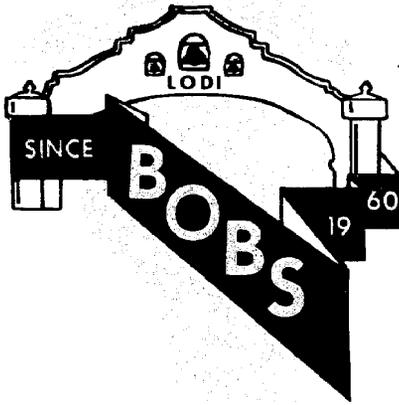


Town Hall Meeting
March 5, 2001 7:00 p.m. – 9:00 p.m.

- 1) Welcome and explain evening's schedule – **Mayor Nakanishi**
- 2) Describe budget process – **City Manager Dixon Flynn**
- 3) Capital projects - phases (overhead) – **City Manager Dixon Flynn**
 - 1.Designate
 - 2.Study
 - 3.Acquisition
 - 4.Design
 - 5.Construction
 - 6.Debt Service
- 4) Confirm projects on current list – **Deputy City Manager Janet Keeter**
 - a) Public Safety Building
 - b) Public Utilities
 - c) Transportation
 - d) Community and Economic Development
 - e) General Government
- 5) Project descriptions – 3 minutes per presentation – **Dixon Flynn**
 - a) Animal Shelter
 - b) Aquatics Center
 - c) Indoor Sports Center
 - d) DeBeneddetti Park
 - e) Lodi Lake west side
- 6) Comments by Special Interests Groups – 3 minutes per presentation
 - a) B.O.B.S. – **Blaine DeJong, President**
 - b) Lodi Sports Foundation – **John Johnson, Chairman**
 - c) Parks and Recreation Commission – **Ken Sasaki, Chairman**
 - d) Swimming Pool Task Force – **Randy Snider, Chairman**
 - e) Friends of the Lake – **Bob Raingruber, President**
 - f) Animal Shelter Task Force – **Sue Pixler, Task Force Member**
- 7) Comments by the Public
- 8) Comments by Council Members



filed 2-7-01



Boosters of Boys/Girls Sports Organization

Parks & Recreation Department: 125 N. Stockton Street / Lodi, California 95240
Telephone (209) 333-6742

February 26, 2001

Dr. Alan Nakanishi, Mayor
City of Lodi
221 West Pine Street
Lodi, CA 95240

**B.O.B.S.
EXECUTIVE BOARD
OFFICERS**

BLAINE DE JONG, PRESIDENT
ZACHARY LEACH, VICE PRESIDENT
DICK SLAWSON, VICE PRESIDENT
JERRY BURNS, SECRETARY
RICK CASTELANELLI, TREASURER
JOHN PORTSCHELLER, PAST PRESIDENT

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MICKI SCHULTZ
ROB SHEPARD
MIKE WATSON

TOM ALEXANDER
ADVISOR

MAX STEINHEIMER
LEGAL COUNSEL

Dear Mr. Mayor,

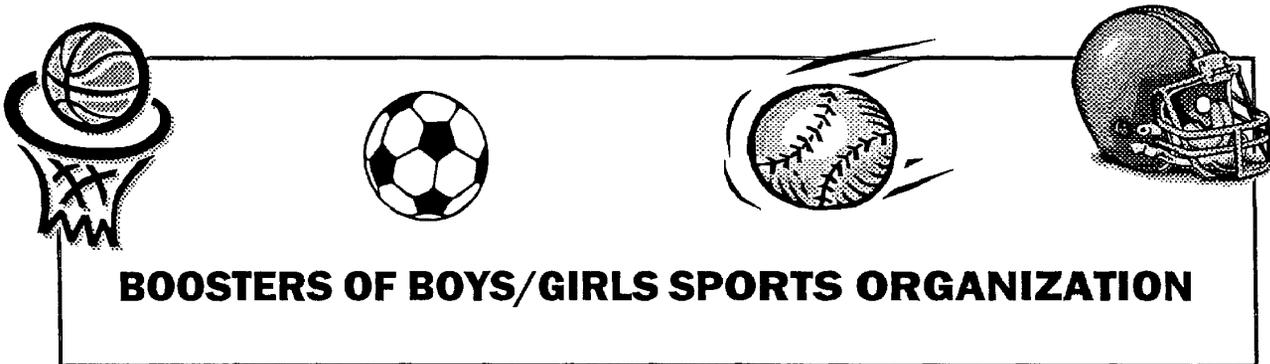
Thank you for taking the time to speak to me regarding the Boosters of Boys/Girls Sports Organization Thursday evening at the Wine and Roses Inn. I have enclosed material of our history that I feel will help you understand the long relationship between the B.O.B.S. and the City of Lodi.

Due to the lack of sports facilities in this city, I feel we need to step forward and build the facilities that are needed. We are turning away basketball players. Far too many games in baseball, softball and soccer are being played late at night. We have very limited practice space; most practices are at Lodi Unified School District facilities that are in disrepair.

We need your help! Our facilities for the youth in this community have been neglected. Please help the B.O.B.S. and Lodi Parks and Recreation help the children. They are our investment in our future.

Sincerely,

Tom Alexander
Parks and Recreation Supervisor
B.O.B.S. Advisor



The B.O.B.S. Organization currently serves as an extension of the City of Lodi's Parks and Recreation Department. The board coordinates over 1,000 volunteer coaches and 300 concession workers in addition to endless hours of other activities each year. The budget has expanded to \$350,000 per year, of which \$100,000 is derived from fund-raising. Over the years, approximately \$7 million has been raised by the B.O.B.S. and contributed to youth sports programs in the community.

It is rare that a non-profit organization created to benefit the youth of a community will survive, succeed, and flourish for 40 years. However, in Lodi the success of recreational programs geared towards providing low cost and well organized youth sports has, in fact, flourished and is a model-perfect program for communities throughout the state.

From a meager beginning around a coffee table in 1960, the B.O.B.S. have grown to a unique organization that runs baseball, softball, basketball, tackle football and soccer in Lodi. The public/private collaboration between the City of Lodi and the B.O.B.S. allows over 4,000 children to participate in sporting activities each year. In addition, the B.O.B.S. has an extensive scholarship program that permits all youth players the opportunity to play sports. The tremendous involvement of the B.O.B.S.' volunteers, working together with the City, creates a unique urban enrichment program found nowhere in California.

Over forty years of community involvement by thousands of volunteers affecting tens of thousands of children is a testimony to the value of a public/private partnership. Lodi's experience with an innovative organization has proven that communities can provide quality services for the citizens by partnering with volunteers.

Lodi is a community rich in sports traditions; it prides itself on the many values that are derived from participating in recreational and competitive sports programs. Credit for the community's innovative sports program is attributed to a public/private partnership between the City of Lodi and the Boosters of Boys and Girls Sports (B.O.B.S.). In 1960 the B.O.B.S. Organization was formed by a small

The B.O.B.S. assistance has enabled the Recreation Department to annually provide activities for over 4,000 youth with volunteer hours in the thousands and financial assistance to pay for the majority of the program expenses. The City of Lodi and the B.O.B.S. have worked together in their shared interest in youth sports programs.

B.O.B.S. OBJECTIVES

- To assist the Lodi Parks and Recreation Department in financing various programs for youth by participating in fund-raising activities.
- To bring to youth a deeper realization of the importance of sportsmanship and fellowship through participation in athletics.
- To serve as an advisory group and coordinate with the Lodi Parks and Recreation Department in all matters pertaining to joint program sponsorship, general program policies and rules and regulations.
- To serve in mutual cooperation with the Lodi Parks and Recreation Department in promoting and encouraging participation in competitive athletics by youths from ages 6 through 18.
- To increase interest and support in competitive athletics by involving a great number of adults, directly and indirectly, as volunteers in athletics at all levels and various program areas.
- To honor the outstanding volunteer personalities of the B.O.B.S. organization – coaches in the Lodi area and sponsors of youth teams.
- To serve as a social and a recreational outlet for adults sharing a common interest in sports.

HOW HAVE OBJECTIVES BEEN MET

The B.O.B.S. rely on the following committees and their volunteers to successfully bring sport programs to children:

**Membership
Concession
Ad Hoc
Finance**

**Sponsorship
Fund-Raising
Equipment
Sports**

**Social, and Honor
Nominating/Screening
Tournaments**

The Sports Committee in particular is active in evaluating programs, coaches, and implementing new programs. Evaluations by coaches are conducted at the end of each season. It gives the board members an indication of how the teams are progressing through the programs.

The B.O.B.S. quiet claim to fame, in addition to helping thousands of children each year, is their success in raising funds for park improvements. Following is a list of

teams. The committee raises approximately \$50,000 towards this endeavor to accomplish general operating budget and capital improvement projects. Fund-raising has kept fees to participants very low and the organization funds scholarships to under-privileged youth. It is the organization's goal that every child be able to participate in community-wide sport programs.

With so many improvements to parks and facilities during the past 40 plus years it is difficult to chronicle and identify every project. However, if there was a need and no funding available, it was the B.O.B.S. who came forward time and time again to help keep youth sports activities alive in Lodi.

Former Parks and Recreation Director, Ron Williamson cites the success of the city's sports programs as a direct result of the B.O.B.S. involvement. According to Williamson, "the secret is recruiting community oriented citizens who have the dedication and conviction to carry forward quality public enrichment programs for youth."

The B.O.B.S. have conducted themselves as servants to the community with the common interest of bring quality sporting opportunities to each and every child in the city of Lodi. They have brought positive changes to Lodi.



LODI B.O.B.S. PARKS & RECREATION DIRECTORY

Parks & Recreation Department

125 N. Stockton Street, Lodi CA 95240
Monday - Friday 8 a.m. - 5 p.m.
Phone (209) 333-6742
Fax (209) 333-0162

24-Hour Field Conditions & General Information

(209) 333-6744

Boosters of Boys/Girls Sports

125 N. Stockton, Street Lodi, CA 95240
(209) 333-6742

Police Department

Non-emergency calls, (209) 333-6727

Fire Department

Non-emergency calls, (209) 333-6735

Grapeline

Call for routes, schedules and discounts.
(209) 333-6806

Lodi Boys & Girls Club

(209) 334-2697

Lodi Memorial Hospital

(209) 334-3411

Lodi Parks & Recreation
125 N. Stockton Street
Lodi, California 95240



Lodi Boosters of Boys & Girls Sports Guide

Lodi Parks & Recreation
125 N. Stockton Street
Lodi, California 95240
(209) 333-6742

WELCOME TO LODI YOUTH SPORTS

The Boosters of Boys/Girls Sports Organization (B.O.B.S.) and the Lodi Parks and Recreation Department welcomes you and your child to Lodi area youth sports. Lodi has a unique partnership between the B.O.B.S. and the City of Lodi Parks and Recreation Department. The B.O.B.S. are responsible for the volunteers, fundraising, uniforms, policy, and organization of team sports. Lodi is a community rich in sports traditions, which prides itself on the many values that are derived from participating in recreational and competitive sport programs.

WHAT ARE THE B.O.B.S.?

The B.O.B.S. organization was established in 1960 by then Parks and Recreation Director, Ed DeBenedetti and Recreation Supervisor, Tom Atkins. From its beginning, the B.O.B.S. gathered local residents interested in promoting, volunteering, and raising funds to develop a system of sports activities under one umbrella.

A 22 member volunteer board of directors coordinates all B.O.B.S. programs. The B.O.B.S. has over 1,000 volunteers that serve over 4,000 area youth with an operating budget of over \$300,000.

The B.O.B.S. yearly general membership meeting is the second Wednesday in

December at the Lodi Parks and Recreation Department, 125 N. Stockton Street, at 7:30 p.m. The public is always welcome.

Over the years, B.O.B.S. have contributed over \$300,000 in capital improvement projects in Lodi. Those interested in promoting local sports activities for our youth are always welcome to attend. Please contact the Parks and Recreation Department at 333-6742 if you would like to be put on the agenda.

The B.O.B.S. annual membership numbers about 100 individual members and 250 sponsor members. To become a member,



simply fill out the form below or contact the Lodi Parks and Recreation Department at (209) 333-6742.



I WANT TO SUPPORT B.O.B.S.

Name _____

Address _____

City _____ ZIP _____

Phone _____

Active Member \$25 \$50 \$100 \$250 Other \$ _____

ALL DONATIONS ARE TAX DEDUCTIBLE



B.O.B.S. PROGRAMS

BAMBINO BASEBALL (boys, ages 6-12)
 This program covers T-Ball to Bambino Majors with over 1,200 participants. Sign-ups are in January. Play runs April to July. Tournaments begin in July.

BABE RUTH BASEBALL (boys, ages 13-15)
 This high profile program offers the player an opportunity to improve his baseball skills at a more competitive level. Sign-ups are in January. Play runs April to July. Tournaments begin in July.

BABE RUTH SOFTBALL (girls, ages 6-16)
 Lodi offers the largest Babe Ruth Softball program in the nation. Sign-ups are in January. Play runs from April to July. Tournaments begin in July.

AMERICAN LEGION BASEBALL (ages 16-18)
 This highly competitive program begins in May and runs into July. District, area and state tournaments begin in July.

COMPETITIVE SOCCER (boys & girls, ages 10-18)
 A member of the California Youth Soccer Association (CYSA), this highly competitive program offers travel throughout the area for various age groups.

RECREATIONAL SOCCER (boys & girls, ages 6-18)
 A member of CYSA District 8, this recreational program runs from August to November. Sign-ups are in May.

TACKLE FOOTBALL (boys, ages 7-14)
 A competitive tackle football program with travel throughout the Central Valley area. Sign-ups are in June with practices beginning in late July. The season runs until December.

CHEERLEADING (girls, ages 7-14)
 Parallels the tackle football program. Cheerleading skills including routines for half time at games are taught. Sign-ups are in June. Program runs from late July to December.

BASKETBALL (grades 7 & 8)
 The Comet (boys) and Cardinal (girls) program runs from November to early February. Games are played at the Lodi Grape Festival Pavilion. Sign-ups are in early October with space very limited. Post-season tournaments begin in February.

CAMPS & CLINICS
 The B.O.B.S. offer various clinics for coaches and players during the year.

CONCESSION OPERATIONS
 The B.O.B.S. operate concessions at Salas Park, Kofu Park, Tony Zupo Field, and the Grape Bowl (during youth games) with volunteer and paid help. Proceeds benefit the operation of youth sports.

