclaim their animal. He noted that pet owners were issued civil and criminal citations who did not complete their sterilization agreement. Shannon showed statistics indicating a 12% sterilization agreement compliance rate in FY 2024, up from 5% in 2023 due to increased follow-up by ACS.

Shannon proposed that sterilization of pets that had been taken to ACS could be absorbed within existing clinic operations and committed to ensuring 100% issuance and follow-up on sterilization orders for pets returned in the field. He noted that however, this proposal would require a change to the City Code, reduce ACS's ability to respond to 100% of the critical calls, strain shelter capacity, and disease control, and be a challenge for logistics and scheduling. Shannon reported that ACS had begun proactive inspections of repeat bite offenders in October 2024 and were focused on 378 addresses which was accomplished through reprioritization of the work.

Shannon proposed to address the CCR by updating City Code Chapter 5 to increase fines for repeat offenders and allow ACS to sterilize owned animals prior to reclaim by the owner with the inspection program for repeat offenders as a possible future code consideration.

DISCUSSION:

Councilmember Alderete Gavito provided background on the CCR noting this was a people problem and not a dog problem since most of the loose and dangerous dogs were owned by a resident, not just stray animals. Councilmember Alderete Gavito supported the staff's recommended solutions and indicated that they were in line with the intent of the CCR. She also supported banning repeat offenders from owning pets which would require action by the Texas State Legislature.

Chair Cabello Havrda asked Shannon whether more resources would be needed by ACS to implement the program and wanted to ensure that the program would be consistently implemented; including a plan to follow through. Shannon explained that it was a matter of training staff and modification of standard operating procedures to ensure consistency in compliance. She asked what would happen if an owner refused to sterilize the animal. Shannon mentioned that the difference was the high fine that would be a deterrent making sterilization a better choice than a \$500 or \$1,000 ticket even if the owner had to pay \$100 for sterilization. Shannon added that staff would coordinate with

spay/neuter clinics to prioritize those with required sterilization for their dog using the City's program funds when needed.

Chair Cabello Havrda asked how the City could navigate the State's position that pets were considered property like cattle. Shannon stated that the department would need to work with Government Affairs taking the position that holding a dangerous dog was a public safety issue and potentially animal cruelty. Chair Cabello Havrda asked if using a pseudonym on the affidavit required a change to State Law. Shannon confirmed that it would require a change in State Law, however, staff would implement whatever they could right now without a change to State Law.

Councilmember McKee-Rodriguez asked Shannon to define a dangerous dog. Shannon stated that a dog that bit someone and caused serious bodily injury (SBI) or attacked someone with the potential to cause SBI even if the dog had been thwarted would be considered a dangerous dog.

Councilmember McKee-Rodriguez cautioned against banning certain breeds and wanted to ensure the definition was irrespective of breeds.

Councilmember McKee-Rodriguez did not support fines in general noting they allowed affluent owners to skirt the law and supported more follow-up on the sterilization order or ACS actually performing sterilizations, noting the low compliance rate of 12%. Councilmember McKee-Rodriguez expressed concern with how ACS could absorb sterilization costs into its operations. Shannon stated that it would be a combination of ACS performing the surgery and helping the owner get to free/low-cost clinics. Shannon requested that the Councilmember give time for the new process to work and then see how the compliance rate improved. Shannon offered to return to the Committee in the summer of 2025 to provide a report.

Councilmember McKee-Rodriguez supported taking the Item to A Session but suggested that a detailed analysis of the needs of ACS, like the assessments being performed by the Fire and Police Departments, could have gotten ACS to a better result sooner.

Councilmember Kaur recommended continuing to explore more opportunities for community education and awareness. She wanted to ensure there were some guardrails to keep people from filing affidavits just because they were not getting along with their neighbor. Shannon explained that unfounded complaints would be closed after investigation, noting that there had been some neighbor disputes; a dog could not be designated as dangerous without evidence. Councilmember Kaur recommended information on unfounded cases at the next update.

Councilmember Kaur asked if there was a minimum number of bites before a dog could be euthanized. Shannon stated that there was no minimum number since a severe bite causing serious bodily injury or death would result in euthanization on the first incident. Councilmember Kaur requested an update on the full ACS Strategic Plan to the Committee.

