



**NOTICE
PUBLIC MEETING OF THE
PIMA COUNTY ANIMAL CARE ADVISORY COMMITTEE**

February 18, 2016 – 5:30 p.m.

**Pima Animal Care Center
4000 N Silverbell Road
Admin Building
Tucson, Arizona
(520) 724-7729**

Functions of the Committee

1. Serve in an advisory capacity to the Board, and to the Manager of the Pima Animal Care Center (PACC); and
2. Review and evaluate the operations of the Center to make recommendations in writing to the Board for the formulation of guidelines to assure that:
 - A. The Center's operations are conducted in the best interest of the public health and safety; and
 - B. The Center keeps pace with the most modern practices and procedures of animal care and welfare; and
3. Review complaints from the public concerning policies of the Center and make recommendations for resolution to the proper authority.

AGENDA

1.	Call to Order <ul style="list-style-type: none">• Roll Call• Establishment of Quorum and Pledge of Allegiance
2.	Review and Adoption of Minutes: <ul style="list-style-type: none">• Adoption of January 21, 2016 meeting minutes
3.	Recent Animal Care Center Holds Snapshot
4.	Call to the Audience
5.	Management Report <ul style="list-style-type: none">• Budget• Personnel Updates• PACC Satellite Site• Current Events
6.	Old Business <ul style="list-style-type: none">• Shortening Lengthy Animal Holds
7.	New Business <ul style="list-style-type: none">• 72-Hour Pet Waste Law• Timeframe to License Dogs• Dangerous Dog Form and Point System• Dog License Sticker Suggestion
8.	Donations: A total of \$54,671.88 in donations was received during the month of January.
9.	Complaints and Commendations: There were no complaints or commendations received by staff during January.
10.	Call to the Audience
11.	Announcements, Schedules and Proposed Agenda Items
12.	Next Meeting – March 17, 2016
13.	Adjournment

Copies of this agenda are available upon request at the Pima County Health Department, 3950 S. Country Club Road, by calling 724-7729 or at www.pima.gov/animalcare. The Committee may discuss and take action on any item on the agenda. At the conclusion of an open call to the public Committee members may only respond to criticism made; ask staff to review the matter raised; or ask to include the matter on a future agenda.

Should you require ADA accommodations, please contact the Pima County Health Department at 724-7729 five (5) days prior to the meeting.

Draft

1. Call to Order

Ms. Emptage called the meeting to order at 5:44 pm

- Attendance

Present:

Tamara Barrick, Pima Paws for Life
Nancy Emptage, Chair, Animal Welfare Coalition
Helen Mendelsohn, Disabled Community
Erin O'Donnell, DVM, Southern AZ Veterinary Medical Association
Jane Schwerin, People for Animals in the Prevention of Cruelty and Neglect
Gail Smith, MD, Board of Health
Marcy Flanagan, Health Department Deputy Director, Ex-Officio

Absent:

Pat Hubbard, Humane Society of Southern Arizona
Pat Jacobs, Tucson Kennel Club
Sophia Kaluzniacki, DVM, SPCA of AZ, Inc
Derek Marshall, Public Education
Jack Neuman, Vice-Chair, PACC Volunteers

- Pledge of Allegiance

2. Adoption of the Minutes

- Adoption of the December 17, 2015 Meeting Minutes

The motion was made and seconded (Mendelsohn/Smith) that the December 17, 2015 meeting minutes be adopted as written. The motion carried (6-0).

3. Animal Welfare and Dangerous Animal Cases for December 2015 and Recent Holds Snapshot

Ms. Schwerin said in welfare case one she felt the information should be more detailed as to what citations were issued. She added that the owner should not have been allowed to keep one dog saying the owner had already proven to be a bad owner. She continued by saying compliance at a later date doesn't mean an owner won't revert to old ways. Dr. Smith asked about what happened with the third dog in this case, to which Field Supervisor Neil Konst replied the dog is still at PACC available for adoption.