SIGN-UP DATES

Baseball and Softball..... January
Recreational Soccer May
Tackle Football and Cheerleading June
Basketball early October*

(*space is always very limited)

COACHES' CODE OF CONDUCT

- COACHES MUST NOT**
- Partake of alcoholic beverages prior to or during participation in any activity involving the coordinating or supervising of youths.
 - Smoke or use tobacco on a playing area. (Only off the field of the activity.)
 - Use severe and/or profane language in the presence of youth.
 - Cause or incite disturbances by prolonged, loud or frequent disagreements with game officials' judgements or decisions.
 - "Hecкле" or "ride" an opponent, nor permit team to do so.
 - Commit any act of poor sportsmanship or personal conduct that may bring discredit to a team, the B.O.B.S. or fellow coaches within the programs.
 - Physically abuse or mishandle any player, coach, official, or spectator. 8. Drug use, on or off the playing area, will not be tolerated.
- COACHES MUST**
- Make every attempt to control attitudes of players, parents and spectators by setting the best example of sportsmanship at all times.
 - Strive to teach, coach and play more by the "spirit" of the rules than by the "letter" of the rules.
 - Spread this philosophy - "ROOT FOR YOUR TEAM - NOT AGAINST THEIR TEAM."
 - Remember: the programs are primarily for the youth - not for the coaches and parents.
 - Adhere to and work within the framework of the volunteer coach's criteria and dismissal policy.
 - Treat facilities and equipment with respect.
 - Any coach that fails to adhere to the coach's code may face dismissal. All coaching assignments are for one year only and will be reviewed.

TIPS FOR PARENTS

REGISTRATION

The B.O.B.S. and the Lodi Parks and Recreation Department make every attempt to keep fees as low as possible. Many programs fill up very quickly so it is important to watch for the dates and SIGN UP EARLY. Programs may fill up before the registration period ends. First time participants (in each sport) must bring a birth certificate when registering to: Lodi Parks & Recreation Dept., 125 N. Stockton St., Monday - Friday, 8 a.m. to 5 p.m.

WHEN YOUR COACH CALLS

Tell your child that you want to talk to the coach when he calls. Write down his full name and phone number. Find out when and where the parent meeting is. If you don't have an answering machine, give the coach a number at which to leave a message.

TEAM MEETINGS

Attend! This sets the tone for the whole season and is

your chance to meet other players, parents and coaches. Get a practice schedule and location. These may change day to day.

PRACTICES

Arrive early. If you must leave your child at practice, make sure the coach is there and be prompt when picking up your child. If someone else is picking up your child, let the coach know. If you stay to watch practice, assume the role of a spectator unless you are asked to help. The coach is in charge. Any questions should be addressed after practice or by phone. Do not confront coaches in front of players.

GAMES

Let the coaches coach. Your instructions may conflict with what your child was taught and will only confuse. Set a good example and show good sportsmanship. Root for your team and be positive. Don't be negative or be too critical. If you can't be a good spectator, stay home!

POST GAME

Allow your child to remain with the team until the coach excuses them. Be calm. Be positive. Congratulate their efforts! Let your player know about the improvement you've seen. Emphasize participating, learning and improvement!

LET OFFICIALS OFFICIATE

Game officials are assigned and paid by the Lodi Parks & Recreation Dept. They have gone through training clinics and rules tests. Treat them with respect. If you wish to officiate, please call the Lodi Parks & Recreation Department at 333-6742 to apply.

COACHING OPPORTUNITIES

If you are interest in volunteering to coach, please contact the Lodi Parks & Recreation Department. If the season has begun, ask you child's coach if he wants your help. Be a positive influence in your child's life.

PARENTS' CODE

O F C O N D U C T

- Control yourself and set the best possible example of sportsmanship.
- Root FOR YOUR TEAM - NOT AGAINST THEIR TEAM.
- Abide by all decisions of game officials.
- Do not partake of alcoholic beverages prior to or during participation in any B.O.B.S. youth activity.
- Do not smoke or use tobacco in the area of a practice or game.
- Do not "heckle" or "ride" an opponent or official.
- Do not use foul language.

Parental attitudes at games towards their child, the opposing team, the officials and the coach, influence the child's values and behavior in sports. Sometimes, overly anxious or protective parents bent on immediate success rather than long-range benefits criticize officials and opponents and show disrespect. This inappropriate behavior devalues the sport and creates unnecessary stress for the player. It is not in keeping with the spirit of youth sports.

Any parent that fails to adhere to the Parents Code will be open to expulsion from games, having their child removed from B.O.B.S. sports, and face possible legal action. Misconduct will not be tolerated.

- Drug use, on or off the playing area, will not be tolerated.
- Do not physically or verbally abuse any player, coach, fan or official.
- Do not commit any act that could bring discredit to your team, the B.O.B.S., the City of Lodi, family members or friends.
- Do not damage or deface any property, building, or equipment.
- Return all equipment and uniforms (those designated to be returned), promptly and in good repair.

PLAYERS' CODE

O F C O N D U C T

- Play the game for fun.
- Be a good winner and a good loser.
- Obey the rules and play fair.
- Be a team player.
- Treat your opponents and the officials with respect.
- Treat your equipment, your uniform, and the facilities with respect.
- Be prepared to play at all times.
- Respect your coaches and abide by team rules.
- Work on improving your play and teamwork.
- Do not use foul language, tobacco products, drugs or alcohol.
- Be the best that you can be.



Mission Statement

The Lodi Sports Foundation's mission is to support the building and maintenance of sports and recreation facilities for the Lodi community.

To fulfill this mission, a volunteer board will: identify, support, and prioritize projects; pursue and encourage gifts, grants, and bequests; and, conduct fund raisers and receive donations.

Projects under consideration include:

- An indoor sports facility
- Lodi Lake Park
- Pixley Park
- DeBenedetti Park
- A westside swimming pool
- Armory Park
- Other needs as identified



May 19, 1997

Mayor and City Council Members
City of Lodi
P.O. Box 3006
Lodi, CA 95241

Dear Mayor and City Council Members:

On May 13th, the Lodi Sports Foundation Board of Directors met to discuss the feasibility study for the Lodi Sports and Activity Center. For your information, I have enclosed the minutes from that meeting. However, I would like to bring to your attention some of the items which we discussed:

1. Generally, we felt that the goal of raising one-fourth to one-third of the total cost of the Sports Center prior to the City making a commitment was unreasonable. We based this opinion upon a variety of factors including but not limited to the amount raised by the foundation for Hutchins Street Square and how the City was committed to the Hutchins Street Square project prior to such targets being met.
2. We agreed, by formal motion, that "The sole purpose of the Lodi Sports Foundation for the foreseeable future will be to raise funds and support the building of the Lodi Sports and Activity Center."
3. We agreed, by formal motion, that the "Lodi Sports Foundation supports the feasibility study as presented but would prefer the location to be the Parks and Recreation Department Corporation Yard."

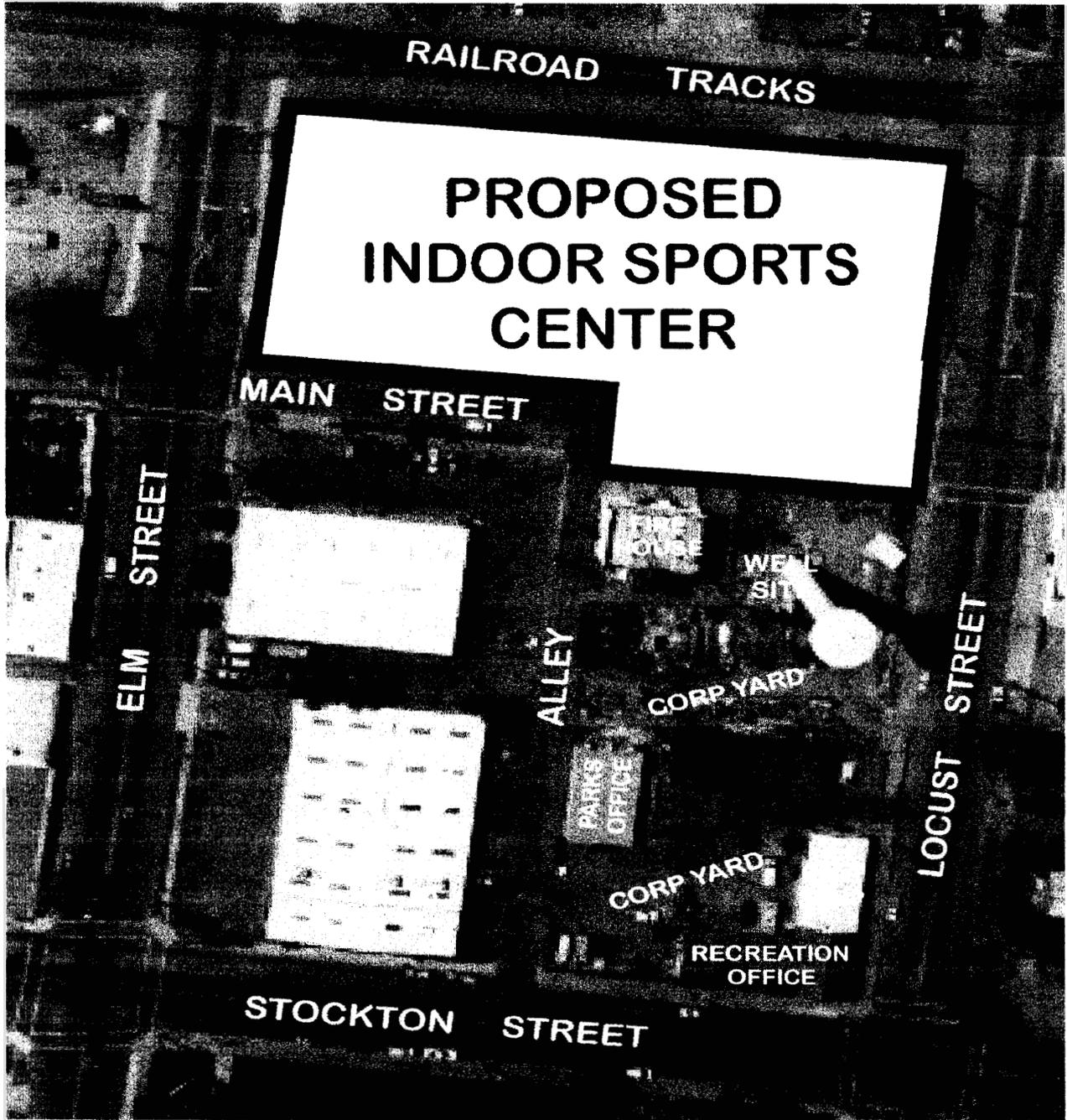
Our board is committed to working to complete the Sports and Activity Center and we look forward to working with you and in receiving your support for our efforts. However, before we can begin our work, a commitment for or against the Parks and Recreation Department Corporation Yard must be made by you. This action should be decided prior to the conceptual drawings as the drawings will be very different for any other site given the water tower and fire house.

Should you have any questions, please feel free to call me at 369-1451.

Very truly yours,

John E. Johnson, Chairman
Lodi Sports Foundation

cc: Dixon Flynn, City Manager, City of Lodi
Lodi Sports Foundation Board of Directors
Lodi Parks and Recreation Commission



NORTH



PROPOSED INDOOR SPORTS CENTER

February 26, 2001

On request of Mayor Nakanishi

Dear Lodi City Council Members,

I would like to provide you with a brief re-cap on:

- A. Comments from public workshop
 1. 106 kids could not participate in basketball due to lack of gym space.
 2. The City of Lodi needs to own its own indoor sports facilities.
 3. Many swimmers are turned away, because we do not have adequate facilities.
 4. Not enough swimming pools to accommodate big swim meets.
 5. Many Lodi parents have to drive their teams to Stockton for lack of swim facilities.
 6. There have not been any new swim facilities for over 30 years.
 7. We are in need of 90-ft. baseball diamonds, football fields to practice on, and soccer fields to accommodate 500 to 700 kids.

- B. Top three priority projects:
 1. Indoor Sports Facility (basketball, volleyball, indoor entertainment, etc.).
 2. Aquatics Complex (swimming and diving practice, swim events, water polo needs, etc.).
 3. DeBenedetti Park (referenced as sports complex location, needs for soccer, football, baseball, etc.).

- C. Commission recommendations and final cost studies for Council review:
 1. Participate closely with City budget process, to have top priorities mentioned, re-installed on Council's list of priorities.
 2. Executive Director, Mr. Roger Baltz, will investigate, as accurately as possible, outside facilities that will generate ideas that will best suit Lodi, and provide costs for all three facilities.
 3. Be prepared to present to City Council, on June 6, 2001 (Council meeting date) total costs, conceptual drawings, locations, and optional funding mechanisms for Council's review and approval.

Thank you for this great opportunity,

Ken Sasaki
Chairman, Recreation Commission

jmp/sasaki.doc

filed 3-5-01



Lodi Export Group

P.O. Box 877
Lodi, CA 95241
(209) 367-1547
Fax (209) 368-4553



March 05, 2001

A PARADIGM OF THE TIMES

The 1990's have witnessed a remarkable resurgence of elected officials' interest in issues involving youth. During the late 1980s and early '90's, a series of events—drive-by shootings; increases in gang membership; and rising teenage-pregnancy, school-dropout, single-parent family, and drug-use rates- coalesced to force teen issues to the forefront of the political agenda.

Because of park and recreation's access to youth, city officials quickly turned to our field in the late 1980 for solutions.

During the mid-90's many cities followed that leadership and created specials units within their recreation and park departments to serve the needs of youth. (We are so fortunate, we are already blessed with our B.O.B.S. organization to address this need) Attention to youth issues had become a central theme at most national, regional, and state park and recreation conferences by mid-decade.

In the 1990s, the positioning of parks and recreations service mission in the minds of elected officials as something more than "fun and games" or "keeping kids off the streets and out of trouble" was advanced. While admirable goals, these traditional missions are prohibitive because they fail to identify outcomes, such as reducing drug use, school-dropout rates, gang membership, and juvenile crime, in which society is willing to invest resources.

As you can see, in today's world, the addition of new facilities is only the beginning. The efforts of progressing along the lines of evaluating programs and how they contribute to alleviating community problems will be a necessary and on-going effort. But with the start of new facilities, it will provide the beginning of making Lodi a better place to live.

