

AMENDED MINUTES

LAW AND LEGISLATION COMMITTEE MEETING

Thursday, August 27, 1987

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

The meeting was called to order at the hour of 2:36 p.m. by Chairman Terry Kastanis.

PRESENT: Committee Members Kastanis, Bradley, Pope;
Councilman Serna.

ABSENT: Committee Member Shore.*

*Committee member Shore arrived at 2:45 p.m.

1. Resolution to support the "Dimes Against Crimes" initiative.

RECOMMENDATION OF STAFF: RECOMMEND SUPPORT.

REPORTS BACK: NONE.

COMMITTEE ACTION: SUPPORTED.

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

MINUTES:

Lt. Jim White of the Sacramento Police Department, Inspections and Standards, was present to discuss this matter. He stated that this resolution would mean 2 million dollars to the Police Department from a small tax on liquor, and that statistics show that alcohol is involved in a high number of crimes in the City.

Committee Member Bradley moved, Pope seconded, and it was unanimously agreed to forward the resolution supporting the "Dimes Against Crimes" initiative to the full Council.

COMMITTEE ACTION SHEET

2. Resolution relating to Police Department Fee and Charges for fingerprinting and processing.

RECOMMENDATION OF STAFF: RECOMMEND SUPPORT AND FORWARD TO COUNCIL.

REPORTS BACK: NONE.

COMMITTEE ACTION: SUPPORTED AND FORWARDED TO FULL COUNCIL.

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

MINUTES:

Diane Balter, Deputy City Attorney, was present to discuss this matter. She explained that this resolution would reduce the charge for fingerprinting from \$12.50 to \$10.00.

Committee Member Pope moved, Committee Member Bradley seconded, and it was unanimously agreed to support the resolution relating to Police Department Fee and Charges for fingerprinting and processing. This will now go before the full Council.

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3. An ordinance adding Article X, Chapter 6 of the Sacramento City Code, relating to pit bull dogs.

RECOMMENDATION OF STAFF: RECOMMEND SUPPORT AND FORWARD TO FULL COUNCIL.

REPORTS BACK: NONE.

COMMITTEE ACTION: NO RECOMMENDATION. FORWARDED TO FULL COUNCIL.

VOTING RECORD: MOVED: BRADLEY;
SECONDED: KASTANIS
AYES: KASTANIS, BRADLEY.
NOES: POPE, SHORE

MINUTES:

Diane Balter, Deputy City Attorney, was present to discuss this proposed ordinance. Also present was Ruben Mora, Chief Animal Control Officer. Attorney Balter explained that the City has a

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vicious dog ordinance, but that it is generally effective only after the dog has been involved in an incident (threatening, biting or attacking). In contrast, the proposed ordinance is designed to reduce the likelihood of a first incident involving pit bulls. She continued by explaining that available statistics have shown pit bull dogs to be a particular risk, and that the City of Sacramento has had problems with that breed of dog in the past.

*Dave Shore arrived at 2:45 p.m.

Attorney Balter discussed some of the serious dog bite incidents in the past in the City, and cited statistics relating to pit bull dogs compared to other breeds. She also discussed some successful ordinances enacted by other cities throughout the United States, from which this proposed ordinance was fashioned.

There was considerable discussion between Attorney Balter, Animal Control Officer Mora, and members of the Council concerning this proposed ordinance as relates to other dangerous breeds of dogs, the cited statistics, how the ordinance would be enforced, and what the procedure has been in the past relating to dog attacks.

** At this time the meeting was turned over to members of the audience who were in favor of this proposed ordinance. Several people cited incidents involving pit bull dog attacks or fear of attack, including an employee of Pacific Bell who was bitten by a pit bull dog subsequently destroyed by the City; a representative of the U.S. Postal Service workers; an attorney and his client who was viciously bitten by a pit bull dog; a man who was attacked by two pit bull dogs which jumped over a 6-foot-high fence into his back yard; and a woman whose dog was killed in her back yard by a pit bull dog.

** Next, the Council members heard from those people in the audience who were against the proposed ordinance, including a representative of the California State Veterinary Medical Association; the Executive Director of the Sacramento SPCA; a representative of the Humane Society of the United States; pit bull dog owners; dog trainers and breeders; and representatives of local kennel clubs. Most of these people were in agreement that there should be a stronger vicious dog ordinance, but that it was unfair to have a breed specific ordinance. It was also emphasized that the majority of problems with vicious dogs is not with the dog, but with the

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** Amended.

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dog's owner; the irresponsible owners cause problems for the responsible owners, and this ordinance would not be effective in preventing problems with dogs with irresponsible owners, who most likely would not license their dogs or obtain the necessary insurance anyway.

After testimony from the audience, there was further discussion from the Councilmembers. Committee Member Bradley moved to support this proposed ordinance; Committee Member Kastanis seconded. There was no vote; however, there was further discussion. Then Committee Member Pope moved to table this matter for 30 days, and it was seconded by Committee Member Shore. Committee Members Kastanis and Bradley voted against this motion, and it failed. The vote on the first motion, to support this proposed ordinance, was re-introduced: Moved, Bradley; seconded, Kastanis; Pope, no; Shore, no.

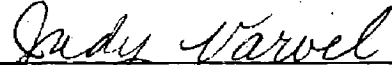
Because the vote was split 2-2 on the matter of the proposed pit bull dog ordinance, it will be brought before the City Council on September 8, 1987, with no recommendation from the Law and Legislation Committee.

The meeting was adjourned at 5:42 p.m.

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TERRY KASTANIS, Chairman

ATTEST:


JUDY WARVEL, Secretary



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CITY ATTORNEY

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CITY ATTORNEY

THEODORE H. KOBEY, JR.
ASSISTANT CITY ATTORNEY

CITY OF SACRAMENTO
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September 23, 1987

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MEMORANDUM

TO: Terry Kastanis, City Councilman

FROM: Judy Varvel, Secretary to
Law and Legislation Committee

RE: Law and Legislation Committee Meeting, August
27, 1987; Proposed Pit Bull Dog Ordinance

In response to the letter received from ordinance opponent Alice Woodyard, I have reviewed the meeting minutes with Diane Balter. We agree that some additional detail about the testimony and specification of the expressed institutional opposition to the ordinance would make the minutes more reflective of the meeting. Therefore, amended minutes for the meeting are enclosed. The amended paragraphs are marked by a double asterick.

If you concur with these revisions, please sign the amended minutes and I will then distribute a copy of this memo and the minutes to the usual distribution list, as well as to Ms. Woodyard and others who have requested a copy.

*Thank you,
Judy Varvel*

Judy Varvel

JUDY VARVEL

/jmv

cc: Diane Balter, Deputy City Attorney