

Animal Advisory Commission  
Special Meeting

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**FINAL MINUTES**

2017 JUN -2 PM 3:28

Meeting Date: April 27, 2017      Convened: 1:37pm      Adjourned: 4:19pm

**Members Present:**

- Peter Brodsky, Chair
- Maeleska Fletes, Vice Chair
- Christopher Watts
- Molly DeVoss
- Karen Kennedy
- Sandra Luhring
- Pat Rodriguez
- Hasani Burton
- Stephanie Kunkle-Timko
- Judith Burnett
- Patti Cody

**Members Absent:**

- Ryan McComber
- Teresa Gubbins

**Briefing Presenters:**

- Major Barbara Hobbs, Major of Police
- Ann Barnes, DAS Manager
- Chhunny Chhean, Asst. City Attorney
- Kanesia Williams, Asst. City Attorney

**Staff Present:**

Bianca Johnson, Elida Acosta, Bonnie Hill, Rita Hammelman, Barbara Hobbs, Ann Barnes, Kanesia Williams, Chhunny Chhean

**Guests:**

Deborah Rodriguez, Fran Gaconnier, Diana Patterson

**AGENDA:**

**1. Call to Order**

Presenter(s): Peter Brodsky  
Information Only: For Public Comments we will do what City Council does. Citizens will have two minutes and no Q&A. You are more than welcome to stay till the end of the meeting and ask questions.

**2. Approval of January 26, 2017 & March 9, 2017 Minutes**

**Action Taken Committee Recommendation(s):** N/A

Ms. Rodriguez – Thanks Mr. Brodsky for obtaining \$13.5 million for the City of Dallas to fund the sterilization of animals in low income neighborhoods.

**3. Review of Subcommittee Findings on Success Measures**

- Presenter(s): Peter Brodsky  
Information Only:
- Vision Statement
    - It is vision of the Animal Advisory Commission (AAC) FOR Dallas to:
      - Have no loose animals.
      - To be a “no kill” City, currently defined as a live release rate of at least 90%

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- Have no mistaken euthanasia at the Animal Care Services Shelter, defined as euthanasia of an animal that had previously been formally tagged for removal from the shelter by a rescue group, adopter, or owner.
- The AAC is not responsible for the oversight of ACS, we will track certain metrics to measure ACS's progress toward achieving the vision elements, which are:
  - Live Release Rate
  - Bites by loose dogs
  - 311 calls for loose dogs
  - Bites reported by the USPS
  - An annual census of loose dogs
  - Mistaken euthanasia reports

**Action Taken Committee Recommendation(s):** Mr. Brodsky Motioned and request to place on ACS Website.

#### 4. ACS Update

Presenter(s): Major Barbara Hobbs and Ann Barnes

Information Only:

- Quality of Life was briefed on results from October –December 2016 as well as January-March 2017. We have increased impoundments, citations, and live release rates including adoptions, rescues, and redemptions.
- Enforcement and Effectiveness
  - Field impoundments increased over 1383 dogs for March 2017
  - Proposed ordinance changes that will be review at a later time
- Digital Marketing
  - We have an average of 39,000 people reached a day
  - In February we surpassed 50,000 fans on our Facebook page.
  - Positive Video views as went up 433%.
  - Positive news on adoption events has increased public awareness in resulting to more adoptions.
- Spay and Neuter
  - We are a part of the Spay Neuter Network internship with Texas A&M. We have 3<sup>rd</sup> and 4<sup>th</sup> year students coming to the shelter for 1-2 weeks at a time to get experience in a shelter environment.
  - We are looking forward to working with Mr. Brodsky's Spay/Neuter Coalition.
  - Enforcement with spay/neuter citations has increased.

The following were questions from the Commissioners to Major Hobbs with her response:

- Mr. Brodsky – How do we track bite data? What sources do we use to track?
  - We track actual bites that are confirmed bites and not bite calls. 311 and 911 dispatchers work together to insure that each received the call. 911 calls are up due to the awareness of bites.

