

ANIMAL CARE & CONTROL ADVISORY COMMITTEE MEETING
February 3, 2009

Next Meeting: Tuesday, March 3, 2009, 5:30 – 7:00 p.m., Wellington E. Webb Municipal Office Building, 4th Floor, Conference Room 4-1-4

ITEM NUMBER	ITEM DESCRIPTION	COMMENT	PRIORITY	TIME	STATUS
1	Call to Order				
2	ACC Advisory Committee • Animal Care & Control ▪ Proposed Fee Changes ▪ Proposed Chapter 8 DRMC Violation Structure (Civil Penalty Structure)	<p>The chair, Ms. Ellen Dumm, called the meeting to order at 5:35 p.m.</p> <ul style="list-style-type: none"> ▪ <u>Presentation of ACC Fee Proposal</u> – Ms. Sherry Purdy, DEH Deputy Manager, provided an overview of the ACC fee proposal and the proposed Chapter 8 Denver Revised Municipal Code (DRMC) civil penalty structure. She noted the ordinance request goes to the Mayor's Office tomorrow. The department will present the proposed ACC fees and the civil penalty structure to the Board of Environmental Health (BEH) on February 12th and to the City Council Greenprint Committee on February 17th. <p>After these presentations, the ordinance request goes to Mayor Council. The ordinance will then come before the full City Council for 1st and 2nd readings. Ms. Purdy commented that the department will ask the BEH to approve a public hearing on the draft rules and regulations setting the ACC fees and the civil penalties for violations of Chapter 8 at its March meeting</p> <p>Ms. Purdy said the department would like the Committee to vote on whether to approve the proposed fee changes section by section. Ms. Purdy remarked that ACC fees have been static for a number of years noting that ACC fees have not kept up with other shelter's fees. ACC is looking to better optimize its revenue streams.</p> <p><u>Vaccinations/Licenses</u> – Ms. Purdy reviewed the existing and proposed fees for the vaccination clinic package. The vaccination clinic package offers a rabies/distemper/license combo. Whether a 1 year or 3 year license is purchased, the vaccination clinic fee is the same. Mr. Kelley commented that there is a low volume of people asking for a same day license issuance on the day a pet is vaccinated. He added when this occurs it's because the person has been cited and needs to show proof of license to the court. Ms. Purdy emphasized that a license ensures an increase in the amount of animals returned to their owners. She said that unaltered animals are also charged an intact permit fee. Ms. Purdy spoke about the proposed license fee changes, noting the following:</p> <ul style="list-style-type: none"> ➤ 1 year and 3 year license fees are the same for dogs and cats ➤ Senior citizens will receive a 50% discount on licenses ➤ No license fee for service dogs ➤ There is a license tag replacement fee 	High	2 Weeks	Ms. Purdy to present fee proposals and civil penalty structure to BEH on 2-12-09 and to Greenprint Committee on 2-17-09. Ms. Purdy to email everyone with the dates for the BEH public hearing on the fee increases/rules & regulations changes.

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		<p>Ms. Purdy reported the proposed changes include a late license fee of \$5 per month for every month lapsed and added that a civil penalty will also be assessed.</p> <p>Ms. Middlebrooks asked how ACC will track lapsed licenses and asked if ACC still has a three-month lag time between the time ACC receives payment sent through the mail and the time ACC sends the license to the pet owner. Mr. Doug Kelley, director of ACC, replied that the Chameleon software program will have a tracking mechanism. Ms. Purdy mentioned the rules and regulations and policies and procedures will need to be prepared to implement the ordinance. These are the types of issues that will need to be addressed in the policies and procedures.</p> <p>Mr. Charbonneau facilitated the discussion among committee members and the department on the impact on the late license fee. The committee expressed concern that the late license fee is punitive for responsible pet owners and will serve as a disincentive to license pets. Ms. Middlebrooks recommended DEH do away with the late license fee saying the civil penalty will address compliance with the law. The committee asked if the department would consider a cap on the late license fee. Ms. Purdy responded that DEH team had not considered a cap on the late license fee, citing the fact that each day is a violation of the city's licensure law.</p> <p>Mr. Charbonneau asked if it is the city's responsibility to remind pet owners that license renewal is due. He said it appears there is no confidence that this is being done and suggested that DEH try it for six months and report back to the committee. The committee emphasized the desire that DEH get buy-in from the veterinarians to provide the pet owners with the license application and suggested that an incentive be offered to the vets to do licensing with vaccinations.</p> <p>Ms. Dunn said the committee would vote on each section by a show of hands. She asked if the committee was ready to vote on the vaccination fee structure. Ms. Dunn asked for a show of hands to approve the vaccination fee structure without the late license fee as recommended by Ms. Middlebrooks. It was approved 7 – 0 with Ms. Null abstaining.</p> <p><u>Intact Permits – Ms. Purdy reviewed the fee increase per unaltered</u></p>			