Ms. Emptage pointed out there was a comment on welfare case two, from Ms. Mendelsohn, requesting the court put a ban on the owner from owning dogs. She also asked what happened to the dog. Supervisor Konst replied the dog was sent to rescue. Ms. Schwerin pointed out that Oro Valley has a bond ordinance. Supervisor Konst explained animals are considered property. PACC cannot deny ownership. If PACC takes a dog it is bonded and then it's up to a judge to determine ownership. The bond covers the cost of keeping and feeding the dog at PACC pending the hearing. At the

hearing the owner can plead his/her case to keep the dog and PACC can argue the case against the owner keeping the dog. Ms. Schwerin pointed out that if an owner relinquishes the dog then there is no hearing. She continued that the hearing is supposed to take place within a specified time limit. Supervisor Konst replied that the hearings do take place as specified, but then the judge takes a long time to render a judgment after the hearing. Ms. Emptage requested this topic be on the agenda next month. Dr. O'Donnell discussed with Supervisor Konst that as a veterinarian if the owner of an animal with a bad medical condition wants to leave her office taking the animal without treatment, they may do so, but then she should report it to PACC which has authority to impound. Supervisor Konst added that the more evidence the veterinarian can provide the better. Ms. Schwerin said that peace officers can also impound animals.

Ms. Emptage read Dr. Smith's comment asking what the time limit is to have the dogs in welfare case three licensed. Supervisor Konst replied there is no time limit; it could be six months; it's up to the judge. The motion was made and seconded (Emptage/Smith) that the time frame to license dogs be a topic of discussion at the next meeting. The motion carried (6-0).

Regarding welfare case four the question was asked if there was a recheck to see if a tie-out was again in use and/or if the fence situation was remedied. Supervisor Konst replied that no recheck has been made due to staffing. Ms. Barrick asked if there are more consequences if there is a second violation and Supervisor Konst replied depending on the conditions, there are. Supervisor Konst added that for some owners tie-outs are their only current means of confinement; he has experience some veterinarians who have actually issued authorizations for tie-outs; and for some people who come from other states, tie-out are legal in the state they come from. He continued that many owners need education and paying a fine is typically a good education. Ms. Emptage asked if PACC shares the names of individuals not allowed to adopt from PACC with other agencies to keep bad owners from just going to another agency which doesn't know not to adopt to them. Supervisor Konst said there is no shared list at present and cautioned that there could be people with the same name, and if so then dates of birth or other information would be needed, and there are certain risks associated with disseminating that type of information. Ms. Schwerin asked to get a copy of the pamphlet being provided to educate owners on alternatives to tie-outs. Supervisor Konst said they give out a copy of the laws which covers a number of requirements, and said he will check on the pamphlet.

Ms. Schwerin referred to welfare case six, which involved four pit bulls jumping the fence, she opined that the owner might improve for a short time, but will likely go back to old ways. Ms. Emptage commented that it is very smart dog to be able to open and close a sliding glass door. Supervisor Konst said the dogs were gone at the recheck and have not been licensed. Supervisor Konst added that he saw other questions about license and vaccination and when a dog comes to PACC they do not cite for license and vaccination because these requirements will be taken care of at PACC. Additionally, the law does not express a penalty for in the County, although it does in the city of Tucson. Health Department Director Francisco García confirmed the county law currently does not have a penalty; however, last Tuesday the Board of Supervisors passed the updated licensing ordinance which corrects that omission in addition to updating the licensing fees.

Ms. Schwerin referred to welfare case seven; said the owner was allowed to redeem; and again opined that the owner will likely go back to old ways.

Ms. Schwerin referred to welfare case nine and said there should have been citations for no shelter. There was also a question about licensing, but the report said there was a citation for no license.

Supervisor Konst said there was no mention in the report about a lack of shelter and said he would have to check on the shelter question.

