

COUNCIL COMMITTEE MINUTES

Concurrent Special Committee Meetings of the Sacramento City Council, Redevelopment Agency of the City of Sacramento, Housing Authority of the City of Sacramento and the Parking Authority of the City of Sacramento.

COMMITTEE NAME: LAW AND LEGISLATION

MEETING DATE: DECEMBER 12, 1990

MEETING TIME: 3:00 P.M.

LOCATION: 915 I STREET, 2ND FLOOR, COUNCIL CHAMBER

I HEREBY CALL Special Meetings of the Sacramento City Council, Redevelopment Agency of the City of Sacramento, Housing Authority of the City of Sacramento, and Parking Authority of the City of Sacramento to be conducted concurrently with the Council committee meetings listed below, which are incorporated herein by reference. The Special Meetings are called to permit Members who are not on the listed committees to attend the meetings and participate in the discussions. In the event five (5) or more members of the City Council are present at a Committee meeting, only those items listed on the agenda can be acted on or discussed.

The meeting was called to order at 3:05 p.m. by Chair Lynn Robie.

PRESENT: Committeemembers Robie, Chinn, Serna and Pane.*

GUEST: Councilmember Fargo.

*Committeemember Pane arrived at 3:45 p.m.

Committee Chair Robie asked that Item 3 be heard first, as Councilmember Fargo was present to hear that item and she had another meeting to attend this afternoon. The Committee concurred.

3. An ordinance adding Section 6.49 to the Sacramento City Code prohibiting the use of steel-jawed leg-hold traps.

Recommendation of Staff: Recommend support and forward to Council.

Committee Action: Supported and forwarded to Council.

Voting Record: Moved: Serna
Seconded: Robie
Ayes: Serna, Robie
Abstained: Chinn
Absent: Pane

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

3. ITEM CONTINUED FROM PREVIOUS PAGE.

MINUTES:

Ruben Mora, Chief Animal Control Officer, was present to discuss this ordinance. Councilmember Fargo explained that her office received a complaint from someone who works in the office of the United States Humane Society and whose cat had been injured in such a trap. Councilmember Fargo said this was the second complaint her office has received where someone has had a pet injured in these traps, and she was surprised these traps were allowed in the City limits because of the danger to pets and children.

Kurt Lapham spoke at this time. He stated he is a resident of the South Natomas area and is also an employee of the United States Humane Society. He explained how a steel-jawed leg-hold trap, located 20 feet from his back fence, trapped his cat. He said he was surprised to find that these traps were not illegal, and that even people in the business were amazed this was legal. He requested that the Committee vote in favor of this proposed ordinance.

Carolyn Richardson, Associate Counsel for the California Farm Bureau Federation, said their organization was in support of this ordinance with the exception that language be added to allow federal or county officers or employees to use these traps in an emergency, at the request of City officials. A copy of this suggested language is attached. She said they would like the ordinance to preserve discretion where necessary or reasonable. She explained that there have been problems with coyotes in the Sacramento area. There was considerable discussion. Ruben Mora said he received a complaint regarding coyotes about a year ago, and that he has had only two such complaints that he can remember in his 25 years with the City Animal Control. Mr. Mora said he didn't see a need to use this type of trap in the future, but that if the need should arise, an emergency ordinance could be presented to combat that emergency situation.

There was some discussion at this time regarding whether or not federal or county officers who use these traps would be exempt from our ordinance, and whether or not we have jurisdiction over these officers. Attorney Diane Balter said she wasn't sure whether federal or county officers could use this type of trap if they are illegal in the city.

Terry Barnato, representing an organization called "Animal Allies," voiced her agency's support of this ordinance. She said these types of traps don't care who gets caught in them, which poses a great problem with children. She also said these traps are not easily seen, and that they are barbaric, as animals caught in these traps are kept alive for hours, often chewing off their own legs in order to escape.

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

3. ITEM CONTINUED FROM PREVIOUS PAGE.

Cathy Strain of the Animal Protection Institute also supported this ordinance, saying that there has to be a better way.

Mike Winters of the Sacramento SPCA explained that his agency offers 24-hour rescue service. He said they have had several calls to rescue animals caught in steel-jawed leg-hold traps. He said the animals usually must be euthanized, as this is the most cruel torture ever created by man. He went on to say that for every targeted animal trapped, approximately two non-target animals are also caught. He supports the City's proposed ordinance.

Robie stated there are two alternatives: (1) go with the ordinance as it is written, have Animal Control watch the situation, and if it needs to be amended, go ahead later with an emergency ordinance; or (2) add new language now regarding the exception for use of these traps in emergency situations. Attorney Balter said that there would be no problem with the proposed new language. Chinn stated he was inclined to go with the second alternative, since if it becomes a problem in the future, it would be better if people acting in their official capacity were using the traps, rather than having individuals using them. Councilmember Fargo said she was uncomfortable with the proposed new language, as an emergency ordinance could be brought before the City at that time. She said that entire countries have outlawed steel-jawed leg-hold traps, as well as several counties in California and some entire states.

Serna moved to support the ordinance as written. Robie seconded the motion. Chinn abstained, saying he would like to wait until it goes to the full Council before making a decision. The ordinance will go before the Council with the Committee's recommendation.

1. Legislative update from Ken Emanuels, the City's Legislative Advocate.

Recommendation of Staff: File.

MINUTES:

Mr. Emanuels stated that almost every subject of interest to the City involves state financing. He said that revenues are dropping quickly, and that he should know by January 10 how bad it is and what sort of shifts the new Governor will recommend. Chair Robie noted that the City would probably carry over what it had last year, and said she believes Ken has a very full agenda. There was some discussion as to what bills are of importance for next year, such as Willie Brown's AB 3 relating to urban growth, and the railroad study bill.

