



Oakland Animal Shelter Community Advisory Committee

Meeting Date and Time: *Wednesday, October 1, 2014, 4:30 pm*

Meeting Location: *Oakland City Hall, Hearing Room 3*

Meeting Attendance:

Present: *Amelia Funghi, Kate O'Connor, Ann Dunn, Willow Liroff, Jen Dalmasso, Evan Eustis, Allison Lindquist, Deirdre Strickland*

Absent: *None*

Staff: *Karen Boyd, City Administrator's Office; Chantal Cotton, City Administrator's Office*

Meeting Minutes

The fifth meeting of the Oakland Animal Shelter Community Advisory Committee (Committee) was held on Wednesday, October 1, 2014. The meeting was called to order by the Committee Chairperson Amelia Funghi at approximately 4:35 pm.

1. Welcome & Introductions

At the start of the meeting, City Administrator Henry Gardner spoke to let Committee members and the public know that due to a clerical error, the meeting was not properly noticed according to the Brown Act. Despite the fact that it was not posted on the official bulletin boards at City Hall as legally required, the meeting notice and agenda packet were posted on the City's web site and several hundred interested parties were alerted to the agenda packet.

Mr. Gardner affirmed that the City remains committed to the spirit of open meeting laws and operating in transparency. Given the urgency of several of the matters on the meeting agenda for the Committee's consideration, and given the high level of public interest in these topics, City staff did not want to preclude this important discussion by standing on a technicality and decided to hold the meeting anyway instead of cancelling it.

The City Administrator emphasized that it is in the public's interest to hear the reports from the Committee and to provide an opportunity for public comment, but no formal action could be taken at this meeting. He clarified that the Committee was not legally permitted to take a binding vote at this meeting. The discussion could take place and the items would be carried over to the next formally

noticed meeting for a binding vote. Committee members expressed appreciation for the opportunity to discuss the items on the agenda.

2. Open Forum

There was a 15-minute open forum with five public speakers.

3. Review and Approve Minutes

The minutes of the September 10, 2014 meeting could not be approved for the reasons stated above. This item will carry forward to the agenda for the next meeting on October 22, 2014.

4. Update on Recruitments

Karen Boyd of the City Administrator's Office provided an update on the status of staff recruitments and hiring underway:

- *OAS Director*: The City is currently going through the background checking process with finalists and staff anticipates a start date of November 3rd.
- *Shelter Manager*: The new Shelter Director classification was approved by the Civil Service Board on September 18. City staff has begun recruitment process, which takes 4-6 months.
- *Veterinarians*: There are three part-time veterinarians in place sharing the hours of one full-time employee, and a fourth is in the process of a background check, which was delayed because the candidate was out of town.
- *Veterinary Technicians*: One Vet Tech is in the process of a background check, which is anticipated to be complete at the end of October.
- *Animal Care Attendants*: There are 10 full-time positions authorized which are being filled by 17 part-time ACAs.
- *Animal Control Officers*: There are five ACOs in undergoing a background check; the expected due date is mid-October.

5. Update on OAS Transition from OPD

Karen Boyd reported that the City Administrator's Office has initiated the process to legally transfer OAS out of OPD and create a standalone City department. This process requires amendment of the

Oakland Municipal Code, which is currently in legal review. She stated that more details about the transition would be presented to the City Council's Public Safety Committee on October 28, 2014.

Chantal Cotton of the City Administrator's Office spoke about the transition-related conversations now underway between City Administrator's staff and OPD about how best to utilize the ACOs and what the reporting structures would be once the transition is complete. Given limited staff resources at the shelter, it isn't practical to assume that all the ACOs could be out in the field immediately, since it would leave an operational gap at OAS. These are amongst the many decisions being thought through during the transition-planning process.

Ms. Boyd addressed a question that was raised regarding OAS' compliance with Hayden's Law. She stated that it was her understanding that since the State was no longer funding it, the City is no longer legally bound to follow it; she added that the City Attorney's Office was providing a legal analysis and guidance to City staff. Committee member Kate O'Connor stated that although the law was suspended, most shelters continue to follow it as a matter of practice.

Ms. Boyd also stated that the Administration recognizes the urgency of addressing euthanasia issues at the OAS. There has been a lot of public outcry about how decisions to euthanize animals are made and by whom, and how animals are temperament tested. There is great concern about the transition that is underway but not yet complete. She emphasized that City staff hears these concerns loud and clear.

Effective that day, the City Administrator directed the Oakland Police Department to immediately implement several key changes that are consistent with the provisions in the draft policy that the Committee has proposed. These changes should begin to address these concerns as the City works through the process of formally adopting new policies. Specifically:

- No single individual should be authorized to make a euthanasia determination without a second pair of eyes reviewing the decision and conducting a second temperament test.
- Furthermore, euthanasia decisions will be made based on the current availability of space, not in anticipation of future intake to the shelter.
- All animals will be held a minimum of four days on which the shelter is open to the public, including at least one weekend day, prior to euthanasia. The only exception is in the case of irremediable, severe injury or disease in which the veterinarian deems the only human option is euthanasia.

She said that the decision to have a second pair of eyes reviewing each euthanasia decision was made to provide support and assistance to OAS staff, who are making hard decisions, and the second temperament test would afford animals a second chance with possibly a different outcome.

Ms. Boyd clarified that the policies being recommended by this Community Advisory Committee are administrative policies under the jurisdiction and authority of the City Administrator to implement, not policy questions for the City Council. As such, despite the fact that the policy recommendations heard during the meeting could not be officially adopted by the Advisory Committee that evening, given the urgency and importance of the euthanasia issue, she committed to bringing the draft policy to the OPD Command staff and OAS management to begin an immediate review and analysis. She said she would ask for their input regarding enhancements they recommend or revisions they advise due to operational or resource constraints. The final decision regarding implementation will be made by the City Administrator in consultation with the new OAS Director.

6. Subcommittee Reports

In response to a request made by the Committee at the last meeting, Ms. Boyd provided the following data:

- Cats: Intake numbers, number of cats euthanized, reasons for euthanasia
- Dogs: Intake numbers, number of dogs euthanized, reasons for euthanasia
- Time period: May 1 - September 10, 2014 vs. May 1 - September 10, 2012

The subcommittee distributed a final recommended euthanasia policy based on the one currently in use by the City of Berkeley, which was created by the Animal Care Commission and has worked well there. The Committee reviewed the final euthanasia policy and behavior assessment policy and made a few additional comments.

Due to a shortage of time and the fact that the Committee was not able to take formal votes at this meeting for the reasons previously identified, reports from the other subcommittees were postponed to the next meeting.

7. Next Steps

Ms. Boyd was asked several questions which she agreed to answer at the next meeting:

- Committee members had heard reports that owner-surrenders were being requested to get an appointment one month out to bring their animal back to OAS. The question asked was whether this is happening, and if so, why? And does the OMC allow for surrenders to be turned away? Are there surrender forms?
- Does the \$400,000 in one-time funding automatically carry over to the next fiscal year?

The next meeting of the Community Advisory Committee is on Wednesday, October 22 from 4:30 to 6:30 pm in Oakland City Hall, room to be announced.

The meeting was adjourned at approximately 6:00 pm.