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- Mr. Brodsky confirmed that 911 calls are up because increased awareness of the issue has increased call volume. Those that use to call 311 and were not directed to 911 are now being directed to 911 and there could be multiple calls per bite.
  - Major Hobbs confirmed.
- Mr. Brodsky – What is the actually bite data? How are we doing with bites?
  - Compared to Jan - Mar 2017 to Jan – March 2016, if we are looking at loose owned and stray dogs for those months in 2016 we document 216 bites and for 2017 we documents 141 bites.
- Mr. Brodsky – If a citizen wanted to access this information do you post this on our website?
  - We will start to include this information in our Shelter/Field data in April.
- Ms. Fletes – What are the numbers for RTO in the field?
  - We will have to write a report on that because it was never split before, so we are in the process of writing that. Once we have that we release to the board as well as on the spreadsheet.
- Ms. Rodriguez – Can pictures be include to the SR?
  - I contacted 311 as well as CIS; they are going to have to write a interface for the pictures to come across. They are aware that we want to include a picture.
- Ms. Rodriguez – For the number of citations, do you break them down by category?
  - We can pull a report on the different citations given.
- Mr. Watts– Is there any way we can get an aging report on the outcome of a citation?
  - We can get an outcome from City Courts.
- Mr. Watts – Do you have the number of confined bites that happened in 16-17?
  - Yes. For Jan-Mar 2016 is 144 and Jan-Mar 2017 is 102.
- Mr. Burton – On the enforcement of spay/neuter citations, could you highlight what is contributed to that success and how you will continue this in the future?
  - We have spoken with our ASO's the importance of spay/neuter and looking at the enforcement of spay/neuter because of our records of loose dogs that are intact and they intend to bite. We do emphasize that the community need those enforcements to keep the community safer.
- Ms. Burnett: Is it possible to have a YTD 2016 vs YTD 2017 on the Departmental Fact Sheet?
  - Historically, the City does Year End that way we can do an additional report from quarter to quarter.
- Ms. Fletes – Can we get an update on the Care Team and what their achievements are?
  - Yes.
- Ms. Rodriguez – On the Departmental Fact Sheet, can you clarify what Spayed/Neutered/Intact means?
  - These are Service Request were citizens call for spay/neuter or still intact for us to go to the owners and discuss the ordinance.

- Mr. Watts – The PASS Program, can we get numbers on how many animals or owners we deterred from the shelter?
  - Yes.
- Mr. Brodsky – Request from the Commission on information:
  - Return to Owner Statistics
  - Citations breakdown by violation
  - Care Team outcome and results
  - Quantification on the PASS Program

**Action Taken Committee Recommendation(s): N/A**

**5. Review of Process for Hiring New ACS Director**

Presenter(s): Peter Brodsky

Information Only:

- The City has retained a search firm. They are conducting a national search and in the process of developing a candidate list.
- The City will only interview the Chair and Vice Chair of the Commission and Quality of Life Committee.

**Action Taken Committee Recommendation(s): N/A**

**6. Review of Ordinance Change**

Presenter(s): Major Barbara Hobbs, Chhunny Chhean, and Kanesia Williams

Information Only:

- Mr. Brodsky confirmed that all commissioners were not opposed on mandatory microchipping and voted that it would be in lore of registration, and presented to Quality of Life.
- Mr. Brodsky – Has anyone changed their mind on if it should be addition to not instead of?
  - Mr. Burton – Believe that it should be both. I don't want to let go of anything that contribute to that. I rather keep it in place and see how these two things work together instead of getting rid of it and finding out later on that maybe it was a better idea to keep this in place.
- Mr. Brodsky – Do you worry at all about the double cost on citizens?
  - Mr. Burton – I do, only because pet ownership should be available for everyone. But there are unavoidable costs; if the cost is the main concern then maybe they need to rethink of being an owner.
- Ms. Burnett – The concern that I have is the identification of the animal, should there be something on the outside of the collar? How do you regulate the rabies requirement?
  - Ms. Barnes – Currently, licensing and rabies are two separate ordinances. An owner is required to have their dog or cat licensed and rabies vaccinated with the tags on the collar. If we do away with licensing we still have in the

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ordinance that they are require having their pet's current on rabies as well as having the tags on the collar.

- Ms. Burnett – Will a notification still be sent to the pet owners that their dog is due for their rabies shot?
  - Ms. Barnes – That is their veterinarian responsibility.
- Ms. Burnett – Does the veterinarian send the information to City?
  - Major Hobbs – There are only a few veterinarian's that are vendors with the City that do registration and they send information to us once a month. Every veterinarian is not required to do that, only those that choose to do so. The rabies tag will be on the collar and if the pet owner was to put a personalized tag on there they can. There is a microchip tag there also.
- Mr. Brodsky – Today, Pet Owners do received a reminder to re-register, would that go away?
  - Major Hobbs – Yes.
- Ms. Devoss – Can you discuss on how some people tend to get their pets vaccinated more than they do registered?
  - Ms. Barnes – More people are aware of their dog needing rabies and that is it required by state law than they are of licensing. There is a lot of education that the officers give out in the field; most people don't even know that the registration exists.
- Mr. Brodsky – What is the purpose of the registration? Is that purpose accomplished by a microchip?
  - Major Hobbs – The purpose was for the City of Dallas could track animals and return them to their owners if they were lost.
  - Ms. Barnes – It was a really good tool before microchips came along and it's no longer necessary because we have a microchips, which is a permanent form of identification that you can call 24/7 to get the information on that owner.
- Ms. Fetes – Isn't there thousands of dollars that has not been collected because we don't have the staff to remind people that their registration is due?
  - Major Hobbs – In the City of 1.2 million people it is impossible to reach out to everyone that should be registering their animals and they don't feel that it is necessary if they are vaccinating their animals, taking them to the vet, having them microchipped and being responsible pet owners.
- Mr. Burton – Do we have any data on registration compliance? Is there any concern that is will be the same as chipping?
  - Major Hobbs – As we move forward with the program and this is a one-time fee. The low cost vaccination clinics also do microchipping it does reduces the fee and another step.
- Mr. Burton – Do we have anything in place to but sure if that pet changes owners will that information be updated?
  - Major Hobbs – Included in the proposed ordinance change is the new owner has 30 days to update the microchip information to show that they are the new owners.
- Ms. Burnett – is there any compliance method or enforcement for that?

