



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

September 17, 2015 – 5:30 p.m.

**Herbert K. Abrams Public Health Center  
3950 S. Country Club Road  
Tucson, Arizona  
(520) 724-7729**

**SECOND  
AMENDED**

Functions of the Committee

1. Serve in an advisory capacity to the Board, and to the Manager of the Pima Animal Care Center; 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"><li>• Roll Call</li><li>• Establishment of Quorum and Pledge of Allegiance</li></ul>
2.	Review and Adoption of Minutes: <ul style="list-style-type: none"><li>• Adoption of August 20, 2015 Meeting Minutes</li></ul>
3.	Line and Space Architect Firm Presentation on the Future Animal Care Facility
4.	Old Business (As time permits) <ul style="list-style-type: none"><li>• Tie-Out Prevention Campaign (Marshall)</li><li>• Procedures Related to Agenda Items (Schwerin)</li><li>• Process used by PACC to track every animal's care every day that does not include volunteers (Neuman)</li><li>• Ajo Animal Care Center Veterinary Services (Neuman)</li></ul>
5.	Announcements, Schedules and Proposed Agenda Items
6.	Next Meeting – October 15, 2015
7.	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](http://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.

Pima County Animal Care Advisory Committee  
Minutes  
August 20, 2015  
3950 S. Country Club Road  
Tucson, Arizona 85714

**Draft**

1. Call to Order

Ms. Emptage called the meeting to order at 5:32 pm

- Attendance

Present:

Tamara Barrick, Pima Paws for Life  
Nancy Emptage, Chair, Animal Welfare Coalition  
Pat Hubbard, Humane Society of Southern Arizona  
Pat Jacobs, Tucson Kennel Club  
Derek Marshall, Public Education  
Helen Mendelsohn, Disabled Community  
Jane Schwerin, People for Animals in the Prevention of Cruelty and Neglect  
Gail Smith, MD, Board of Health  
Kim Janes, Pima Animal Care Center (PACC), Outgoing Ex-Officio  
(Mr. Janes left the meeting after introducing the new secretary.)  
Marcy Flanagan, Health Department Deputy Director, New Ex-Officio

Absent:

Yvette Hurley, City of Tucson  
Sophia Kaluzniacki, DVM, SPCA of AZ, Inc  
Jack Neuman, Vice-Chair, PACC Volunteers  
Erin O'Donnell, DVM, Southern AZ Veterinary Medical Association

- Pledge of Allegiance
- Introduction of New Secretary

Mr. Janes introduced incoming Committee Secretary Marcy Flanagan who is also the Health Department Deputy Director. The Committee thanked Mr. Janes for his many years of service with the Committee.

2. Adoption of the Minutes

- Adoption of the July 16, 2015 Meeting Minutes

The motion was made and seconded (Hubbard/Barrick) that the July 16, 2015 meeting minutes be adopted as written. The motion carried (8-0).

3. Animal Welfare and Dangerous Animal Cases for the Month of July and Recent Holds Snapshot

Dr. Smith referred to welfare case one; pointed out the case was the second visit and the dog was found on a tie-out; and asked why the owner was allowed to keep the dog, with this being the second visit? Animal Care Field Supervisor Neil Konst said his memory is that the first visit was due to a complaint and at the time the dog was not observed on a tie-out. There were no citations issued at the

first visit, so this incidence was the first known offense. The owner said the dog was only on the tie-out for short periods of time and she didn't realize tie-outs were not allowed. Dr. Smith suggested a follow-up visit and Ms. Emptage concurred. Responding to questions, Mr. Konst said that if there was contact the first time (January), then standard procedure dictates there would be a check for license and vaccination records and; finding no records, citations would have been issued then. Also if a dog is found in distress the officer would have probable cause to go into the yard. Again responding to questions, Mr. Konst said a second violation on a follow-up visit might result in the dog being bonded, and that would definitely be the case on a third violation.

Ms. Mendelsohn asked about what happened to all the animals from welfare case two. Mr. Konst said the case was a mess; the various owners were a group of Chinese nationals who were students and who travelled a lot. The animals were all brought to one location causing there to be too many animals in one space with an unmanageable pet waste issue. PACC impounded the animals and all the owners came and retrieved their individual animals. As that occurred staff explained that the housing arrangements that existed would not work; they could not have all the animals at the one location. Responding to questions, Mr. Konst said all the animals were seen by Dr. Wilcox and were not in as bad of condition as some (ferret and boxer) were initially assessed to be. Also, the recheck was to the original address, not all the eventual individual locations.