Ms. Schwerin referred to dangerous dog case three and asked why the dog Lulu, which was noted as showing “unsafe behavior,” was declared not dangerous. Supervisor Konst discussed there is a point system and the points did not add up to declaring the dog dangerous. Ms. Emptage requested the dangerous dog form and point system be discussed at the next meeting.

4. Call to the Audience

There were no speakers from the audience.

5. Management Report

Ms. Flanagan reported on three topics. At the recent quality budget meeting it was noted that PACC’s budget is actually on track to not draw funds from the main Health Department budget for the first time in a long time. The renderings for the new animal care center should be done in the spring and there will be open house meetings to show the renderings. Phase one of the construction should be done around November of 2017, with phase two being completed in 2018. Finally, as mentioned during the welfare cases discussion, the licensing ordinance passed. The new law eliminates discounted fees for unaltered dogs, except for service dogs and law enforcement dogs. It also provides for enforcement of the vaccination licensing component in Pima County. Ms. Schwerin asked about the language she wanted included in the ordinance. Ms. Flanagan said she did pass on her information to the County Attorney, but it did not go before the Board of Supervisors due to required review and posting time constraints.

6. Old Business

- Use of Comment Sheet for Welfare Reviews

Ms. Emptage started discussion on what schedule should be followed to get the Welfare Report from staff, have time for Mr. Schlueter to generate the comment sheets, have time for members to make their comments and send them in for inclusion into the packets. Dr. Smith commented on use of the comment sheets (This was the first month.) being more efficient. Various ideas were considered. The general consensus was to keep doing whole calendar months, but stagger back one month. Instead of reviewing January cases at the February meeting, they will be reviewed at the March meeting to provide time for all the necessary steps; then February cases will be reviewed in April and so on. There was also some discussion on what should or should not be redacted from welfare reports and Ms. Flanagan said she will check with the County Attorney’s Office for direction on redacting.

7. New Business

- Shortening Lengthy Animal Holds

Ms. Flanagan reported PACC as a whole has been meeting with Managers Jose Ocano and Justin Gallick regarding short term and long term objectives, one of which is reducing the length of stay for dogs. An internal committee is being formed to work with the County Attorney’s Office on this issue to include lengthy holds as well as mandatory hold times for strays. Ms. Flanagan wants to allow the

internal PACC committee to draft language to reduce lengths of stay and bring the draft language back to the Advisory Committee. There was general agreement with Ms. Flanagan's request. There was a brief discussion about the dog Sativa, which was the center of a dangerous dog case and held at PACC for roughly one year. The owner kept appealing, which prolonged the case. Ms. Schwerin said County Code 6.04.140 and 6.04.150 refer to a special action appeal to a higher court, which she said should make the process faster. Ms. Schwerin asked about the recent suggestion of inviting the County Attorney to come to a Committee meeting. Ms. Flanagan said the County Attorney didn't refuse to come; the attorney would come to educate the Committee, but would not come to a meeting as a working session to work through language; which is what is to be done in the internal PACC committee. Ms. Flanagan said a judge isn't going to come to the meeting as recommended in a previous meeting. Ms. Flanagan said the internal committee includes Mr. Gallick, Mr. Ocano, the attorney and her. Dr. García explained the problem is multi-jurisdictional, requiring buy-in from other jurisdictions as well as consistent language.