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		<p>animal annually. There being no questions/comments from the committee, they approved the fee changes 8 – 0.</p> <p><u>Livestock Permit</u> – Ms. Purdy reported on the fee increase and mentioned that the fee is a per property charge and not per animal. The committee approved the increase 8 – 0.</p> <p><u>Impoundment</u> – Ms. Purdy spoke about the proposed impoundment fee increases and noted the three categories.</p> <ul style="list-style-type: none"> ➤ Legal dogs, cats, and other animals – 1st, 2nd, and subsequent impound within 2 years ➤ Restricted breeds/illegal animals – 1st and 2nd impoundment ➤ Impounds above the legal limits – additional fee for each over limit animal <p>Ms. Purdy mentioned the proposed alteration deposit fee at the time of redemption is new. Ms. Dumm asked if the committee had any concerns or questions on impound fees. There being none, the impound fee changes were approved 8 – 0.</p> <p><u>Restricted Breed Evaluations</u> – Ms. Purdy gave an overview of the proposed fees for 1st and 2nd evaluations, including an evaluation appeal filing fee. The committee approved these fees 7 – 1.</p> <p><u>Boarding</u> – Ms. Purdy spoke about the existing boarding fees and reported on the proposed fee increases. She noted that the ordinance will be structured so that the BEH and/or DEH manager can waive the fee for reasons of financial hardship. The committee approved the changes 8 – 0.</p> <p><u>Adoptions</u> – Ms. Purdy spoke about the adoption fee package, including the existing and proposed fees for spay/neuter at time of adoption. She mentioned there will be a senior citizen discount available. Ms. Purdy noted that the ordinance allows a waiver of part or all of a fee if in the public interest, which would enable DEH to lower adoption fees at adoption events or when certain animal populations are high. Mr. Gitlin suggested ACC consider an adoption fee discount as an incentive to adopt a geriatric dog. Ms. Purdy noted that there is a reduced adoption fee for senior dogs and that geriatric dogs fall within the senior category. After brief discussion, the committee approved 8 – 0.</p> <p><u>Optional Services</u> – Ms. Purdy reviewed the existing fees for relinquishment/surrender and owner requested euthanasia. Ms. Dumm asked if there were any comments from the committee on this section. Discussion took place regarding the surrender fee. Members expressed concern that the public might just dump an animal rather than pay a fee</p>			

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		<p>to surrender an animal. Ms. Null asked if the public would be charged a fee if they found an abandoned animal and brought it to the shelter. Mr. Kelley responded that the person would not be charged a fee. Dr. Reeder said she thinks the surrender fee is too low.</p> <p>Ms. Stevenson asked Mr. Kelley to review proposed fee for rabies testing. Mr. Kelley said that this is infrequently used. He reported that the state charges ACC \$65 for rabies testing if an animal is euthanized before the end of the 10-day waiting period. Mr. Kelley and Mr. Boldoe spoke about the proposed fee for home-based quarantine. This is an inspection fee when an animal has bitten a person and is quarantined at home. The inspector goes to the home on the 5th and 10th day of quarantine to ensure the animal is present. ACC is asking for \$25 for each trip.</p> <p>After discussion, the committee voted to approve this section without the surrender fee 8 - 0. The majority opposed this section with the surrender fee included.</p> <ul style="list-style-type: none"> ▪ <u>Proposed Chapter 8 DRMC Violation Structure (Civil Penalty)</u> - Ms. Purdy reviewed the ordinance section number, the violation it pertained to, and the civil penalty assessments. She spoke about the code sections that include compliance orders and reported that the first failure to pay automatically goes to the 2nd fine amount after 14 calendar days and the second failure to pay automatically goes to the 3rd fine amount after 14 calendar days. Ms. Purdy noted certain violations for Chapter 8, such as animal cruelty, will not be cited administratively but will be a General Violation (GV). Discussion took place regarding cruelty to animals. It was agreed to make cruelty the highest of violations. The committee approved 8 - 0. <p>Ms. Purdy and the committee discussed the ordinance section pertaining to poisoning. The Chapter 8 poisoning section require intent. The Committee requested that this violation be cited with a GV, instead of a civil penalty. Ms. Purdy spoke briefly about the ordinance section addressing treatment of song and insectivorous birds. She mentioned combining civil penalties for simultaneous violations the license, spay/neuter, and leash laws.</p> 			