In closing, it was my desire to spotlight to council a researched format of information for your observation.

Thank you, for your attention,

Ken Sasaki, Chairman, of Lodi's parks and recreation commission

filed 3-5-01

FIRST REPORT OF THE
LODI ANIMAL SHELTER TASK FORCE

SHORT SUMMARY

The Lodi Animal Shelter was built in the 1960's to service a community of approximately 26,000. As most shelters built at that time its purpose was to be a "dog pound" i.e. a place to impound stray and vicious dogs before euthanizing them. The facility was not built for animal welfare or protection from contagious illnesses. The state holding requirements were minimal. There was little effort made to find adoptive homes or to educate the community of the need for animal population control.

Since that time improvements have been made and staff added. The current staff and volunteers have done an outstanding job of improving the image of the shelter by increasing adoptions, licensing, and providing spay/neuter programs—all resulting in decreased euthanasia of healthy pets. However the Regional Animal Shelter Feasibility Study and this Task Force concur that the current and projected increases in Lodi's animal population far exceed our shelter's present capacity. Present conditions result in hundreds of healthy animals being destroyed because of lack of housing or resultant illness from overcrowding.

The current shelter cannot meet the newly mandated State laws or fulfill the expectations of a community eager to provide more humane animal care. It is operating beyond its capacity for the number of animals Lodi needs to serve. It meets State requirements by doubling or even tripling kenneled animals at peak times. A new shelter needs to be constructed to service our growing needs for animal control as well as animal welfare and population control programs. It also needs to be made American Disability Compliant.

Therefore, the Task Force makes the following recommendations:

1. **Construct an animal facility compliant with State law and that meets Lodi's projected requirements for animal welfare and control and also reflects the pride that Lodi has for community development.**
2. **Provide and support programs that will decrease the number of unwanted pets in Lodi.**

In the interim, until a new shelter is built, the following steps must be taken to help the current animal services program achieve better conditions, lower rates of euthanasia, and to begin the foundation for what must become fundamental changes in the way animal care services are operated and viewed by the community.

IMMEDIATE, SHORT TERM (two years to three years until a new facility is opened)

1. **Fund vaccinations, testing, and altering of all adoptable and treatable animals.**
2. **Fund and advertise community spay/neuter days.**
3. **Create a Director position for the lead animal control officer.**
4. **Improve ventilation.**

5. **Provide additional office space.**
6. **Add portable cat cages.**
7. **Add portable isolation dog runs.**
8. **Employ full-time office worker.**
9. **Direct City staff to explore economical ways to improve drainage.**
10. **Hire a full-time Community Outreach Coordinator.**

I. HISTORY

Lodi's animal pound was built in the 1960s with space for 10 dogs but nothing for cats or other animals. For thirty years, the shelter employed two "pound masters" (now animal control officers.) Last year a third full-time and one half-time animal control officer were added. Since the shelter was built, the population of Lodi has doubled, the City has generated increased animal calls, and the number of animals handled has increased proportionately. Shelter improvements have not kept up with the demand. Every other area of public safety in Lodi city services has increased across the same period.¹

Lodi's current population is 56,700, with a projected increase of 21.8% over 20 years. In recent years, citizens and staff have worked to convert the old pound into an inviting place in which people could be reunited with their lost pets, and animals could be housed until placed for adoption. In spite of many good intentions, the shelter today is still perceived to be depressing and a place where animals come to die. Lodi's killing rate of animals at the shelter is high. (See attachment A.)

In June of 1999, Police Chief Larry Hansen stated that the Department was "absolutely committed" to achieving a "no-kill" goal in Lodi. By Resolution 99-90, the City stated that it was Lodi's goal to "dramatically reduce the need to euthanize animals and to find good homes for every adoptable dog and cat." In January of 2000, the City adopted a resolution to move Lodi toward a no-kill goal. Later in 2000, the City further stated that it "will cooperate in every possible way to accomplish the no-kill goal."

The City Council approved the formation of the Animal Shelter Task Force because of the persistent concerns about the animal shelter and City policies regarding animal care and control expressed by the community. The Task Force was specifically charged with:

- Reviewing current conditions
 - Proposing short term solutions
 - Evaluating long term solutions
 - Reviewing the County-wide Regional Study
 - Developing Reports for the City Council
- (Attachment B, "Designation of Task Force members")

Task force members have visited eight other northern California shelters, spent hours researching facility and operations philosophy, and spent additional time with sheltering experts. This report is based on our tours and our research, the Regional Study, and recommendations on sheltering in the 21st century from the Humane Society of the United States (HSUS) and the Society for the Prevention of Cruelty to Animals (SPCA).

¹ The city is experiencing the greatest financial health it has ever seen. 1999 sales tax revenues were up 9.75% over the same period in 1998; overall revenues for 2000-2001 are projected to increase 4.3%. City staff and the city council have planned for 22 million dollars in public safety improvements to take the city forward another 30 years, including 4.5 million dollars on a public safety parking lot.

The Task Force recognizes and expresses appreciation to the Police Department, retired Chief Hansen and current Chief Adams, Lieutenants Dean and Main, and others in the Department for the improvements they have made possible in the appearance and operation of the Lodi Animal Shelter over the last several years.

The Task Force also recognizes and expresses appreciation to Lodi Animal Shelter Volunteers and Animal Friends Connection for their tireless assistance in spaying and neutering and finding loving, adoptive homes for shelter animals and other unwanted companion animals in Lodi. Equal recognition and appreciation is to be given to the vital work of other community rescue groups and individuals that have also assisted in this area.

In 1999, the shelter brought in \$30,000 in licenses and \$18,000 in fees. The projection for 2000 was \$32,000 in licenses and \$20,000 in fees. There is no return to source provision, and these monies are put into the general fund. The shelter's operating budget in 1999 was \$123,000; in 2000, it was \$117,000. (See Attachment C for comparison with other communities in Northern California.)

Meeting the goal of decreasing euthanasia of unwanted companion animals in Lodi

The Task Force wishes to convey to the City Council that we regard ALL of the recommendations made in this report as necessary to be approved in order to begin the implementation of a new vision for animal care in the city of Lodi. Studies have shown that animals kept for longer holding periods (up to a point) have increased chances for adoption. Adequate space for holding animals and appropriate construction inhibits the spread of disease. Of course, the long range plan is not to keep expanding the shelter ad infinitum, but to decrease the number of animals brought into the shelter through education and an aggressive spay and neuter policy. The additional cages, kennels and space to house animals are merely a necessary, immediate solution.

Funded outreach programs will have a significant impact as well. For example, the City could offer free or low-cost spay and neuter, through a "free spay day," pre-altering shelter pets, involving high school and service groups in sponsoring activities, and subsidizing local veterinarians who perform shelter surgeries. A Community Outreach Coordinator as discussed in the staffing section is critical to the success of these programs.

It cannot be emphasized too much: the task force considers these suggestions to be immediate minimum needs. Future plans for a new shelter will involve much more and should have considerable lead time put into planning.

II. CHANGES IN STATE LAW

Changes to State law (Hayden bill-SB 1785, and the Vincent bill-AB 1856, copies attached at end of report) mandating significant changes in municipally operated animal shelters should help provide the impetus to re-address the problems in Lodi. The changes, which Lodi must now implement, require animal shelters throughout the State to move toward lower kill rates of animals. These changes include mandatory spay/neuter of animals released by the

Shelter for adoption, longer holding periods of impounded animals, provision of medical care for all 'treatable' animals, mandatory duty to have all 'adoptable' animals adopted, increased record keeping requirements and the development of public/private collaborations.²

The Vincent bill-AB 1856- provides for progressive fines on the owners of impounded unaltered dogs and cats. For the first occurrence the fine is \$35, \$50 for the second and \$100 for the third and any subsequent time. These fines are in addition to any fines or impound fines also imposed by the City. By State law fines collected for unaltered, impounded animals MUST be used for the purpose of humane education, low cost spay/neuter for dogs and cats.

In addition to the mandated holding periods, it is important to pay attention to the general philosophy expounded by the new legislation, such as holding public animal shelters to the same anti-cruelty statutes as private citizens and the general philosophy that shelters should be required by law to take in lost animals and properly care for them with prompt veterinary attention, adequate nutrition, shelter, exercise and water. The law also sets as a State goal the elimination of companion animal euthanasia by 2010.

III. FINDINGS OF THE REGIONAL SHELTER STUDY

The following is taken from the Study performed by George Meiers and Michael Ross, consultants hired by the San Joaquin County municipalities to evaluate and make recommendations on countywide animal services.

A. Facility Recommendations

The current Lodi shelter measures approximately 2,155 square feet. The design reflects the style of animal shelters built in the 1960s and '70s, with the primary focus on the holding of stray and surrendered dogs and little emphasis on cats or other small animals. (Lodi's "cat room" was added in 1983-84.) The shelter is constructed of wood frame and concrete block with a concrete slab on grade. Neither the concrete block walls nor concrete slabs, which are notoriously porous, have been adequately sealed, which exacerbates cleaning and odor problems. The lack of adequate ventilation and humidity control along with the absence of proper waterproofing seals at perimeter areas have allowed the wood structure also to absorb unwanted odors and moisture.

There are no specifically designed quarantine or protective custody holding areas as required by Health and Safety Code 121575, and the interior portions of the kennels face each other with open trench drains at the entry gate. Cats are all kept in one room, which does not allow for isolation of sick animals. Mechanical and plumbing systems are outdated and do not provide proper ventilation requirements for disease control. Staff support areas are virtually non-existent. The shelter does not meet the requirements of the Americans with Disabilities Act (ADA).

² New legislative requirements mandate that the City hold stray animals 6 days before euthanasia, 72 hours for feral cats, and 3 days for owner-released strays.

Overcrowding contributes to the spread of disease. Current trends in shelter environments create numerous small “wards” for animals, separating dogs from puppies, animals available for adoption from holding areas for strays and dogs in protective custody, healthy from sick or at risk animals, and the same sort of separation for cats. Wards of 8 – 12 animal cages/kennels work well to control the spread of disease and decrease noise. Each ward must have its own exhaust system with complete fresh air changes of 12-18 per hour. Isolation/quarantine wards should be available to separate animals suffering from different conditions, such as 3-4 for Parvo, 6 for kennel cough, etc.

Both cat cages and dog kennels must be designed to prevent animal-to-animal contact (such as the current chain link fencing allows). Proper drainage in dog runs is extremely important so that no animal contacts refuse from other animals. For the same reason, side panels between runs must not allow for the passage of dirt or fluids from one run to the next. Both cats and dogs should be housed so that they do not face each other, as airborne pathogens can be transmitted several feet from a sneezing animal. This also calls for additional space.

The study recommends new sheltering facilities as opposed to expensive renovation. Although the Task Force does not agree with the three scenarios presented in the study ((1) a single Regional Shelter, (2) three shelters to serve northern, central, and southern San Joaquin county, and (3) a single main shelter with up to six satellite facilities to perform limited animal services), we do agree that Lodi must build a new shelter.

Each of the three scenarios included a cost analysis that was higher than many of the participating municipalities expected. This is due to the larger size requirements for facilities in order to meet the obligations of state law, and the cost differences in construction quality, mechanical systems, animal habitats, staff support areas and public amenities. The types of facilities described in the study are representative of other newly constructed facilities throughout California. The authors of the Study do not believe that the older facilities, including Lodi’s, are suitable for the type of improved animal control delivery systems required by state law and policy. The authors concluded these old facilities are “old, difficult to maintain, [that they] hamper disease control efforts, [they are] overcrowded and [they] do not foster animal adoptions.” **Introduction of the organizational and program recommendations discussed in the report can and should be implemented immediately and not await the completion of a new shelter.**

Extending the holding period beyond the legal minimum can reduce the euthanasia rate if there is a concerted effort to increase adoptions/redemptions while also increasing the number of animals that are spayed/neutered.

B. Operations and Program Recommendations

The rate of euthanasia in San Joaquin County and Lodi is considerably higher than other Bay Area counties, and is considered unacceptable in many California and American jurisdictions. The euthanasia of large numbers of animals at public shelters because of

inadequate disease prevention and lack of holding space will continue to be a cause of great concern and public scrutiny in most communities.

If a community wants to reduce the number of companion animals that are killed in its public shelters, the following strategy should be implemented:

1. Reduce the breeding capacity of the animal population
2. Increase the adoption and redemption rate
3. Maintain a preventative health care program

Municipalities and humane groups following this strategy have consistently implemented all or most of the following policies to reverse the high numbers of destroyed animals:

- Aggressive low-cost spay/neuter programs
- Comprehensive community education programs
- Extended adoption holding periods beyond those dictated by law
- Replacement of out-of-date shelters with state-of-the-art public oriented facilities
- Aggressive licensing programs that help supplement income while reinforcing responsible pet ownership
- Development of regional “virtual shelter” Internet programs
- Cooperative efforts between public and private shelter and rescue organizations

The primary methods for preventing the spread of transmissible disease include eliminating the disease (vaccinate and test) and eliminating the routes of transmission (quarantine and disinfection).

The single most important program, which will have the greatest economic and reduced euthanasia rate, is an effective, community-wide, aggressive spay/neuter campaign. Limiting spay/neuter to shelter animals only will never reach the goal of reducing the unwanted companion animal population.

An education program is also essential. The shelters with decreasing euthanasia rates, such as Contra Costa County and Marin County have numerous staff positions encompassing functions such as volunteer recruiting and coordination, dog training, marketing, developing curriculum, teaching school and community classes, and organizing community participation events.

IV. SPACE

The shelter currently has 24 indoor/outdoor dog kennels and 24 cat cages. The office, public counter and tiny bathroom/hot water heater closet are constantly overcrowded. Citizens with shelter business often have to stand outside because there is such limited room (2 chairs) in the tiny “lobby.” One option would be to lease a small, portable office with ADA-compliant restroom to place next to the current office, with a door from the portable to the main facility. The current office could then be used as a cat adoption room.