- Proposed Ordinance Regarding Pima County Code 6.04.100 Regarding Pima County Animal Care Advisory Committee

Dr. García said he wanted to come back to discuss the proposed ordinance (It was on last month's agenda.) to make sure there was clear feedback. He lauded the support and advocacy the Committee has provided for the pets of our community and the many improvements the Committee has influenced. PACC has changed considerably in a short period of time. PACC and the Health Department as a whole are striving to employ evidence based best practices and have made significant strides. Dr. García continued, as PACC looks to new ways and is getting a new building there is a need to modernize the Advisory Committee. The original ordinance language generates situations wherein the organizations expressed in the code no longer exist. Also there is a plea from the County Attorneys Office for consistency across boards, commissions and committees (BCCs) within the County, which caused staff to look at the code and ask, is there a better or different way to do things. The proposed ordinance is not designed to purge all the existing members; change is to be phased in with existing terms to continue until an expiration date. Dr. García provided a proposed expiration schedule. (Include in record.) He said the change is to bring new voices, skills and ideas to the table as well as bring interconnection with the jurisdictional partners. He added, at a recent jurisdictional partners meeting trepidation was expressed regarding attending Advisory Committee meetings because the jurisdictional partners believe the current structure to be hostile to the jurisdictions. The proposed structure includes an appointee from each of the supervisorial districts, which affords the Board the influence they are elected to have. At the last meeting it was stated that the appointments will be political appointments; this is the case with most BCCs. At the last meeting fear was expressed that the new structure would eliminate animal advocates from the Committee, to which Dr. García stated he seriously doubts the Board would appoint people without expertise in animal welfare. Furthermore, the Department is advising the individual Board members of those currently on the Committee residing within their individual districts. Dr. García added, last meeting's suggestion to add the Board of Supervisor appointees to the current structure creates too large of a body and staff will not be moving that suggestion forward. He concluded by soliciting the Committee's advice and support on the proposed ordinance.

Discussion and questions ensued. Ms. Emptage expressed concern regarding too many bureaucrats and number crunchers reducing animal welfare progress. Dr. García replied stating her concern is valid and is the reason why the PACC jurisdictional partners meet separately from the Advisory Committee; however, there still needs to be some cross communication between the two groups. He

continued by saying changing the Committee all at once would not be good for consistency, adding the by-laws will also need to be changed. Ms. Emptage asked how many other BCCs are being reset; to which Dr. García replied there are various changes occurring: some involving composition; some involving by-laws; and some involving narrowing of scope, but all are being at least looked at. Dr. O'Donnell asked if the Board of Supervisors' and County Administrator appointees would all be employees or people from the community. Dr. García replied that the County Administrator can appoint whomever he wants and the Board appointees will most likely all be from the community. He went on to touch on other seats, which include a representative from the PACC volunteers, one from Friends of PACC and one from the Southern Arizona Veterinary Medical Association (SAVMA). There was confusion / concern regarding the terms of the organization appointees since the language in that section (B) is different from the language in the sections for the Board of Supervisors' and County Administrator's appointees (sections C and D). Dr. García said all positions must have an expiration date. Ms. Emptage asked if, for example, the SAVMA member serving on the Committee has to be replaced. Dr. García replied that SAVMA could reappoint the same person until s/he dies and that would be permissible. Ms. Emptage asked how the volunteer representative will be selected. Dr. García acknowledged the details are not all worked out, but the general assumptions include putting out a call for interest, giving an orientation to interested parties, and bringing the interested candidates names to the volunteers for them to vote on. Ms. Schwerin asked if there was anything preventing a current representative from serving again; and Dr. García replied, no.

Dr. O'Donnell stated she thinks there should be a veterinarian on the Committee; Dr. García shared his agreement, but wanted to know if SAVMA was a large enough, representative enough group to be expressed in the code. Dr. O'Donnell said SAVMA has approximately 120 members. There was discussion that there are different types of veterinarians, including those who have the credentials, but are not actually practicing. There was discussion on whether the SAVMA representative needed to be better defined or narrowed down. Dr. O'Donnell suggested the ordinance specify a "practicing community veterinarian" who is a member of the Southern Arizona Veterinary Medical Association. The motion was made and seconded (Emptage/Smith) that the Committee supports the inclusion of the Dr. O'Donnell's aforementioned suggested language. The motion carried (6-0).