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- Major Hobbs - As we make contact with citizens in the field, every ASO has a microchip scanner and they will scan the animal.
  - Mr. Barnes – The microchip will be one of the ordinances that if the owner complied with citation would be dismissed, so that would be the encouragement to get that pet microchipped.
- Mr. Watts – Is there anything in our ordinance that addresses elective vet services that we need to look at?
  - Major Hobbs – The City Attorneys have looked at the state law and other city ordinances that are doing mandatory microchipping.
- Mr. Watts – At the state level, are there any laws that address elective vet services?
  - Ms. Chhean – we did look into if for this part of the ordinance, this was not the requested changes. As far at the microchipping that has not been an issue in term of elective surgery, but we can look into that.
- Mr. Burton motioned on mandatory microchip only
  - Second Ms. Kennedy
  - Extension: Ms. Timko and Ms. Fletes
- Major Hobbs discuss on multiple convictions on certain offense.
  - Multiple convictions in a 12 month period for the same animal will presume are a public nuisance then a hearing is scheduled.
  - Offenses are:
    - At large
    - Repeat offenders that refuse to comply
- Ms. Timko – Why haven't we used this before?
  - Ms. Chhean – it was not part of the ordinance, so we created a new section.
- Ms. Timko – If a person was not staying in compliance with tethering requirement and creating a public nuisance by creating a dangerous dog, why wouldn't this be included?
  - Ms. Chhean – The dangerous dog are addressed in a different section, this is section is for spay/neuter, vaccinations, etc. We were asked to draft something that would reflect harsher penalties for certain convictions and these are the violation that were select and that included. Dangerous dogs are addressed in a separate section.
  - Major Hobbs – These are going to a judge and being convicted not just being given a citation.
- Major Hobbs – For dogs that are confined in a motor vehicle:
  - If that animal is in a vehicle on a hot day and showing signs of distress, a peace officer or ASO could break the window to get into the vehicle and provide first aid and remove that animal.
- Ms. Fletes – Is there a time period?
  - Major Hobbs - We put 5 minutes there, but these is an option that if the animal is showing obvious signs of distress that we immediately break into the vehicle.

- **Tethering**
- Mr. Brodsky stated that speaking with different commissioners we may not come to a unanimous decision, there is a wide range of opinions. We will let everyone express themselves, convince some people and take a vote with a recommendation. Every commissioner is free to talk with their council member if they disagree with the commission's vote.
- Ms. Timko – If we come up with a decision today, who will be taking that to the Quality of Life?
  - Major Hobbs – I will be taking commission and staff recommendations to Quality of Life.
    - Ms. Timko recommend for Mr. Brodsky to present for the commission.
  - Ms. Timko – What happens to the revision that the commission has already provided to the staff on this issue?
    - Ms. Chhean – We have received varies feedback and suggested language from staff and commissioners, the City Attorney's Office that drafts the language.
- Mr. Brodsky stated that opportunities are given for input. Some would just like an absolute Thou shall not tether, as those are upset on the 3 hour limitation and other feel that the ordinance has been strengthen because of the conditions for tether must occur.
- Ms. Chhean – Ordinance on Tethering Reviewed Section 10 of 7-4.7.
  - Must be:
    - Dog must be fitted with and wearing a harness or collar made of leather, nylon or a similar material.
    - Must be attached to the harness or collar and not directly to the neck.
    - A least five times the length of the dog as measured from the tip of the nose to the base of the tail or ten feet.
    - Allow the dog access to potable drinking water.
    - Allow access to shelter that protects from sunlight, extreme temperatures and standing water.
    - Allow reasonable range of motion and unlikely to become entangle and cause injury.
- Mr. Brodsky – Why did we eliminate the three hour limit?
  - Ms. Barnes – It is very difficult to hold someone accountable for a time period on tethering. I would have to have an officer sit at that house and watch that dog to make sure that the dog was left unattended for three hours. When the officers go to enforce the owner will bring them in the house and then take them back out to the tether.
- Ms. Devoss – It's not the burden for us to prove that the dog was on the tether for three hours, it the owners burden
  - Ms. Chhean – Correct, the burden of proof is on the defendant, oppose to the City.