Recommendations

- 1. That the City Council approves the addition of 10 dog kennels, with isolation capacity, and 40 new cat cages. The Task Force recommends that the City purchase portable kennels and cages in order to keep the cost down. This type of containment will last the time to completion of a new facility, and can be used at the new facility as overflow for surges in animal intake. If necessary, expand north into the municipal yard to place a portable building to house either dogs or cats. This is less expensive than expanding the current building.**
- 2. That the City Council direct the City Manager to make an adjustment to the General Fund Budget to allocate \$20,000 to be used for the immediate purchase of 10 isolation proof portable kennels and \$20,000 to be used for the immediate purchase of portable isolation proof cat cages.**
- 3. That the City council direct the City manager to include in the shelter's operating funds for the next budget cycle \$30,000 to be used to purchase additional portable isolation proof cat cages.**
- 4. That the City Council direct the City Manager to make an adjustment to the General Fund Budget to support the installation and improvements related to the portable holding facilities.**
- 5. That the City Council approves the hiring of one full time equivalent kennel position to assist with the additional kennels and cages.**

Why this is not a long-term solution: A city the size of Lodi should have approximately 40 dog holding kennels and 125 cat cages. This number would need to be increased to account for projected growth and the possibility of contracting to provide animal services for other communities. All kennels and cages should be isolation capable, and should have adequate ventilation and drainage. None of the existing facilities meet these standards, as discussed in more detail below.

V. HEALTH TREATMENT AND DISEASE PREVENTION

A. Ventilation and animal-to-animal contact

Airborne diseases run through both the existing cat and dog containment areas. All dog runs are fenced with cyclone fencing, permitting nose-to-nose contact, which transmits disease. Refuse from sick animals can run under the fences into neighboring kennels. As required by State Law, providing a health exam and veterinary care including vaccinations is more economical than treating or euthanizing the sick ones. It also allows these animals to be presented sooner for adoption.

The existing ventilation system is inadequate, contributing to significant numbers of animals contracting illnesses once they are brought to the shelter. 100% air exchange should take place 12 – 18 times per hour. The current system is incapable of performing at this level. Upper respiratory disease in cats (cold-like symptoms that are generally not fatal) and bordetella in dogs (known as kennel cough with bronchitis-like symptoms) have at times infected the majority of the animal population. These diseases require antibiotics that can take 10 days to two weeks to work, in the mean time, animals are sickly, sometimes to the point of coughing

blood. While ill, their immune systems are compromised. This exposes them to the more deadly diseases, such as Parvo and distemper.

Recommendations

- 1. That the City Council direct the City Manager to make an adjustment to the General Fund Budget to allocate \$10,000 to be used to purchase vaccines, deworming medication and feline Leukemia virus testing kits.**
- 2. That the City Council direct the City Manager to have city staff explore inexpensive ways to improve ventilation in the existing facility to the current industry standard of 12 to 18 complete air exchanges per hour.**

Why this is not a long-term solution: Vaccines take several days to build up a resistance. An animal could enter the shelter without symptoms but carrying a disease. Without isolation capable kennels and cages for all animals, the newer ones are exposed to each other, and disease can be transferred. The modern view is that to limit the passage of disease by animal-to-animal transfer or by human contact, animals should be kept in smaller wards, or banks, of 12 – 18 animals, with each ward having separate ventilation. This cannot be accomplished at the present site.

B. Plumbing

The kennels were built without adequate plumbing to handle the heavy use, and kennels must be cleaned with shovels and buckets. Kennel and cage cleaning takes six hours per day, seven days per week. There is an open drain trench running along the front and back of each bank of kennels. Dogs must step over the trench upon entering and leaving their runs. Small dogs, young dogs, and dogs not paying attention fall into or step into the trench, coming into contact with potentially disease carrying refuse from all of the other dogs in the bank.

Several companies recommended by other shelters and shelter designers make modular kennels with isolation capability that can be removed and used again. There are also portable, isolation models that can be used without permanent plumbing.

Recommendations

- 1. As much as we hate to continue the exposure of some animals, the Task Force does not see any way that the plumbing problem can be solved without tens of thousands of dollars being spent to fix it. We sadly conclude that this would be spending money that could be used for other short-term solutions that will have a larger impact and can be transferred to the new facility.**
- 2. That the City Council direct the City Manager to task city staff with exploring inexpensive ways to install the portable kennels with adequate ventilation, plumbing, and shelter, and to make an adjustment to the General Fund Budget to allocate funds to support their plans.**
- 3. That the City Council direct the City Manager to task city staff to explore other options for space for additional kennels, including the use of the 10 parking spaces immediately behind the current shelter at the municipal yard. This would allow the space**

to house the additional kennels, and encroach only a few feet into one parking area at the municipal yard.

Why this is not a long-term solution: A new shelter with state-of-the art construction, plumbing and ventilation, can cut labor on cleaning to approximately half of what it is now. More than the 10 kennels requested are needed to meet the demand.

VI. STAFFING

The Lodi Animal Shelter has always been, and should remain, within the organizational/management structure of the Lodi Police Department.

The City recently added an Animal Control Officer, raising the total to three full time and one half time positions. This has made a significant difference in the efforts of staff and volunteers to keep the doors to the Shelter open for adoption during the stated hours. The Task Force is convinced that a minimum of one additional full time clerical position is necessary to achieve Lodi's goal. Many calls for vicious dogs, or nervous strays, or complaints involving noncompliant owners, require two officers. Field calls average 10 calls per day (which range from 10 minutes to one hour), phone calls average 20 per day and an average of 55 citizens visit the shelter daily. There is no provision for clerical assistance or office help. Answering the high volume of telephone calls, conducting daily transactions and maintaining state and city required records falls on the officers. The volunteers help tremendously at the shelter, however, some are not necessarily trained for adoption transactions when the animal control officers are responding to calls. The shelter attracts a core of volunteers who can staff the office during certain periods, and others who are more transitional.

A comparison of the Shelter's staff levels with other Northern California communities outside of San Joaquin County shows that Lodi is still behind the curve. (Attachment D) The communities that have the "new" approach to sheltering all have a higher ratio of shelter staff to community size than Lodi. These additional staff are engaged primarily in outreach such as education, marketing, and program development such as spay/neuter incentives. It appears that all facilities have a higher ratio of kennel staff as well.

Building a strong volunteer base, providing community education, developing community participation, maintaining a Web site, and local marketing are seen as essential to changing the atmosphere within the shelter and implementing the necessary fundamental changes in operation. There is no time for current staff to pursue these activities.

Recommendations

- 1. That the City Council direct the City Manager to create a Director position for the lead animal control officer, with oversight of all shelter operations. This position would continue to report to the assigned Police Department contact. The Director should begin to restructure the shelter budget to begin the new programs and services.**
- 2. That the City Council directs the City Manager to create a position for and hire a Spanish-English bi-lingual, full-time, paid Community Outreach Coordinator. This person**

should have teaching and marketing experience. (See discussion below for details of education and outreach programs.)

3. That the City Council direct the City Manager to hire a full-time front office person who can ensure that daily transactions, state and city required records are maintained and the phone traffic is covered for the entire business day. The phone coverage will allow the Shelter to provide better customer service to the public by having questions answered and field calls dispatched immediately to the officers already in the field.

Why this is not a long-term solution: All of these positions will be able to transfer to a new facility. They are recommended at this time as emergency measures because expensive capital improvements to the current facility are not transportable to a new facility. They are simply to make an intolerable situation more tolerable, and to move the City toward the mandates of State law. An advantage of adding the new staff now will be to enable the shelter to evaluate the impact of such new program staff on the existing shelter operations, gaining valuable knowledge for staffing the final shelter. Only a new, larger shelter will be able to serve the needs of a growing city of 56,000.

VII. PROGRAMS

No amount of money on staff and buildings will be successful in decreasing the euthanasia rate without programs that reduce the number of animals entering the shelter in the first place. Activities to reduce the number entering are as important as activities, which increase the number being adopted/redeemed. Programs and services would be available to Lodi residents only. If the City of Lodi enters into contractual relationships with other cities, eligibility for programs will have to be worked out in the individual contract with appropriated payment toward expenses.

A. Affordable Spay/Neuter

Beginning January 1, 2000, the Vincent bill requires that all animals adopted from municipal animal shelters or released to a rescue group must be spayed or neutered unless a veterinarian writes a letter indicating that it would be detrimental to the health of the animal to do so.

The following is modeled after other communities bringing their animal care services into compliance with state law:

Low-income people would be given vouchers to be redeemed at private veterinarians participating in the program. The Animal Shelter would contract with local veterinarians. The Animal Shelter would display signs indicating the availability of this service, as well as take other steps to inform the public of this service (see Section below regarding education). The service would be on a sliding fee scale, but without any means test.

There would also be a special expanded service program for the pets of limited income individuals. Animal Shelter staff would be charged with making all arrangements including transportation of the animal and boarding care after the procedure is done, as necessary. Creating a spay and neuter program for the animals of those who have a low income is cost effective. There are numerous studies that indicate that individuals who live alone, particularly the elderly are much more stable when they have a companion animal, especially one who has been with them for years. In addition, it appears to cost more for the Shelter to board and ultimately kill an animal than it does to spay-neuter the animal. Council should note the following:

Cost to Lodi taxpayers to kill unwanted cats last year = \$31,114.00
Cost to Lodi taxpayers to kill unwanted dogs last year = \$26,091.00
Total cost of euthanasia for one year for cats and dogs is \$57,205.00

In addition to providing reduced cost spay/neuter service for the animals of low income Lodi residents, and an expanded service program for the companion animals of limited income persons, the Task Force specifically recommends that the following spay and neuter programs at the San Francisco SPCA be evaluated for inclusion in Lodi's affordable spay/neuter program:

1. Free spay/neuter surgery of feral cats cared for by designated cat colony caretakers, plus a \$5 reward. (City and County of San Francisco/San Francisco SPCA Feral Cat Program Guidelines.)
2. Free spay/neuter surgery for cats and over-represented dog breeds coming to the Shelter, plus a \$5 reward.
3. Free spay/neuter surgery for animals cared for by Lodi residents age 65 and over, regardless of income level. Should also include the disabled.

The City of San Jose's voluntary free spay/neuter program shows positive results, in a report prepared by volunteers in 1998. The two key effects noted are:

1. That the program saves the city approximately \$350,000 per year having slowed the population growth rate in cats and averted severe increases in animal control for cats, and
2. That in spite of an enormous effort (the program is well funded, aggressively administered, and considered to be a successful voluntary program, possibly the most successful in the United States), it has failed to reduce the number of cats entering the shelter and failed to reduce actual animal control costs.

The high number of dogs and cats that are killed at the Lodi Animal Shelter each year, the rising costs, the new State laws, the provision of new affordable spay and neuter services, an education program and a "minimum-kill" policy all argue for the City Council to approve the Task Force's recommendations. An evaluation component will assure that results are tracked, and changes based on our specific Lodi experience can be effected in the future as necessary.

Recommendations

1. **That the City Council request the City Manager to proceed immediately with the development of an affordable spay and neuter program, which would be available to all residents of Lodi, free to those with no funds or limited incomes.**

2. That the City Council direct the City Manager to make an adjustment to the General Fund Budget to allocate \$10,000.00 to be used only to pay for the spay/neuter of adoptable animals at the shelter for the remainder of the fiscal year.

3. That the City Council direct the City Manager to include in the shelter's operating funds for the next budget cycle \$ 50,000 to be used only to pay for the spay/neuter of adoptable animals at the shelter over the next 2 year budget cycle.

B. Humane Education and Marketing

Humane education is an essential part of the plan. Educating Lodi citizens concerning animal laws and pet ownership responsibilities is critical in moving Lodi toward the "minimum-kill" goal. It reduces impoundments and killing at the Shelter and eases the burden on the taxpayers for animal control operations. In addition, in helping to reduce the killing of animals at the Shelter, it assists in the creation of a more positive environment at the Shelter, increases morale of the Shelter staff who no longer have to kill so many animals and helps create a "buy-in" to the programs of the Animal Shelter by the general population. It also promotes public health and safety by: 1) helping residents understand and reap the medical and psychological benefits of animal companionship; and 2) reducing the number of uncared-for dogs and cats that pose a risk of disease and danger to humans and other animals.

A humane education program should make available to the residents of Lodi information about:

- Cats and dogs' total dependence on humans for care and companionship. The human/animal bond and the health/psychological benefits for humans as well as animals.
- The importance of treating an animal as a friend for life, not as disposable property. Adopting an animal means a long-term commitment to providing care, compassionate treatment and companionship.
- Anti-cruelty laws and the legal prohibitions against fighting animals. Animal abuse may be punished as a felony, with jail or prison time.
- The growing evidence of a link between animal abuse and human abuse.
- The importance of veterinary care, including immunizations against rabies, distemper, etc. Where to find such services, where to find low-cost veterinary services.
- Proper nutrition and feeding of dogs and cats; exercise, shelter and space requirements; grooming, cleaning and maintenance.
- Dog and cat over-population and the consequences for the animals (and taxpayers) of too many animals, not enough good homes. Animal ownership requires taking legal responsibility for spaying and neutering the animal, or for paying to help defray part of the additional financial cost to the community of reproduction.
- The health benefits for the animal of spaying/neutering a dog or cat. Additional benefits in reducing the animal's tendency to wander, risk of getting hit by a car, aggression.
- Low-cost or subsidized spay/neuter programs available to residents on limited incomes, and to the homeless. Program includes assistance with ancillary services such as transportation and boarding when needed.

-Humane education may be delivered through written materials, videos and other means that can be provided through the City's Animal Shelter, other city departments, rescue groups, local veterinarians, or others.

-Education should also include active outreach by way of presentations to schools, community groups, neighborhood associations, at libraries and on the City's website.

-In conjunction with the work to be performed by the Community Outreach Director, some education can be achieved by City staff, such as the bilingual fliers that were sent out last winter in the City's utility bills. Other activities might include handing out bilingual fliers at street fairs, posting them at pet stores, dedicating a prominently placed billboard to shelter issues, providing educational materials with all licenses issued, and others.

-To be most effective, humane education must be provided in several languages and must be culturally sensitive.

Recommendations

- 1. That the City Council approve the development and aggressive distribution of educational materials to be a priority for the shelter. Materials should cover the services provided by the City and other agencies and rescue groups in the community as well as information about the spay and neuter programs available and why it is necessary.**

LONG TERM RECOMMENDATIONS

Retention of architects experienced in designing and planning animal care facilities appears to be an essential first step, one that should be planned for as soon as possible in budget discussions.