Dr. Smith stressed that the Committee's current membership is in place for the welfare of the animals and expressed she hopes that fact doesn't change. Dr. García spoke about assisting the Board with lists of qualified candidates and how there is hope for balance in diversity. Ms. Schwerin said she is opposed to the proposed ordinance, stating it puts too many people in place who do not have the interests of the animals at heart. She continued there will be too many with their eyes on money; referred to the jurisdictions wanting all donations going to offset their operational costs; and added a comment about the County Administrator's past suggestion of a PACC drop-off fee. Ms. Emptage underscored the lengthy battle for PACC to have no drop-off fee, no pick-up fee, no euthanasia fee and for PACC to be a safe haven for community pets. She then expressed fear of losing ground in these fights if the Committee is reconstructed. Dr. García stressed that the Board of Supervisors has bought into PACC and is definitely in tune with the voters who convincingly passed the PACC new facility bond while all other bonds failed. Dr. Smith urged the current members to talk to their individual Supervisors about their desire to serve on the Committee and help animals. Dr. O'Donnell pointed out the proposed new Committee composition is an opportunity to educate stakeholders with different perspectives to look at more than just the money. Dr. García said he thinks part of the Committee's role should be to educate.

Dr. Smith asked when the ordinance is scheduled to go to the Board of Supervisors. Dr. García replied the ordinance isn't scheduled yet because he wanted to get more input from the Committee, even though the County Attorney's Office advised him he did not need to do so. He continued that March or April is the likely time frame for the item to go to the Board. The motion was made and seconded (Smith/Barrick) that the Committee support the proposed ordinance amending Pima County Code 6.04.100 with the added "practicing community veterinarian" language; and that Dr. García relay, to the Board of Supervisors, the Committee's concerns for the Committee to remain a voice for animal welfare. The motion carried (3-2), with Ms. Barrick, Dr. O'Donnell and Dr. Smith for; Ms. Emptage and Ms. Schwerin against; and Ms. Mendelsohn abstaining.

- Pima Animal Care Center Reorganization

Ms. Emptage acknowledged the Committee saw communication or the reorganization. Dr. García said he had a staff member send out an e-mail about the reorganization; however, the actual attachment on the reorganization was not included thus making the Committee's notification late, for which Dr. García apologized.

- Animal Care Center Main Phone Tree Message

Ms. Emptage briefly stated she has concerns about the phone tree message because there is no statement about calling 911 if there is an emergency; you have to have to listen to the whole message; there is no dial "O" to get out; and because it is confusing.

8. Donations: A total of \$81,966.33 in donations was received during the month of December.

There was no discussion on this agenda item

9. Complaints and Commendations: There were no complaints and two commendations received by staff during December.

The Committee commented that one of the commendations was from Congresswoman McSally.

10. Call to the Audience

There were no speakers from the audience.

11. Announcements, Schedules and Proposed Agenda Items

Ms. Emptage suggested the Committee discuss having a sticker like on license plates on the back of license tags. The sticker should have PACC's current phone number on it.

12. Next Meeting – February 18, 2016

The next meeting will be at PACC.

13. Adjournment

The meeting adjourned at 7:48 pm.

**Pima Animal Care Center
Animals on Hold Report**

Animals listed are currently listed as
being on hold without an outcome date.
They are grouped by the type of hold

kennel_no

Number on Hold 15

HOLD TYPE ENFORCEMEN

A15-179672

K16-211242 A550414 DOG CHIUAHUA SH/MIX
2/9/16 STRAY FIELD OWN NORMAL Activity:A15-179672 **D186**
Kennel Comment: 3c3c3c3c R

A16-185921

K16-208993 A546447 DOG BART ENG SPRNGR SPAN/
1/8/16 CONFISCATE FIELD OWN NORMAL Activity:A16-185921 **D116**
Kennel Comment: Unable to scan in field, didnt bite R
DD-HOLD
01/08/2016 ENFORCE tfoster 1/8/16 11:10