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3	<p>HSUS Evaluation Task Force</p> <ul style="list-style-type: none"> • Work Group Process <ul style="list-style-type: none"> ▪ Matrix ▪ Prioritizing ▪ Larger Buckets or Categories • Chapters 2&4 • Group Process • Going Forward 	<p>The committee approved the civil penalty structure, as revised during the meeting, 8 – 0</p> <ul style="list-style-type: none"> • <u>Work Group Process</u> ▪ <u>Matrix and Prioritizing</u> – Ms. Dumm commented that due to the length of the meeting, Group 1 would not go through each recommendation tonight. She said that Group 1 came up with their version of the matrix but used the same format as the HSUS Recommendations and Status Report matrix created by ACC. Ms. Dumm briefly mentioned what her group encountered with the other matrix commenting that the group wanted to make it more users friendly. Group 1 noted each recommendation as short term with resources, and noted status and priority. <p>Ms. Dumm remarked Group 1 was a little confused about what “Not Yet Started” meant in the matrix created by ACC. She asked Mr. Boldoe to get back to the task force with an explanation of what exactly “Completed” and “In Progress” means. Ms. Dumm said Group 1 had questions on why some recommendations contain information under “Narrative” and others don’t. The work groups agreed it would be helpful to have a shelter construction timeline. Mr. Boldoe commented that construction on the new shelter should be completed by 2010 and that ACC is talking with the architects now about the design.</p> <ul style="list-style-type: none"> ▪ <u>Chapters 2&4-Rankings/Questions</u> - Ms. Dumm reported on the following three big buckets/categories that Group 1 chose to use: <ul style="list-style-type: none"> ➢ Facility and Equipment ➢ Policies & Procedures/Training ➢ Legal and Employment/OSHA (violations/posters) <p>Ms. Dumm suggested rather than go by chapters the task force work groups should put priorities in the same grouping. Work groups could make a best guess where the priorities should go and indicate that in the bucket/category. The priorities can be resorted later when the committee comes back as a group to discuss. If more buckets/categories, other than the three already identified, are needed can be identified later. Ms. Dumm said Group 1 got into Chapter 4 and started ranking the recommendations. As work progressed, the work group started feeling overwhelmed.</p>			<p>Mr. Charbonneau to provide a revised format to the Excel worksheet the groups will enter their data into.</p>

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4	Executive Session	<p>Ms. Stevenson said she wanted to join the task force and would like to work with Group 5 on the Governance, Management, and Leadership chapter.</p> <ul style="list-style-type: none"> ▪ Group Process Going Forward – Ms. Dumm said the group will prioritize facility information in one week and the committee agreed to do as much as possible online. Ms. Stevenson suggested using www.meetingwizard.com. <p>The committee went into Executive Session at 7:15 p.m. The committee came out of Executive Session at 7:44 p.m.</p> <p>Since there were no other matters for discussion, Ms. Dumm adjourned the meeting at 7:45 p.m.</p>			
	Other business				

Present: Ellen Dumm, Donna Middlebrooks, Jayme Nielson, Mary Toorman, Heather Reeder, Marty Gitlin, Sharon Stevenson, Ursula Null, Sherry Purdy, Doug Kelley, Frank Boldo, Dean Gonzales, Kelly Greunke
 Facilitator: Steve Charbonneau
 Recorder: Donna Gitlin