Recommendations

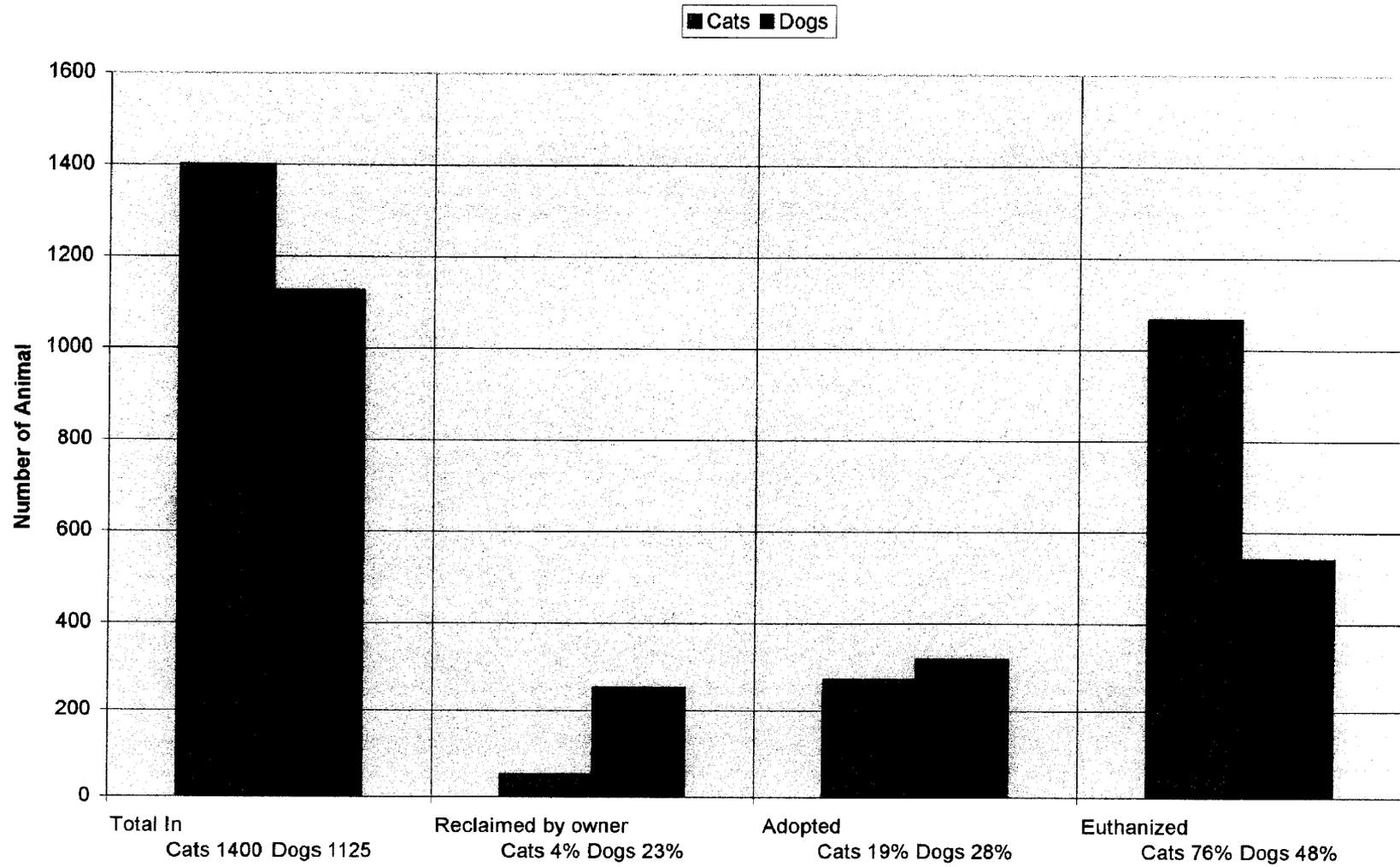
- 1. That the City Council makes a commitment toward the construction of a new animal shelter. An architectural consultant experienced in designing animal shelters should be retained by the City to work with the Task Force and the Police Department on the design of the new shelter and the services that are to be offered. Specifically this group will be asked to consider including in a new shelter state of the art ventilation and labor saving plumbing, as well as such facilities as a meeting room/class room, get-acquainted rooms and exercise yards, a dog park, and a veterinary surgery for shelter animals.**

Dated March 1, 2001

Lodi Animal Shelter Task Force

Sue Pixler
Linda Hansen
Barbara Steinheimer
Daunis Bradshaw
Terri Arbuckle
Joe Guzzardi
Janette de Jong
Elaine M. Dornton

2000 Euthanasia Rates-Attachment A





CITY OF LODI

FILE COPY

COUNCIL COMMUNICATION

AGENDA TITLE: Creation of an Animal Shelter Task Force

MEETING DATE: September 20, 2000

SUBMITTED BY: Deputy City Manager

RECOMMENDATION: That Council create an Animal Shelter Task Force responsible for providing short and long-term recommendations regarding the City of Lodi Animal Shelter.

BACKGROUND INFORMATION: Citizens interested in improving the Lodi Animal Shelter (LAS) have recently approached the City of Lodi. As such, numerous meetings have been held with representatives from Animal Friends Connection, LAS volunteers, and Police and Administration staff members. The meetings have been extremely productive, however, it has become quite apparent that there are definitely long and short-term needs for the LAS. The needs vary and include operational as well as capital issues. Although a number of suggestions have already been addressed at the staff level, it seems appropriate that additional short-term needs and certainly long-term needs be discussed and evaluated with community members.

Additionally, the City is currently involved in the countywide regional study of animal shelter services in San Joaquin County. There is much interest on the part of Animal Friends Connection and LAS volunteers regarding the findings, recommendations, and outcomes of the study. This study is tentatively scheduled to be completed by November, 2000. It is expected that the newly created Task Force would review the study results and provide feedback to the City Council.

Staff recommends that the composition of the Task Force include representatives from:

- Animal Friends Connection
- Shelter volunteers
- Veterinarians
- Interested citizens
- Animal Services
- Police Administration
- City Manager's Office

Attached, as additional information is a letter from Animal Friends Connection advocating the creation of a Task Force. A staff report is also attached further describing the LAS and meeting results.

APPROVED: _____

H. Dixon Flynn -- City Manager



CITY OF LODI

FILE COPY
COUNCIL COMMUNICATION

AGENDA TITLE: Appointments To The Animal Shelter Task Force

MEETING DATE: October 18, 2000

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council, by motion action, concur with the Mayor's recommended appointments to the Animal Shelter Task Force.

BACKGROUND INFORMATION: At the City Council meeting of September 20, 2000, the City Council created the Animal Shelter Task Force. The Mayor and appropriate staff have reviewed all applications, and it is, therefore, recommended that the City Council concur with the following appointments:

Animal Shelter Task Force

| | |
|---------------------|------------------|
| Danis Bradshaw | Unspecified Term |
| Janette de Jong | Unspecified Term |
| Elaine M. Dornton | Unspecified Term |
| Joe Guzzardi | Unspecified Term |
| Linda S. Hansen | Unspecified Term |
| Susan J. Pixler | Unspecified Term |
| Barbara Steinheimer | Unspecified Term |

FUNDING: None required.

Stephen J. Mann
Mayor

SJM/JMP

APPROVED: _____
H. Dixon Flynn -- City Manager



CITY OF LODI

FILE COPY

COUNCIL COMMUNICATION

FUNDING: Not Applicable

Respectfully Submitted,

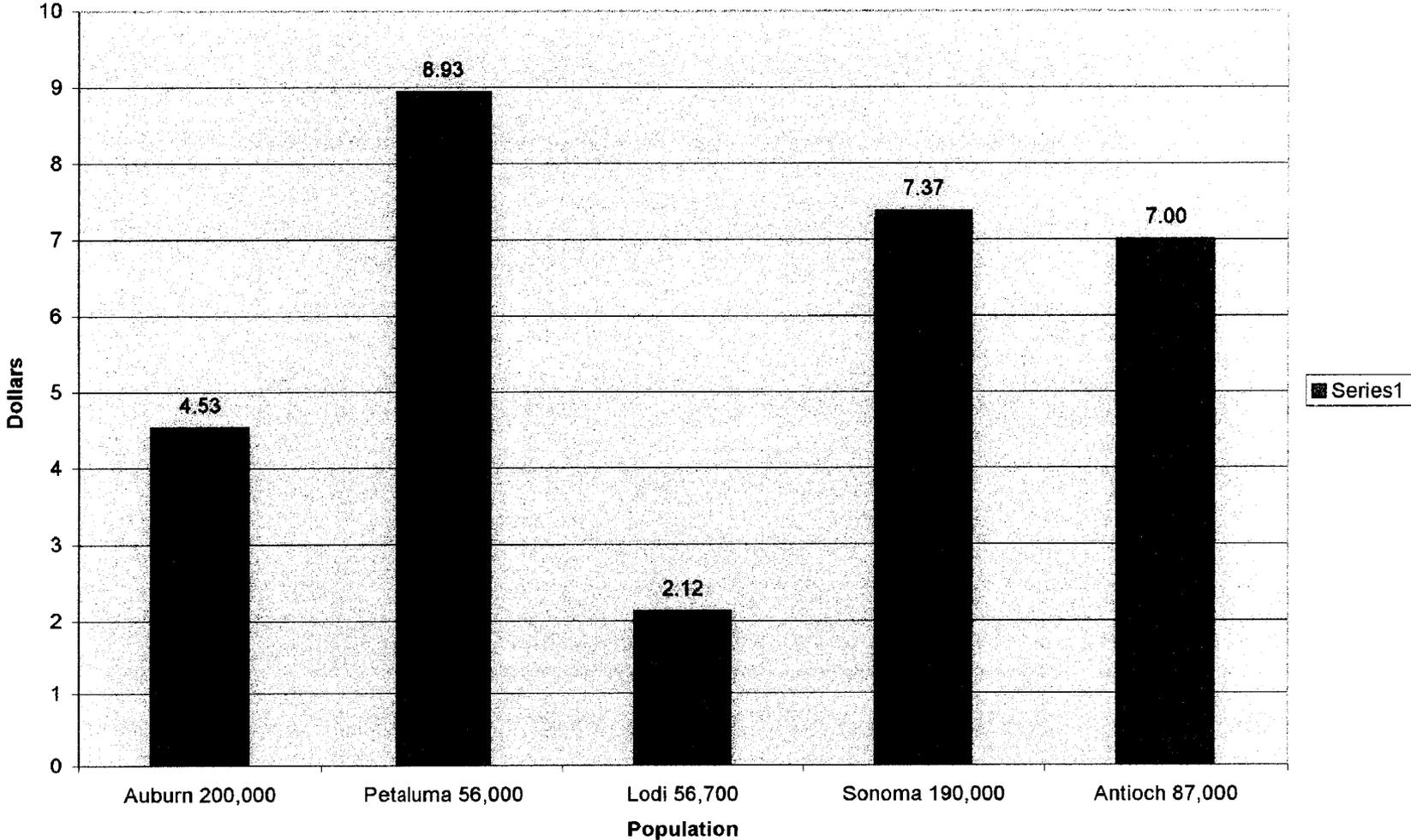
Janet S. Keeter
Deputy City Manager

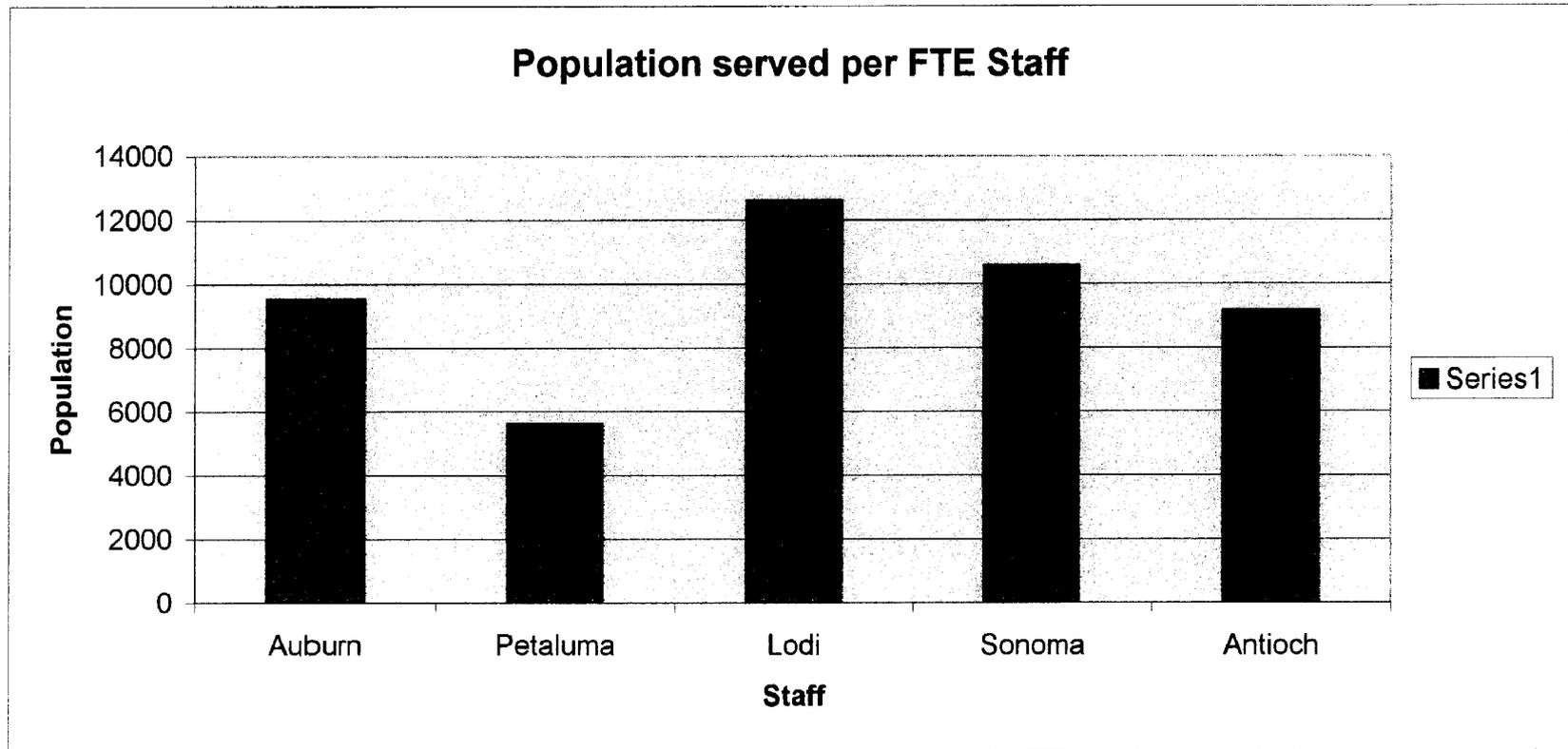
Attachment

cc: Chief Jerry Adams
Pat Sherman, Animal Friends Connection
Barbara Steinheimer, Animal Friends Connection
Sue Pixler, Lodi Citizen
Daunis Bradshaw, LAS Volunteer