Dog is held on a DD-HOLD, see activity notes for details. 3c3c3c3c 2042

K16-208995 A543571 DOG PRINCESS CHOW CHOW/
1/8/16 CONFISCATE FIELD OWN NORMAL Activity:A16-185921 **D116**
Kennel Comment: Unable to scan in field, didnt bite R
DD-HOLD
982000402836322
01/08/2016 ENFORCE tfoster 1/8/16 11:11

Dog is held on a DD-HOLD, see activity notes for details. 3c3c3c3c 2042

A16-186023

K16-210892 A549734 DOG KANE PIT BULL/MIX
2/4/16 CONFISCATE FIELD OWN NORMAL Activity:A16-186023 **D227**
Kennel Comment: left notice with mother, 3C 3C FOR CONFINEMENT CHECK R

A16-187127

K16-210582 A549108 DOG NINA PIT BULL/CHINESE SHARPEI
1/30/16 CONFISCATE CRUELTY INJ SEVERE Activity:A16-187127 **JW003**
Kennel Comment: 3c 3c 3c R
01/30/2016 DWINDAU 1/30/16 19:03
to cite dog owner for Neglect-No Water, Neglect-No vet care. 1984

A16-187372

K16-210726 A549356 DOG PUG/MIX
2/2/16 CONFISCATE FIELD OWN NORMAL Activity:A16-187372 **D256**
Kennel Comment: 3c3c3c R
Go slow!!!
no bite,chip found
02/02/2016 ENFORCE MGlanz 2/2/16 10:02
If Destiny Bennett, Marco Chavez or Munirih Nichols come to redeem Bella- cite for abandonment,
neglect-no water, neglect-no food and tie-out; Tucson city code on 2-2-16 at 09:17 hours. 2051

2/10/16 STRAY NIGHT NORMAL Activity:A16-187885
Kennel Comment: 2/10/2016--SEE ACTIVITY MEMO. HOLD FOR DD EVALUTATION. 1929

kennel no

D106

R

02/10/2016 ENFORCE DATTEBEF 2/10/16 1:31
2/10/2016--Stray dog in enclosed yard w/ dead dog. Stray dog w/ dried reddish substance over body and no signs of injury.

Review for dangerous dog evaluation. 1929

K16-211301 A550580 DOG PIT BULL/
2/10/16 STRAY NIGHT NORMAL Activity:A16-187885
Kennel Comment: 2/10/2016--SEE ACTIVITY MEMO. HOLD FOR DD EVALUTATION. 1929

D118

R

02/10/2016 ENFORCE DATTEBEF 2/10/16 1:30
2/10/2016--Stray dog in enclosed yard w/ dead dog. Stray dog w/ dried reddish substance over body and no signs of injury.

Review for dangerous dog evaluation. 1929

A16-486023

K16-210893 A549735 DOG STEPHANIE PIT BULL/MIX
2/4/16 CONFISCATE FIELD OWN NORMAL Activity:A16-486023
Kennel Comment: left notice with mother, 3C 3C FOR CONFINEMENT CHECK

D227

R

Donation Activity

Period: 01-01-16 To: 01-31-16

Donation Code	Amount
DONATION	\$27.00
DONATION ADOP	\$9,603.16
DONATION ENFORCE 0972	\$0.00
DONATION GEN	\$18,215.10
DONATION OUTR	\$39.00
DONATION S/N	\$11,553.08
DONATION SAMS	\$15,234.54
Grand Total	\$54,671.88

Donation Activity

Period: 07-01-15 To: 01-31-16

Donation Code	Amount
DONATION	\$510.02
DONATION ADOP	\$13,547.57
DONATION ENFORCE 0972	\$0.00
DONATION GEN	\$139,493.02
DONATION LIC 0973	\$20.00
DONATION OUTR	\$397.00
DONATION S/N	\$76,612.83
DONATION SAMS	\$103,282.34
Grand Total	\$333,862.78