Councilmember Whyte requested a public communications plan for the new fines. Shannon stated that the department was already working with the Communications and Engagement Department to develop a "Responsible Pet Ownership" Campaign which would include the new fines if they were approved quickly. Councilmember Whyte requested the basis of the fine recommendations and whether they

were comparable to other cities. Shannon stated that the department looked at other sections of the City Code such as Animal Cruelty Fines to set appropriate fines. Councilmember Whyte suggested that the City Attorney's Office might spend more time in Municipal Court with the updated fines. Councilmember Whyte expressed concern about disputing neighbors making frivolous complaints and suggested a potential fine for fraudulent complaints.

Chair Cabello Havrda asked if the affidavit included information about whether the dog bit a person or another animal. Shannon confirmed that the detailed information was a part of the form and would be included in the evidence that would be investigated. Chair Cabello Havrda suggested filing Class C cases in District Court and asked what level would take the case to the higher court. Shannon indicated that serious bodily injury cases would end up in District Court.

Councilmember Alderete Gavito moved to refer the staff recommendation to the ACS Advisory Board next month and to the full City Council thereafter. Councilmember Whyte seconded the motion. The motion carried by the following vote:

Aye: Cabello Havrda, McKee-Rodriguez, Whyte
Absent: Kaur, Alderete Gavito

5. Briefing on the San Antonio Fire Department's Statistics for FY24 and an overview of Fire Operations / Standards of Cover. [María Villagómez, Deputy City Manager; Chris Monestier, Interim Fire Chief]

Deputy City Manager Maria Villagomez introduced Interim Fire Chief Chris Monestier who led a moment of silence in honor of Firefighter Greg Garza who lost his life in the line of duty five years ago. Monestier presented the final FY 2024 statistics for the San Antonio Fire Department (SAFD). Monestier reported that between FY 2023 and FY 2024, incidents rose 1.6%, responses declined 3.6%, requests to assist SAPD incidents rose 6.7%, the average response time increased by one second to 8:44 and the 90th Percentile Response Time was down 7 seconds to 12:47. He also reported that since 2020, medical incidents had increased 16% and non-medical incidents increased 34% and responses by Fire Units responses increased by 11% while non- medical responses increased by 3%.

Monestier reported on the number of structure fires and stated that older structures contributed to more fires in Council Districts 1, 2, 3, and 5.

Monestier listed the different types of fire apparatus equipment in SAFD's fleet including 54 frontline engines, 11 ladder trucks and 11 platform trucks, 36 full-time medic units, Medical Integrated Healthcare (MIH) Units, ambulance bus, and MedCat multipurpose response vehicle, incident command unit, heavy rescue unit, HAZMAT unit as well the enhanced quad program for the three new Fire Stations 4, 19, and 44 coming online in FY 2025. Monestier explained which types of vehicles and units responded to each type of call.

Following his presentation, Monestier invited the Committee to tour the Fire Training Academy.
DISCUSSION:

Chair Cabello Havrda commented that many residents called the Councilmembers asking about the different types of equipment so she appreciated the clarification and tour.

Councilmember Whyte noted this was the first Public Safety Committee meeting since the Venezuelan Gang Tren de Aragua was arrested by joint law enforcement. Chair Cabello Havrda noted that the Councilmember was out of order as his comments did not pertain to the SAFD statistics.

Councilmember Whyte suggested that the comments pertained to Item 3 on the Consent Agenda. First Assistant City Attorney Elizabeth Provencio recommended that since the Consent Agenda including Item 3 had already been moved forward to full council, the Councilmember should address his comments at the next meeting when the Item was posted for consideration.

Councilmember McKee-Rodriguez moved to Approve. Councilmember Whyte seconded the motion. The motion carried by the following vote:

Aye: Cabello Havrda, McKee-Rodriguez, Whyte
Absent: Kaur, Alderete Gavito

Executive Session

No Executive Session was held.

Consideration of items for future meetings

Adjournment

After the meeting, members of the Public Safety Committee may tour the San Antonio Fire Training Academy, located at 300 S. Callaghan Road. No official action will be taken during this time.

There being no further discussion, the meeting was adjourned at 10:46 a.m.

Approved

Melissa Cabello Havrda, Chair

*Debbie Racca-Sittre
City Clerk*