APPROVED: _____
H. Dixon Flynn -- City Manager

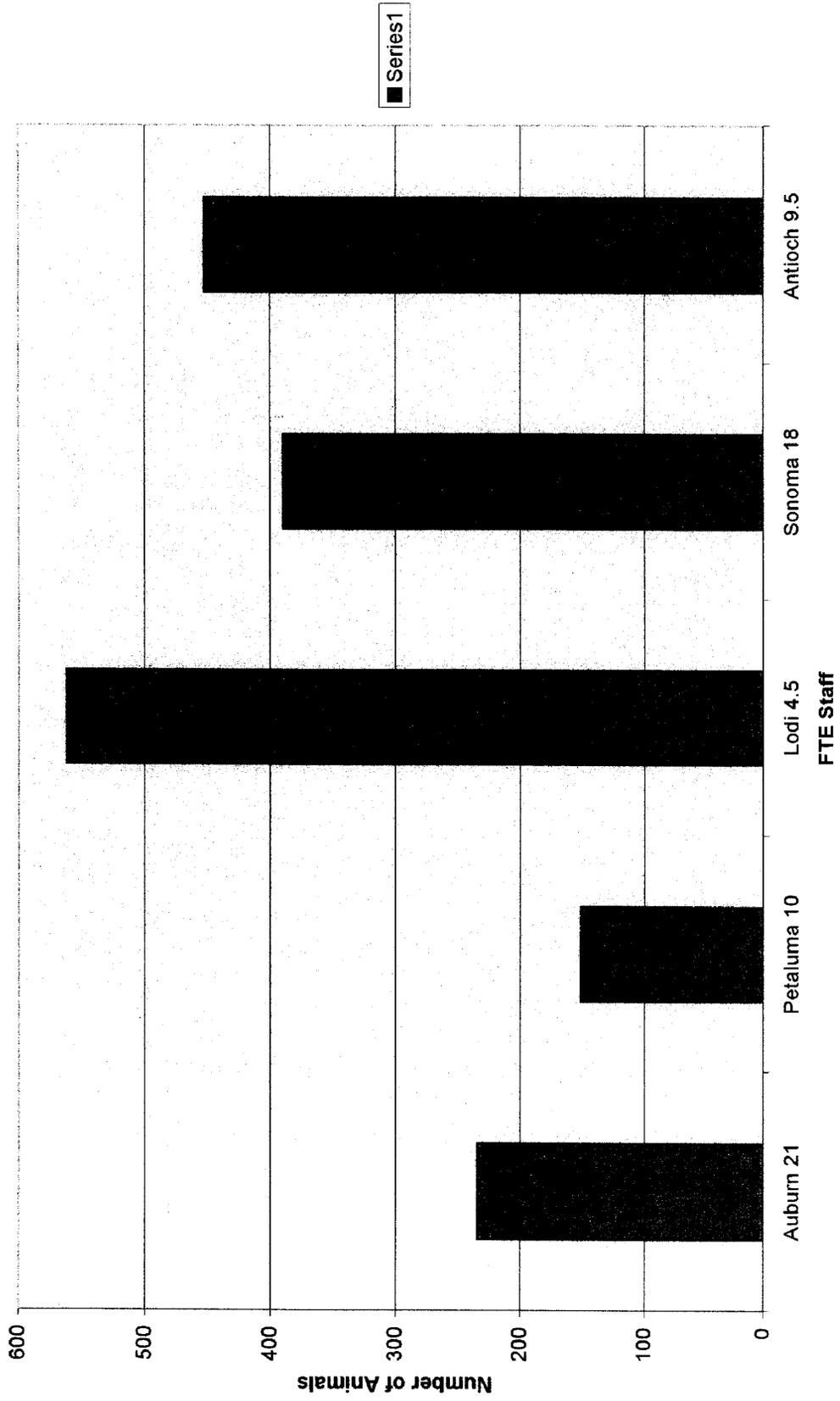
Budget dollars per Capita-Attachment C





| | Population | Total Staff | Director | Animal Control | Clerical | Kennel |
|-----------------|------------|-------------|----------|----------------|----------|--------|
| Auburn | 200,000 | 21 | 1 | 11 | 6 | 3 |
| Petaluma | 56,000 | 10 | 1 | 3 | 3 | 3 |
| Lodi | 56,700 | 4.5 | 0 | 3.5 | 0 | 1 |
| Sonoma | 190,000 | 18 | 1 | 8 | 4 | 5 |
| Antioch | 87,000 | 9.5 | 1 | 3 | 2 | 3.5 |

Animals handled per FTE Staff



AB 1856 DOGS AND CATS: OVERPOPULATION: SPAYING AND NEUTERING

BILL NUMBER: AB 1856 CHAPTERED 09/23/98

CHAPTER 747

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INTRODUCED BY Assembly Member Vincent (Co-author: Assembly Member Strom-Martin)

An act to amend, repeal, and add Section 30503 of, to amend, renumber, and repeal Section 31751 of, to add Section 31751.3 to, to add a chapter heading immediately preceding Section 31751 of, and to add and repeal Sections 30504, 30804.7, and 31751.7 of, and Chapter 1.5 (commencing with Section 30520) to Division 14 of, and Chapter 2 (commencing with Section 31760) to Division 14.5 of, the Food and Agricultural Code, relating to dogs and cats.

LEGISLATIVE COUNSEL'S DIGEST

AB 1856, Vincent. Dogs and cats: overpopulation: spaying and neutering.

(1) Existing law prohibits each public pound, society for the prevention of cruelty to animals shelter, and humane shelter from selling or giving away any dog or cat that has not been spayed or neutered, unless a \$40 deposit for spaying or neutering the dog or a \$30 deposit for neutering the cat has been tendered, as prescribed.

This bill would, with regard to counties whose population exceeds 100,000 persons, and cities within those counties, revise the provisions governing the payment of a deposit to require a person who adopts or purchases a dog or cat that is too sick or injured to be spayed or neutered to pay a deposit to the appropriate entity, which would be refunded if the dog or cat is spayed or neutered when it is healthy. The bill would require that the fluids from unclaimed deposits be expended only for spaying or neutering programs.

The bill would require the owner of a non-spayed or un-neutered dog or cat that is impounded by a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue coup to be fined, as prescribed, for the first, 2nd, 3rd, and subsequent occurrences, thereby imposing a state-mandated local program by imposing new duties on local agencies. The bill would immunize cities and counties, societies for the prevention of cruelty to animals, and humane societies from an action by the owner of a dog or cat for spaying or neutering the dog or cat in accordance with the bill. The bill would make any person who commits specified violations subject to a civil penalty of not less than \$50 on a first violation and a civil penalty of not less than \$100 on any 2nd or subsequent violation.

The bill, with respect to counties with a population of less than 100,000, on January 1, 2000, would prohibit a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from selling or giving away any cat or dog that has not been spayed or neutered, in accordance with prescribed requirements.

The bill would make related changes. The bill would become operative on January 1, 2000, and would remain in effect only until January 1, 2006, and on that date would be repealed unless a later enacted statute deletes or extends that date.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement

This bill would provide that no reimbursement is required by this act for a specified reason.

SECTION 1. (a) The Legislature finds and declares that overpopulation of dogs and cats in California is a problem of great public concern. The overpopulation causes public health problems, adversely affects city and county animal control departments, and results in needlessly euthanized dogs and cats.

(b) It is the intent of the Legislature, by enacting this act, to reduce the number of unwanted dogs and cats in California. In order to reduce the number of stray dogs and cats on the streets, and the number euthanized in shelters each year, the birth rate must be reduced. Although the point may seem obvious, humans generally give birth to a single offspring, while dogs and cats give birth to litters. Additionally, dogs and cats reach sexual maturity relatively young and their gestation periods are comparatively short. The single most effective prevention of overpopulation among dogs and cats is spaying and neutering.

SEC. 2. Section 30503 of the Food and Agricultural Code is amended to read:

30503. (a) Except as otherwise provided in subdivision (b), no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away to a new owner any dog that has not been spayed or neutered.

For the purposes of this section a rescue group is a for profit or not for profit entity, or a collaboration of individuals with at least one of its purposes being the sale or placement of dogs that have been removed from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane shelter or that have been previously owned by any person other than the original breeder of that dog.

(b) If a veterinarian licensed to practice veterinary medicine in this state certifies that a dog is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the dog to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars (\$40), and not more than seventy-five dollars (\$75). The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of dogs. The deposit shall be temporary, and shall only be retained until the dog is healthy enough to be spayed or neutered, as certified by a veterinarian licensed to practice veterinary medicine in this state. The dog shall be spayed or neutered within 14 business days of that certification. The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation. If the adopter or purchaser presents proof of spaying or neutering to the entity from which the dog was obtained within 30 business days of obtaining the proof, the

adopter or purchaser shall receive a full refund of the deposit.

(c) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

(d) Any funds from unclaimed deposits made pursuant to this section, as it read on January 1, 1999, and any funds from deposits that are unclaimed after January 1, 2000, may be expended only for programs to spay or neuter dogs and cats, including agreements with a society for the prevention of cruelty to animals or a humane society or licensed veterinarian to operate a program to spay or neuter dogs and cats.

(e) This section only applies to a county that has a population exceeding 100,000 persons as of January 1, 2000, and to cities within that county.

(f) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 2.3. Section 30503 is added to the Food and Agricultural Code, to read:

30503. (a) No public pound society for the prevention of cruelty to animals shelter, or humane shelter shall sell or give away any dog that has not been spayed or neutered unless a deposit for spaying or neutering the dog has been tendered to the pound or shelter. The deposit shall be in the amount determined by the pound or shelter to be comparable to the lowest fee charged by veterinarians in the locale, but shall not exceed forty dollars (\$40). A veterinarian shall perform the operation. If a female dog and her puppies are sold or given away to one individual, only a single deposit shall be required.

The pound or shelter may make appropriate arrangements for the spaying or neutering of the dog, or may return the deposit to the person purchasing or receiving the dog upon presentation of a written statement or receipt from the veterinarian or clinic that the dog has been spayed or neutered. The deposit may also include an amount necessary to recover any additional costs under this section.

(b) Any dog over six months of age at the time it is sold or given away by the pound or shelter shall be spayed or neutered within 60 days, or the deposit shall be deemed unclaimed. Any dog six months of age or younger at the time it is sold or given away by the pound or shelter shall be spayed or neutered within six months, or the deposit shall be deemed unclaimed.

(c) Any deposit not claimed under subdivision (a) shall be used only for the following purposes;

(1) A public education program to prevent overpopulation of dogs and cats.

(2) A program to spay or neuter dogs and cats.

(3) A follow-up program to assure that animals sold or given away by the pound or shelter are spayed or neutered.

(4) Any additional costs incurred under this section.

(d) Public pounds, society for the prevention of cruelty to animals shelters, and humane shelters may enter into cooperative agreements with each other and with veterinarians in carrying out this section.

(e) This section shall become operative on January 1, 2006.

SEC. 2.5. Section 30504 is added to the Food and Agricultural Code, to read:

30504. (a) For purposes of this division, each member of a litter of puppies, weaned or unweaned, shall be treated as an individual animal.

(1) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 3. Chapter 1.5 (commencing with Section 30520) is added to Division 14 of the Food and Agricultural Code, to read:

CHAPTER 1.5. SPECIAL PROVISIONS APPLICABLE TO COUNTIES WITH A POPULATION OF LESS THAN 100,000 PERSONS

30520. (a) This chapter only applies to a county that has a population of less than 100,000 persons as of January 1, 2000, and to cities within that county. A county whose population exceeds 100,000 persons in a year subsequent to January 1, 2000, shall be subject to Chapter 1 (commencing with Section 30501) commencing on January 1 of the year immediately following the year in which the population of that county exceeds 100,000 persons.

(b) Except as otherwise provided in this chapter, no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away any dog that has not been spayed or neutered.

(c) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may not transfer to a new owner a dog that has not been spayed or neutered, except as provided in subdivision (d).

(d) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may transfer to a new owner a dog that has not been spayed or neutered only if the animal shelter does both of the following:

(1) Requires a written agreement, executed by the recipient, acknowledging the dog is not spayed or neutered and the recipient agrees in writing to be responsible for ensuring the dog will be spayed or neutered within 30 business days after the agreement is signed.

(2) Receives from the recipient a sterilization deposit of not less than forty dollars (\$40) and not more than seventy-five dollars (\$75), the terms of which are part of the written agreement executed by the recipient under this section.

(3) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

30521. (a) A spaying or neutering deposit may be either of the following:

(1) A portion of the adoption fee or other fees rendered in acquiring the dog, which will enable the adopter to make the dog for spaying or neutering to a veterinarian with whom the public animal control agency or shelter,

society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group has an agreement that provides that the veterinarian will bill the shelter directly for the sterilization.

(2) A deposit that is both of the following:

(A) Refundable to the recipient if proof of spaying or neutering of the dog is presented to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group not more than 30 business days after the date the dog is spayed or neutered.

(B) Forfeited to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group if proof of spaying or neutering is not presented to the animal shelter within 30 business days.

(b) A spaying or neutering deposit shall be in the amount determined by the shelter, but shall not be less than forty dollars (\$40) and shall not exceed seventy-five dollars (\$75).

(c) All spaying or neutering deposits forfeited or unclaimed under this section shall be retained by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group and shall be used by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group only for the following purposes:

(1) A program to spay or neuter dogs and cats.

(2) A public education program to reduce and prevent overpopulation of dogs and cats, and the related costs to local government.

(3) A follow-up program to ensure that dogs and cats transferred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group are spayed or neutered in accordance with the agreement executed under subdivision (d) of Section 30520.

(4) Any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this chapter.

30522. (a) (1) If a recipient fails to comply with the spaying or neutering agreement within 30 business days after the agreement is signed, the recipient shall forfeit the sterilization deposit and is subject to a fine pursuant to Section 30523.