Discussion turned briefly to PACC adopting out animals to college students and others without permanent residences, and the possibility of placing the topic as a future agenda item. Mr. Konst said that there is no policy regarding adopting animals out to college students, and that after college owners could take a pet with them, give it away or bring it to PACC. Ms. Schwerin contended PACC should not adopt animals out to college students. Ms. Hubbard said the Humane Society used to have a policy of not placing animals in Davis-Monthan (Air Force Base) homes or with college students; however, they had four employees who were college students and they adopted dogs which they kept until the animals eventually died, and the policy was changed. Ms. Hubbard was against a rule to not adopt out to college students; said the screening process needs to address these type of issues; objected to putting this on a future agenda; and said this topic has been discussed many times in the past. Mr. Jacobs expressed objection to the topic of discussion, pointing out it was not on the agenda. Ms. Schwerin said open meeting law allows for discussion of agenda items and "any related matters."

Ms. Schwerin referred to welfare case three which involved dogs with matted hair; at least one dog with overgrown toenails; and excessive animal waste. The owner said a relative left the dogs with him and he had called PACC to take the animals, but PACC said there would be pick-up fees. Ms. Schwerin contended PACC should have waived the fees. Mr. Marshall pointed out the report states the owner left the scene because of a warrant and the report indicates no record of the reported call, so the owner's statement might not be accurate. Mr. Konst discussed that in general PACC has hundreds of calls with not enough officers to cover them all, so they have to prioritize their responses. Bite calls come first, and then neglect calls. PACC gets a number of calls requesting pick-ups and they all say they cannot afford the fees and/or have no transportation. Officers do not have time to be an animal taxi service; there are higher priorities to address. Mr. Konst added that recently a man called PACC to pick-up 10 surrendered dogs because he was being evicted. It turned into a pick-up of 29 dogs, plus three puppies being born in route to PACC and another litter born after arrival. The owner was left with six dogs which eventually also ended up at PACC.

Ms. Schwerin referred to welfare case five which involved pigs in distress and two crated dogs, and said this is not the first time PACC has visited this address. Mr. Konst said PACC has visited the

property on numerous prior occasions, but the allegations were unfounded. He added that the situation is complicated by a disgruntle ex-wife who has made numerous complaint calls. He continued that in this particular incidence the owner was hospitalized and sent a text to the neighbor to take care of the animals as he had done for the owner in the past. However, the neighbor did not receive the text; the animals ended up in distress; and the owner, who showed up when staff was present, was cited. Ms. Schwerin asked if livestock (Arizona Department of Agriculture, Livestock Division) deals with chickens, because this case also included chickens. Mr. Konst said PACC has an agreement with someone to take chickens and other fowl.

Ms. Schwerin said welfare case six was terrible. It involved two dogs without water, one which was on a tie-out in full sun. Mr. Konst said Enforcement Manager Chavez reviewed pictures and pointed out there was shade. Ms. Emptage requested, on behalf of the Animal Welfare Coalition, that the owner be told he is not allowed to own additional animals. Mr. Konst said he would make a note of that and check to see if that wasn't already done. If the owner does not go to court a warrant will be issued.

Ms. Schwerin referred to welfare case seven and pointed out the owner was previously warned about tie-outs. Mr. Konst said the dog was tied to the porch and had shelter, shade and water. A citation was issued for the tie-out.

Ms. Schwerin referred to welfare case nine and pointed out one dog involved was diagnosed with a broken leg in February, but PACC did not impound any dogs until July; she asked why it took so long. Mr. Konst explained the owner was not cooperative and wouldn't answer the door so a search warrant had to be obtained, which takes time. The case is still going through the court process. Ms. Schwerin asked about the next scheduled court date and Mr. Konst was able to provided her the information.

Ms. Schwerin referred the last hold on the hold report which involved a dog abandoned in an apartment, and asked about why the owner would be allowed to redeem the dog. Mr. Konst said the owner came in, was cited, and PACC would not reduce the fees so the dog was not redeemed.

#### 4. Call to the Audience

There were no speakers from the audience.

#### 5. Management Report

Ms. Flanagan reported the following. The architect firm, Line and Space, for the new PACC facility is finalizing their design program and a report is expected by the end of August. Also Line and Space would like to do a presentation for the Committee. On September 12 and 13 PACC will be participating in a national PetSmart adoption event made possible by a grant from PetSmart. The adoption fee will be \$20; and for the events at PetSmart locations they will give \$10 for every adoption. On September 12, in collaboration with the Humane Society there will be a rabies vaccination, microchipping, licensing event at the Tucson Ward Six Office. The Pima County Attorney's Office (PCAO) wants to present to the Committee regarding open meeting laws, duties and responsibilities. After discussion, Ms. Emptage decided the next meeting's agenda will be just the Line and Space and PCAO presentations. Mr. Jacobs asked Ms. Flanagan if staff is aware of any reason for the year-to-date licensing being down three percent. Ms. Flanagan said she would check

regarding his question. Mr. Jacobs also asked when the one dollar licensing fees increase became effective, and the answer is the beginning July, which coincides with the monthly report data.