COMMITTEE ACTION SHEET

2. **League of California Cities proposed 1991 legislation for increased county funding and repeal of booking fees and property tax administration surcharges.**

Recommendation of Staff: Recommend review and make recommendation.

Committee Action: Continued to January 17, 1991.

MINUTES:

Ken Emanuels, the City's Legislative Advocate, brought this item before the Committee, explaining that it would be brought back to this Committee in January from the Finance Department. He explained that this bill would change vehicle license fees upward after the third year, which would raise approximately \$330 million dollars, which money will go directly into the counties. He noted that the vehicle license fees would replace the current booking fees and property tax administration surcharges. Walt Slipe, City Manager, told the Committee that administrative costs for property tax and booking fees run about \$4.6 million a year, and that it is very important for this bill to be sponsored. Mr. Emanuels said the League of California Cities would want the City to go to the County to ask for County support.

4. **SB 1998 (Bergeson) relating to Local Government Technical Advisory Committee.**

Recommendation of Staff: Recommend support.

Committee Action: None. Information only.

MINUTES:

This item was presented by Deputy City Attorney Diane Balter, and was intended for information only. This Committee previously supported SB 1998, but it was vetoed by Governor Deukmejian. Attorney Balter attached a letter to Councilmember Lynn Robie from Marian Bergeson, author of this bill, thanking the City for its support.

At this time there was discussion regarding pending and future items to go before the Committee. Chair Robie asked that a list of items of interest to the Committee be put together, after discussion with staff members of several City departments in order to get their input.

Chair Robie mentioned consideration of an ordinance to help the City keep alleys clean, with more enforcement for those who don't keep their alleys clean. She said the City may need to increase fees to show that cooperation is needed. This could be worked up with the help of Reggie Young.

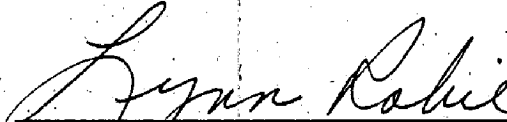
COMMITTEE ACTION SHEET

*Committeemember Pane arrived at 3:45 p.m.

Committeemember Chinn expressed his concern regarding lights on trains passing through the City, which he feels are located too high. He feels the City should require Police Department lights near the cow catcher. He said, however, that this may be preempted by federal regulations. There was some also some discussion of Isenberg's bill, AB 3436, regarding consolidated freight lines.

It was agreed that a letter would be sent to the department heads to get their input regarding legislation of interest to their department and to the City.

The meeting was adjourned at 3:52 p.m.


LYNN ROBIE, Chair

ATTEST:


JUDY SANDERS, Secretary

LAW AND LEGISLATION COMMITTEE

PENDING MATTERS

December, 1990

1. Funding AB 3436 study.
2. Cleaning the alleys. More enforcement against those who don't keep their alleys clean.
3. Granting local governments authority to regulate on-street parking of recreational vehicles. (Follow-up to League of California Cities 1989 General Assembly Resolution sponsored by Sacramento; seek League sponsorship of bill.)
4. Requiring police-car-style light bars on trains passing through the City.
5. Developing a more pro-active legislative program.



OFFICE OF THE
CITY COUNCIL

LYNN ROBIE
COUNCILMEMBER
DISTRICT EIGHT

CITY OF SACRAMENTO
CALIFORNIA

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SACRAMENTO, CA
95814-2672

916-449-5058

TO: City Department Heads

FROM: Lynn Robie, Chairperson
Law and Legislation Committee

RE: City's Legislative Program

DATE: January 2, 1991

The Law and Legislation Committee would like to explore the development of a more proactive legislative program for the City.

We are therefore inviting Department Heads to submit to the Committee suggestions for legislation which would serve to enhance City government operations.

The Committee will begin discussions of the City's legislative program at its next meeting on January 17, 1991. Please submit any suggestions to Councilmember Lynn Robie, Committee Chairperson.

LR:sq:ll.mem



California Farm Bureau Federation

1601 Exposition Boulevard • Sacramento, CA 95815 • Telephone (916) 924-4000

December 12, 1990

City Council
915 I Street
Sacramento, CA 95814

Re: Proposed Ordinance Banning Use of Steel-jawed Leghold
Traps Within City of Sacramento

Honorable Members in Session:

These comments are made on behalf of California Farm Bureau Federation, a voluntary nonprofit membership organization of farmers and ranchers in California, and on behalf of Sacramento County Farm Bureau, representing the interests of members who farm within the city limits of Sacramento.

Farm Bureau has no general objection to a ban upon the use of steel-jawed leghold traps by private individuals within the city limits of the City of Sacramento. Farm Bureau does wish to advise the Council that the City of Sacramento has a burgeoning coyote population on its open space land, and may in future be required to undertake emergency animal control measures to deal with coyote-pet or coyote-people conflicts.

The steel-jawed leghold trap has been proven to be the only effective means of trapping coyotes. We therefore strongly urge this Council to incorporate in its ordinance the following exemption, which will allow appropriate city personnel to call upon the United States Department of Agriculture - APHIS-Animal Damage Control experts if and when the need for emergency response arises:

This ordinance shall not prohibit the use of such traps by federal or county officers or employees when acting in their official capacities in response to a request from a department or agency of the City of Sacramento and in compliance with the provisions of the California Fish and Game Code and regulations promulgated thereunder pertaining to the use of traps to take non-game mammals.

Thank you for your time and attention.

Very truly yours,

CAROLYN S. RICHARDSON
Associate Counsel

CSR: sh

cc: Ronald A. Thompson, State Director, USDA-APHIS-ADC