(2) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in Section 30523. The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane shelter, or rescue group. Any funds collected under this section shall be expended for the purpose of humane education, programs for low-cost spaying and neutering of dogs and cats, and any additional costs incurred by the animal shelter in the administration of the requirements of this chapter.

(3) If the owner, at any time subsequent to 30 business days after the spaying or neutering agreement was signed, provides proof of spaying or neutering, the deposit shall be forfeited, but any fine levied but not yet

paid, shall be waived.

(b) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may extend the date by which spaying or neutering is to be completed at its discretion for good cause shown. Any extension shall be in writing.

(c) If a veterinarian licensed to practice veterinary medicine in this state certifies that a dog is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the dog to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars (\$40), and not more than seventy-five dollars (\$75). The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of dogs. The deposit shall be temporary, and shall be retained only until the dog is healthy enough to be spayed or neutered as certified by a veterinarian licensed to practice veterinary medicine in this state. The dog shall be spayed or neutered within 14 business days of that certification. The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation. If the adopter or purchaser presents proof of spaying or neutering to the entity from which the dog was obtained within 30 business days, the adopter or purchaser shall receive a full refund of the deposit.

(d) If an adopted dog dies within the spaying or neutering period provided for in the written agreement pursuant to Section 30520, subdivision (c) shall not apply to the dog. In that case, the recipient may receive a reimbursement of the sterilization deposit by submitting to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group within the sterilization period a signed letter from a veterinarian licensed to practice medicine in this state stating that the animal has died. The letter shall include a description of the dog.

30523. (a) (1) A person who commits any violation of subdivision (b) is subject to a civil penalty of not less than fifty dollars (\$50) on a first violation of subdivision (b), and a civil penalty of not less than one hundred dollars (\$100) on any second or subsequent violation of subdivision (b).

(2) An action for a penalty proposed under this section may be commenced by the administrator of the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from which the recipient obtained the animal that is the subject of the violation in a court of competent jurisdiction.

(b) A person is subject to the civil penalties pursuant to subdivision (a) if that person does any of the following;

(1) Falsifies any proof of spaying or neutering submitted for the purpose of compliance with this chapter.

(2) Provides to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group or a licensed veterinarian inaccurate information regarding ownership of any dog required to be submitted for spaying or neutering under this chapter.

(3) Submits to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group false information regarding sterilization fees or fee schedules.

(4) Issues a check for insufficient funds for any spaying or neutering deposit required under this chapter.

c) All penalties collected under this section shall be retained by the public animal control agency or shelter,

society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group imposing the penalties, to be used solely for purposes provided for under subdivision (c) of Section 30521.

30524. Local ordinances concerning the adoption or placement procedures of any public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall be at least as restrictive as this chapter.

30525. Whenever a dog license tag is issued following this division, the tag shall be issued for one-half or less of the fee required for a dog, if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered.

30526. This chapter shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 4. Section 30804.7 is added to the Food and Agricultural Code, to read:

30804.7. (a) The owner of a nonspayed or unneutered dog that is impounded once by a city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society, shall be fined thirty-five dollars (\$35) on the first occurrence, fifty dollars (\$50) on the second occurrence, and one hundred dollars (\$100) for the third or subsequent occurrence. These fines are for unneutered impounded animals only, and are not in lieu of any fines or impound fees imposed by any individual city, county, public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter.

(b) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in subdivision (a). The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of dogs, and any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this division.

(c) This section applies to each county and cities within each county, regardless of population.

(d) No city or county, society for the prevention of cruelty to animals, or humane society is subject to any civil action by the owner of a dog that is spayed or neutered in accordance with this section.

(e) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 5. A chapter heading is added immediately preceding Section 31751 of the Food and Agricultural Code, to read:

CHAPTER 1. REGULATION OF CATS GENERALLY

SEC. 6. Section 31751 of the Food and Agricultural Code is amended and renumbered to read:

31751.3. (a) Except as otherwise provided in subdivision (b), no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away to a new owner any cat that has not been spayed or neutered.

For the purposes of this section, a rescue group is a for profit or not for profit entity, or a collaboration of individuals with at least one of its purposes being the sale or placement of cats that have been removed from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane shelter or that have been previously owned by any person other than the original breeder of that cat.

(b) If a veterinarian licensed to practice veterinary medicine in this state certifies that a cat is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the cat to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars (\$40), and not more than seventy-five dollars (\$75). The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of cats. The deposit shall be temporary, and shall only be retained until the cat is healthy enough to be spayed or neutered, as certified by a veterinarian licensed to practice veterinary medicine in this state. The cat shall be spayed or neutered within 14 business days of that certification. The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation. If the adopter or purchaser presents proof of spaying or neutering to the entity from which the cat was obtained within 30 business days of obtaining the proof, the adopter or purchaser shall receive a full refund of the deposit.

(c) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

(d) Any funds from unclaimed deposits made pursuant to this section, as it read on January 1, 1999, and any funds from deposits unclaimed after January 1, 2000, may be expended only for programs to spay or neuter cats and dogs, including agreements with a society for the prevention of cruelty to animals or a humane society or licensed veterinarian, to operate a program to spay or neuter cats and dogs.

(e) This section only applies to a county that has a population exceeding 100,000 persons as of January 1, 2000, and to cities within that county.

(f) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 6.3. Section 31751.3 is added to the Food and Agricultural Code, to read:

31751.3. (a) No public pound, society for the prevention of cruelty to animals shelter, or humane shelter shall sell or give away any cat that has not been spayed or neutered, unless a deposit for spaying or neutering the cat has been tendered to the pound or shelter. The deposit shall be in the amount determined by the pound or shelter to be comparable to the lowest fee charged by veterinarians in the locale, but shall not exceed thirty dollars (\$30). A veterinarian shall perform the operation. If a female cat and her kittens are sold or given away to one individual, only a single deposit shall be required.

The pound or shelter may make appropriate arrangements for the spaying or neutering of the cat, or may return the deposit to the person purchasing or receiving the cat upon presentation of a written statement or receipt from the veterinarian or clinic that the cat has been spayed or neutered. The deposit may also include the amount necessary to recover any additional costs under this section.

(b) All cats over six months of age at the time they are sold or given away by the pound or shelter shall be

spayed or neutered within 60 days, or the deposit shall be deemed unclaimed. All cats six months of age or younger at the time they are sold or given away by the pound or shelter shall be spayed or neutered within six months, or the deposit shall be deemed unclaimed.

(c) Any deposits not claimed under subdivision (a) shall be used only for the following purposes:

(1) A public education program to prevent overpopulation of cats and dogs.

(2) A program to spay or neuter cats and dogs.

(3) A follow-up program to assure that animals sold or given away by the pound or shelter are spayed or neutered.

(4) Any additional costs incurred under this section.

(d) Public pounds, society for the prevention of cruelty to animals shelters, and humane shelters may enter into cooperative agreements with each other and with veterinarians in carrying out this section.

SEC. 6.5. Section 31751 is added to the Food and Agricultural Code, to read:

31751. (a) For the purposes of this division, each member of a litter of kittens, weaned or unweaned, shall be treated as an individual animal.

(b) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date. SEC. 7. Section 31751.7 is added to the Food and Agricultural Code, to read:

31751.7. (a) The owner of a nonspayed or unneutered cat that is impounded once by a city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society, shall be fined thirty-five dollars (\$35) on the first occurrence, fifty dollars (\$50) on the second occurrence, and one hundred dollars (\$100) for the third or subsequent occurrence. These fines are for unneutered impounded animals only, and are not in lieu of any fines or impound fees imposed by any individual city, county, public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter.

(b) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in subdivision (a). The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of cats, and any additional costs incurred by the animal shelter in the administration of the requirements of this division.

(c) Local ordinances concerning the adoption or placement procedures of any public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall be at least as restrictive as this division.

(d) This section applies to each county and cities within each county, regardless of population.

(e) No city or county, society for the prevention of cruelty to animals, or humane society is subject to any civil

action by the owner of a cat that is spayed or neutered in accordance with this section.

(f) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 8. Chapter 2 (commencing with Section 31760) is added to Division 14.5 of the Food and Agricultural Code, to read:

CHAPTER 2. SPECIAL PROVISIONS APPLICABLE TO COUNTIES WITH A POPULATION OF LESS THAN 100,000 PERSONS

31760. (a) This chapter only applies to a county that has a population of less than 100,000 persons as of January 1, 2000, and to cities within that county. A county whose population exceeds 100,000 persons in a year subsequent to January 1, 2000, shall be subject to Chapter 1 (commencing with Section 31751) commencing on January 1 of the year immediately following the year in which the population of that county exceeds 100,000 persons.

(b) Except as otherwise provided in this chapter, no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away any cat that has not been spayed or neutered.

(c) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may not transfer to a new owner a cat that has not been spayed or neutered, except as provided in subdivision (d).

(d) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may transfer to a new owner a cat that has not been spayed or neutered only if the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group does both of the following:

(1) Requires a written agreement, executed by the recipient, acknowledging the cat is not spayed or neutered and the recipient agrees in writing to be responsible for ensuring the cat will be spayed or neutered within 30 business days after the agreement is signed.

(2) Receives from the recipient a sterilization deposit of not less than forty dollars (\$40) and not more than seventy-five dollars (\$75), the terms of which are part of the written agreement executed by the recipient under this section.

(e) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

31761. (a) A spaying or neutering deposit may be either of the following:

(1) A portion of the adoption fee or other fees rendered in acquiring the cat, which will enable the adopter to take the cat for spaying or neutering to a veterinarian with whom the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group has an agreement that provides that the veterinarian will bill the shelter directly for the sterilization.

(2) A deposit that is both of the following:

(A) Refundable to the recipient if proof of spaying or neutering of the cat is presented to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group not more than 30 business days after the date the cat is spayed or neutered.

(B) Forfeited to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group if proof of spaying or neutering is not presented to the animal shelter within 30 business days.

(b) Deposits shall be in the amount determined by the shelter, but shall not be less than forty dollars (\$40) and shall not exceed seventy-five dollars (\$75).

(c) All spaying or neutering deposits forfeited or unclaimed under this section shall be retained by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group and shall be used by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group only for the following purposes:

(1) A program to spay or neuter dogs and cats.

(2) A public education program to reduce and prevent overpopulation of dogs and cats, and the related costs to local government.

(3) A follow-up program to ensure that dogs and cats transferred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group are spayed or neutered in accordance with the agreement executed under subdivision (d) of Section 31760.

(4) Any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this chapter.

31762. (a) (1) If a recipient fails to comply with the spaying or neutering agreement within 30 business days after the agreement is signed, the recipient shall forfeit the sterilization deposit and is subject to a fine pursuant to Section 31763.

(2) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in Section 31763. The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of cats and any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this chapter. This subdivision is applicable within any county.

(3) If the owner, at any time subsequent to 30 business days after the spaying or neutering agreement was signed, provides proof of spaying or neutering, the deposit shall be forfeited, but any fine levied but not yet paid, shall be waived.

(b) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane

society shelter, or rescue group may extend the date by which spaying or neutering is to be completed at its discretion for good cause shown. Any extension shall be in writing.

(c) if a veterinarian licensed to practice veterinary medicine in this state certifies that a cat is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the cat to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars (\$40), and not more than seventy-five dollars (\$75). The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of cats. The deposit shall be temporary, and shall be retained only until the cat is healthy enough to be spayed or neutered as certified by a veterinarian licensed to practice veterinary medicine in this state. The cat shall be spayed or neutered within 14 business days of that certification. The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation. If the adopter or purchaser presents proof of spaying or neutering to the entity from which the cat was obtained within 30 business days, the adopter or purchaser shall receive a full refund of the deposit.

(d) If an adopted cat dies within the spaying or neutering period provided for in the written agreement pursuant to Section 31760, subdivision (c) shall not apply to the cat. In that case, the recipient may receive a reimbursement of the sterilization deposit by submitting to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group within the sterilization period a signed letter from a veterinarian licensed to practice medicine in this state stating that the animal has died. The letter shall include a description of the cat.

31763. (a) (1) A person who commits any violation of subdivision (b) is subject to a civil penalty of not less than fifty dollars (\$50) on a first violation of subdivision (b), and a civil penalty of not less than one hundred dollars (\$100) on any second or subsequent violation of subdivision (b).

(2) An action for a penalty proposed under this section may be commenced by the administrator of the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from which the recipient obtained the animal that is the subject of the violation in a court of competent jurisdiction.

(b) A person is subject to the civil penalties pursuant to subdivision (a) if that person does any of the following:

(1) Falsifies any proof of spaying or neutering submitted for the purpose of compliance with this chapter.

(2) Provides to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group or a licensed veterinarian inaccurate information regarding ownership of any cat required to be submitted for spaying or neutering under this chapter.

(3) Submits to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group false information regarding sterilization fees or fee schedules.

(4) Issues a check for insufficient funds for any spaying or neutering deposit required under this chapter.

(c) All penalties collected under this section shall be retained by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group imposing the penalties, to be used solely for purposes provided for under subdivision (c) of 31764. Local ordinances concerning the adoption or placement procedures of any animal shelter shall be at least as restrictive as this

chapter.

31765. Whenever a county, or a city that is within a county to which this chapter applies, requires cat license tags, the tag shall be issued for one-half or less of the fee required for a cat, if certificate is presented from a licensed veterinarian that the cat has been spayed or neutered.

31766. This chapter shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 9. This act shall become operative on January 1, 2000.

SEC. 10. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

Assembly Bill No. 2754

CHAPTER 567

An act to amend Sections 31108, 31752, 31753, and 31754 of, and to add Sections 31108.5 and 31752.2 to, the Food and Agricultural Code, relating to stray animals.

[Approved by Governor September 18, 2000. Filed with Secretary of State September 21, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2754, House. Stray animals.

(1) Existing law provides that the required holding period for a stray dog or cat impounded by a pound or shelter shall be 6 business days, except that under specified circumstances the holding period shall be 4 business days. Existing law provides that stray animals shall be held for owner redemption during the first 3 days of the holding period, not including the day of impoundment, and shall be available for owner redemption or adoption for the remainder of the holding period. Existing law provides that any stray animal that is impounded shall, prior to the killing of that animal for any reason other than irremediable suffering, be released to a nonprofit animal rescue or adoption organization if requested by the organization prior to the scheduled killing of that animal. Existing law provides that in addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals released. A violation of these provisions is an infraction, punishable as specified.