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- Major Hobbs – I will get in contact with the Prosecutors Office and see if the decision was made for them to not prosecute if we did not observe that.
- Mr. Watts – What will change in practice today for staff, which we already have?  
Comment: I support with changes on Section 3 being removed and running lines be used and a 3 year plan to ban tethering.
  - Ms. Barnes - the benefits are:
    - My officers do not have to sit a home.
    - We actually get dog off chains and into a tether
    - It's much easier to enforce not that it is in our ordinance as law.
- Ms. Devoss – I am not in favor for tether and would love for us to have the resources for when an ASO finds an animal that is tethered to be able to provide financial services to prevent the reason for someone to tether their dog. Since we don't have those resources and we have to have a tethering law, I hope that we enforce it. What about a metal cable? Where does that fall in a tethering device? What about a trolley? Comment: I support with amends that tether cause injury or death to the animal, that that person can be charged with animal neglect and not to be tethering during extreme weathers.
- Ms. Kennedy – Ideally, no tethering. We have communities that do not understand the ramification of tethering. The proposed changes are improvement and work step by step. Education is extremely important. Comments: I support as a step towards making changes.
- Ms. Luhring – Against tethering, can you make the ordinance say clean water and food. Comment: No tethering
- Ms. Rodriguez – Against tethering, there should be a period of time where individuals are given an opportunity to find another home for their dog or other mechanism. Comment: Individuals that were property were freed, it's time to take individual animals and let them be free and stop viewing them as property. I do not support tethering.
- Mr. Burton – Tether, dog runs, etc. are tools for the care of animals. It is not my opinion to dictate what tools a person should use in the care of their animal. However, the data shows that tethering does oppose a public safety risk because it can create an aggressive animal. Language in the ordinance is way to open to interpretation. I recommend 100 ft. for dogs 80lbs or more and 50 ft. for any animal less that. Comment: I will not support, replace tethering with dog runs and compliance to be addressed.
- Ms. Timko – The life of isolated tethering 24/7 is leading by suffering, denied to choice of fight or flight, with poor diet and health issues. This ordinance condones that life. Comment: I support with the addition that there is no tethering between 10pm-6am. SPCA has received millions of dollars to address this problem.
- Ms. Fletes – I think more about the situation. If we are going to start making these laws that will prohibit tethering then we need to come up with a plan to help people come in compliance. Comment: Yes, I will support but with more comfort plan.



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- Mr. Brodsky – What will happen if we had an anti-tethering? Why is it that you do not support no tether? Do you consider additional restrictions? Comment: Yes, I would support.
  - Major Hobbs – Individuals would possible bring their animals inside. In the state of Texas, animals are considered property though we can regulate the care of the animals but not the confinement of an animal. We looked at other Cities in Texas and pulled language from them and the State law regarding tethering.
  - Ms. Barnes – Our priority is loose dogs, everything that I do is to get loose dogs off the street. If we made tethering illegal people will still own their dogs are just going to let them run loose.
- Ms. Burnett – I am opposed to tethering. I think we need a plan to get there to make it a little less harmful. I will like to see no tethering happen within 2 years. Comment: Yes I would support.
- Ms. Cody – I am against tethering, but I do not have the knowledge to address that it should be cut off. Comment: No tethering.
- Sub-Committie: For 3 year plan to No Tether:
  - Karen Kennedy
  - Sandra Luhring
  - Pat Rodriguez
  - Hasani Burton
  - Stephanie Timko
  - Maeleska Fletes
- Motioned by Peter Brodsky to recommend ordinance to be modified as illegal if the animal shows any signs of distress. Second Karen Kennedy.
- Opposed: Sandra Luhring, Pat Rodriguez, Hasani Burton and Stephanie Timko

**Action Taken Committee Recommendation(s): N/A**

**7. Dowdy Ferry Sub-Committee**

Presenter(s): Stephanie Timko Kunkle

Information Only:

- Locations of chronic animal dumping in southern Dallas.
- Dumping by the numbers
  - August 2015-February 2017: 211
- Why is there no response to the dumping of animals?
- Case Study: Harris County
- Recommendations: Short Term
  - Speed Bumps
  - Street Lights
  - Microchip scanners at all City Fire Depts.
  - Cameras

**8. Public Comments**

The following citizens stated their full name, address, and raised their concerns:

Speaker: Diana Patterson

Subject: Tether

**Action Taken/Committee Recommendation(s): N/A**

**9. Adjourn**

4:19p.m.

**10. Next Meeting**

June 2, 2017 at City Hall Room 6ES at 1:30p.m.



**Peter Brodsky**  
Animal Advisory Commission Chair



**Bianca Johnson**  
Board Coordinator