## 6. Old Business

- Licensing Awareness

Ms. Emptage referred to the updated (dated August 20, 2015) draft letter to the Southern Arizona Veterinary Medical Association (SAVMA) provided in the Committee's packet. She said many people don't realize the requirement to license dogs; that failure to do so is a class two misdemeanor; and that there is no information on the licensing requirement posted at veterinary clinics or on veterinary paperwork. The letter is to request veterinarians provide information on the licensing requirement, as well as to promote microchipping. Mr. Jacobs suggested courtesy copies of the letter go to the Health Department and the Board of Supervisors and Ms. Emptage agreed with his suggestion.

The motion was made and seconded (Jacobs/Mendelsohn) that the Committee approve of the letter to be sent as written with the suggested courtesy copies addition. In discussion it was requested that the words, "for your information," in the fourth paragraph be removed. The motion was amended to concur with the suggested deletion. The motion carried (8-0).

- Licensing Fee Change Proposal

Mr. Jacobs said that after the last meeting, wherein the Committee voted to support the elimination of the senior/disable licensing discount, he decided to look for why the discount was included in the fee structure. Three things came to mind: first this community and the County has recognized that discounts for seniors and those with disabilities is productive and have provided for such discounts in other fee structures; second these individuals are often on fixed incomes and raising their taxes, to him, is not the best public policy; and thirdly the reduced fees help create a pool of citizens able to rescue dogs at minimal expense.

Ms. Flanagan said PCAO has become involved in this proposed ordinance due to a complaint about the language regarding service animals. She pointed out the language issue needs to be worked through before the ordinance goes to the Board of Supervisors. Ms. Mendelsohn pointed out the current ordinance language refers to, "standards of a service animal by a nationally recognized service dog training agency," and said there is no such thing. Ms. Flanagan acknowledged that is the language that needs to be corrected.

Discussion related to Mr. Jacobs' comments included Ms. Hubbard saying the fee the Committee voted to eliminate is for unaltered dogs and owners of unaltered dogs should pay the full fee. Ms. Emptage pointed out that community has a number of low or no cost spay/neuter opportunities, so cost is not an excuse to not get dogs altered. She added there are unwanted litters and PACC is still getting too many animals. Mr. Jacobs said he wanted to go on record that you cannot paint with the same brush all those who have unaltered dogs, adding that some litters are wanted litters.

Mr. Jacobs made a motion that the Committee rescind its action (last month) regarding senior/disable citizen owner, unaltered dog license fees. There was no second.

Ms. Schwerin said she is against raising paragraph B, item 4. senior/disabled citizen owner, altered dog license fees, saying it should stay at \$11.00. She continued that she felt paragraph B, item 5, licensing fees for dog owners below the federal poverty level, should also stay at its current \$11.00 level. These comments were in reference to the recent Board of Supervisors approved ordinance raising all licensing fees one dollar per year for five years. She added that she has generated draft language to change where the approved ordinance calls for increases in B 1-6 to only B1, B2 and B3, which would then leave B 4 and 5 at their current \$11.00 level. She made a motion to recommend adopting her language to put a stop to the one dollar increases set to continue for B, item 4. senior/disabled citizen owner, altered dog license fees and B, item 5, licensing fees for dog owners below the federal poverty level, which would keep these two fee categories at \$11.00. There was no second.

- Tie-Out Prevention Campaign

Mr. Marshall said the deadline for the tie-out prevention video submission is 15 days out, September 4, 2015. He said he printed out about 300 flyers and sent out about 400 e-mails. Three or four school districts are involved. He indicated he hasn't received much promotional help from PACC and seems to have reached a dead end with County Communications. He also passed out an additional flyer not in the packet. Ms. Hubbard said she received approval to promote the contest through the Humane Society two days ago. Ms. Flanagan said she will reach out to Communications regarding promoting the video solicitation.

#### 7. New Business

- PACC Revenue Sources

This item was tabled.

- Horses

This item was tabled.

- Procedures Related to Agenda Items

This item was tabled.

#### 8. Donations: A total of 1,335 individuals gave \$ 28,365.81 in donations during the month of July.

Ms. Emptage said it is amazing how this community keeps supporting PACC.

#### 9. Complaints and Commendations: There was one complaint and no commendations received by staff during July.

There was no discussion on this item.

10. Call to the Audience

There were no speakers from the audience.

11. Announcements, Schedules and Proposed Agenda Items

Ms. Mendelsohn asked about monthly credit card donations being placed on a future agenda.

Ms. Hubbard said the Humane Society is having a pet remembrance event on September 12.

Ms. Emptage said the mobile animal surgical hospital (MASH) is soliciting donations for supplies.

12. Next Meeting – September 17, 2015

Ms. Emptage said the next meeting will be at the Abrams building, due to construction delays on Silverbell Road.

13. Adjournment

The meeting adjourned at 7:10 pm