This bill would revise the above provisions to instead provide that, except as specified, the holding period would be 6 business days, not counting the day of impoundment, that any stray dog or cat that is impounded shall, prior to the euthanasia of the dog or cat, be released to a nonprofit animal rescue or adoption organization if requested by the organization prior to the scheduled euthanasia of that animal, and that in addition to any required spay or neuter deposit, the public or private shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals adopted or released. The bill would require a person, upon relinquishing a dog or cat to a pound or shelter, to sign a statement that he or she is the lawful owner. Providing false information would make the person liable to the true owner in the amount of a fine of \$1,000. The bill would make conforming changes to a related provision involving other specified animals. By revising existing and creating new crimes, this bill would impose a state-mandated local program upon local governments.

(2) Existing law provides that any animal relinquished by the purported owner that is of a species impounded by pounds or shelters shall be held for 2 full business days, not including the date of impoundment. Existing law provides that the animal shall be available for owner redemption for the first day, not including the date of impoundment; shall be available for owner redemption or adoption for the 2nd day; and after the 2nd required day, the animal may be held longer, killed, or relinquished to a nonprofit animal adoption organization, as defined in the Internal Revenue Code.

Existing law provides that these provisions shall become inoperative on July 1, 2001, and shall be repealed as of January 1, 2002. A violation of any of these provisions is an infraction, punishable as specified. This bill would extend the operation of these provisions until July 1, 2002, and, thereafter, would instead provide that, except as specified, the holding period would be 6 business days, not counting the day of impoundment, and that any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be available for owner redemption or adoption during the entire holding period, and after the holding period, the animal may be adopted by a new owner, held longer, euthanized, or released to a nonprofit animal adoption organization. The bill would authorize these shelters to enter into cooperative agreements with any animal rescue or adoption organization. By revising existing crimes, this bill would impose a state-mandated local program upon local governments.

(3) This bill would incorporate additional changes in Section 31754 proposed by AB 1786, to be operative if AB 1786 and this bill are both enacted and become effective on or before January 1, 2001, and this bill is enacted last.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 31108 of the Food and Agricultural Code is amended to read:

31108. (a) The required holding period for a stray dog impounded pursuant to this division shall be six business days, not including the day of impoundment, except as follows:

(1) If the public or private shelter has made the dog available for owner redemption on one weekday evening until at least 7:00 p.m. or one weekend day, the holding period shall be four business days, not including the day of impoundment.

(2) Existing law provides that any animal relinquished by the purported owner that is of a species impounded by pounds or shelters shall be held for 2 full business days, not including the date of impoundment. Existing law provides that the animal shall be available for owner redemption for the first day, not including the date of impoundment; shall be available for owner redemption or adoption for the 2nd day; and after the 2nd required day, the animal may be held longer, killed, or relinquished to a nonprofit animal adoption organization, as defined in the Internal Revenue Code. Existing law provides that these provisions shall become inoperative on July 1, 2001, and shall be repealed as of January 1, 2002. A violation of any of these provisions is an infraction, punishable as specified. This bill would extend the operation of these provisions until July 1, 2002, and, thereafter, would instead provide that, except as specified, the holding period would be 6 business days, not counting the day of impoundment and that any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be available for owner redemption or adoption during the entire holding period, and after

the holding period, the animal may be adopted by a new owner, held longer, euthanized, or released to a nonprofit animal adoption organization. The bill would authorize these shelters to enter into cooperative agreements with any animal rescue or adoption organization. By revising existing crimes, this bill would impose a state-mandated local program upon local governments.

(3) This bill would incorporate additional changes in Section 31754 proposed by AB 1786, to be operative if AB 1786 and this bill are both enacted and become effective on or before January 1, 2001, and this bill is enacted last.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 31108 of the Food and Agricultural Code is amended to read:

31108. (a) The required holding period for a stray dog impounded pursuant to this division shall be six business days, not including the day of impoundment, except as follows:

(1) If the public or private shelter has made the dog available for owner redemption on one weekday evening until at least 7:00 p.m. or one weekend day, the holding period shall be four business days, not including the day of impoundment or one weekend day, the holding period shall be four business days, not including the day of impoundment.

(2) If the public or private shelter has fewer than three full-time employees or is not open during all regular weekday business hours, and if it has established a procedure to enable owners to reclaim their cats by appointment at a mutually agreeable time when the public or private shelter would otherwise be closed, the holding period shall be four business days, not including the day of impoundment. Except as provided in Sections 17006 and 31752.5, stray cats shall be held for owner redemption during the first three days of the holding period, not including the day of impoundment, and shall be available for owner redemption or adoption for the remainder of the holding period.

(b) Except as provided in Section 17006, any stray cat that is impounded pursuant to this division shall, prior to the euthanasia of that animal, be released to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal rescue or adoption organization if requested by the organization prior to the scheduled euthanasia of that animal. In addition to any required spay or neuter deposit, the public or private shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals adopted or released. The public or private shelter may enter into cooperative agreements with any animal rescue or adoption organization.

(c) During the holding period required by this section and prior to the adoption or euthanasia of a cat impounded pursuant to this division, a

public or private shelter shall scan the cat for a microchip that identifies the owner of that cat and shall make reasonable efforts to contact the owner and notify him or her that his or her cat is impounded and is available for redemption.

SEC. 4. Section 31752.2 is added to the Food and Agricultural Code, to read:

31752.2. (a) Upon relinquishment of a cat to a public or private shelter, the owner of that cat shall present sufficient identification to establish his or her ownership of the cat and shall sign a statement that he or she is the lawful owner of the cat.

(b) Any person who provides false information pursuant to this subdivision about his or her ownership of the cat shall be liable to the true owner of the cat in the amount of one thousand dollars (\$1,000).

SEC. 5. Section 31753 of the Food and Agricultural Code is amended to read:

31753. Any rabbit, guinea pig, hamster, potbellied pig, bird, lizard, snake, turtle, or tortoise that is legally allowed as personal property and that is impounded in a public or private shelter shall be held for the same period of time, under the same requirements of care, and with the same opportunities for redemption and adoption by new owners or nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal rescue or adoption organizations as provided for cats and dogs. Section 17006 shall also apply to these animals. In addition to any required spay or neuter deposit, the public or private shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals adopted by new owners or released to nonprofit animal rescue or adoption organizations pursuant to this section.

SEC. 6. Section 31754 of the Food and Agricultural Code, as added by Section 16 of Chapter 752 of the Statutes of 1998, is amended to read:

31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be available for adoption or owner redemption for two full business days, not including the day of impoundment. After the holding period, the animal may be adopted by a new owner, held longer, euthanized, or released to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal adoption organization under the same conditions and circumstances provided for stray dogs and cats in Sections 31108 and 31752.

(b) This section shall become operative on July 1, 1999. This section shall become inoperative on July 1, 2002, and, as of January 1, 2003, is repealed, unless a later enacted statute that is enacted before January 1, 2003, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 6.5. Section 31754 of the Food and Agricultural Code is amended to read:

31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be available for adoption or owner redemption for two full business days, not including the day of impoundment. After the holding period, the animal may be adopted by a new owner, held longer,

ethanized, or released to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal adoption organization under the same conditions and circumstances provided for stray dogs and cats in Sections 31108 and 31752.

(b) Notwithstanding subdivision (a), kittens or puppies relinquished by the purported owner, or brought in by any other person with authority to relinquish them, to public or private shelters, may be available immediately for adoption.

(c) This section shall become operative on July 1, 1999. This section shall become inoperative on July 1, 2002, and, as of January 1, 2003, is repealed, unless a later enacted statute that is enacted before January 1, 2003, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 7. Section 31754 of the Food and Agricultural Code, as added by Section 16.5 of Chapter 752 of the Statutes of 1998, is amended to read: 31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be held for the same holding periods, with the same requirements of care, applicable to stray dogs and cats in Sections 31108 and 31752, and shall be available for owner redemption or adoption for the entire holding period.

(b) This section shall become operative on July 1, 2002.

SEC. 7.5. Section 31754 of the Food and Agricultural Code is amended to read:

31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be held for the same holding periods, with the same requirements of care, applicable to stray dogs and cats in Sections 31108 and 31752, and shall be available for owner redemption or adoption for the entire holding period.

(b) Notwithstanding subdivision (a), kittens or puppies relinquished by the purported owner, or brought in by any other person with authority to relinquish them, to public or private shelters, may be available immediately for adoption.

(c) This section shall become operative on July 1, 2002.

SEC. 8. Section 6.5 of this bill incorporates amendments to Section 31754 of the Penal Code, as added by Section 16 of Chapter 752 of the Statutes of 1998, proposed by both this bill and AB 1786. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, (2) each bill amends Section 31754 of the Penal Code, and (3) this bill is enacted after AB 1786, in which case Section 6 of this bill shall not become operative.

SEC. 9. Section 7.5 of this bill incorporates amendments to Section 31754 of the Penal Code, as added by Section 16.5 of Chapter 752 of the Statutes of 1998, proposed by both this bill and AB 1786. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, (2) each bill amends Section 31754 of the Penal

Code, and (3) this bill is enacted after AB 1786, in which case Section 7 of this bill shall not become operative.

SEC. 10. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SB 1785 Stray animals: duties of pounds and shelters.

BILL NUMBER: SB 1785 CHAPTERED 09/23/98

CHAPTER 752

FILED WITH SECRETARY OF STATE SEPTEMBER 23, 1998

APPROVED BY GOVERNOR SEPTEMBER 22, 1998

PASSED THE SENATE AUGUST 30, 1998

PASSED THE ASSEMBLY AUGUST 26, 1998

AMENDED IN ASSEMBLY AUGUST 24, 1998

AMENDED IN ASSEMBLY JUNE 18, 1998

AMENDED IN SENATE APRIL 29, 1998

AMENDED IN SENATE APRIL 14, 1998

INTRODUCED BY Senator Hayden (Cocauthor: Senator O'Connell)

FEBRUARY 18, 1998

An act to amend Sections 1815, 1816, 1834, 1845, 1846, 1847, and 2080 of, and to add Section 1834.4 to, the Civil Code, to amend Sections 31108, 31752, and 32001 of, to add Sections 17005, 17006, 31752.5, 31753, and 32003 to, and to add, repeal, and add Section 31754 of, the Food and Agricultural Code, and to amend Section 597.1 of, and to add Section 599d to, the Penal Code, relating to stray animals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1785, Hayden. Stray animals: duties of pounds and shelters.

Existing law specifies the rights and duties of persons who find lost property of another or who, either voluntarily or involuntarily, are the depositaries of the property of another. Existing law provides that involuntary depositaries are entitled to no reward for the thing deposited; however, finders are entitled to reasonable compensation for saving and taking care of the property.

This bill would set forth the findings of the Legislature with respect to animal shelters, humane organizations, lost or stray animals, and neuter programs, declare the policy of the state with respect to adoptable and treatable animals, as specified, and set forth the intent of the bill. The bill would (1) provide that (a) a person or public or private entity that holds a stray, live animal shall be deemed an involuntary depositary; and (b) all depositaries of live animals have a duty to provide them with necessary and prompt veterinary care, nutrition, and shelter, and to treat them humanely and failure to do so may subject the depositary to liability for civil damages; (2) authorize involuntary depositaries of live animals to accept rewards, as specified; and (3) require a public depositary of a stray live animal to take charge of it, as specified.

Existing law provides that no dog or cat impounded by a public pound or specified shelter shall be killed before 72 hours have elapsed from the time of impounding.

This bill would, effective July 1, 1999, expand this minimum impound time to 4 or 6 business days, as specified, and would require that the animal be released to a nonprofit animal rescue or adoption organization in certain circumstances, subject to specified exceptions. The bill would also provide impounding time periods, and care, redemption, and adoption requirements applicable to other specified

animals.

Existing law requires public pounds and specified shelters to provide owners and finders of lost animals with specified services to restore the lost animals to their owners. Existing law specifies that these requirements are not mandatory duties and do not create a cause of action against public entities or employees.

This bill would declare that the duty to provide these services is a mandatory duty for public entities and their contractors. The bill would also require pounds and shelters to keep specified records regarding impounded animals for 3 years after the animal's impoundment ends.

Because this bill would impose new duties on local officials, it would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

SECTION 1. (a) The Legislature finds and declares the following:

(1) Public and private shelters and humane organizations share a common purpose in saving animals' lives, preventing animal suffering, and eliminating animal abandonment.

(2) Public and private shelters and humane groups should work together to end euthanasia of adoptable and treatable animals by 2010.

(b) The Legislature finds and declares the following:

(1) Redemption of owned pets and adoption of lost or stray adoptable animals is preferable to incurring social and economic costs of euthanasia.

(2) Shelters should be open during hours that permit working pet owners to redeem pets during nonworking hours.

(3) Shelters should aggressively promote spay and neuter programs to reduce pet overpopulation.

(4) Shelters should not adopt out animals that are not spayed or neutered.

(5) Public shelters should work with humane animal adoption organizations to the fullest extent possible to promote the adoption of animals and to reduce the rate of killing.

(c) The intent of this act is to do all of the following:

(1) Increase the focus of shelters to owner redemption and adoption by making recordkeeping mandatory to aid in owner redemption, providing owner relinquished pets the same holding period as stray animals to allow for adoption, and providing for an explicit adoption period.

(2) Consolidate and list clear guidelines for care and treatment for animals held in shelters.

(3) Extend public shelter responsibilities from dogs and cats to other legal pets.

(4) Make shelters accountable to pet owners and the public for records and the care of animals in their possession.

(5) Make clear that shelter responsibilities are the same as those legally assumed by a person who voluntarily picks up an animal.

(d) The Legislature finds and declares that statutory law prescribes the type of treatment that private citizens must extend to stray animals they voluntarily pick up and that public and private animal shelters should be held to the same legal duties as those that exist for private citizens.

(e) The Legislature finds and declares that it is better to have public and private shelters pick up or take in animals than private citizens. The Legislature further finds that the taking in of animals is important for public health and safety, to aid in the return of the animal to its owner, and to prevent inhumane conditions for lost or free roaming animals.

(f) The Legislature finds and declares that shelters should be required by law to take in lost animals and properly care for them with prompt veterinary care, adequate nutrition, shelter, exercise, and water.

(g) The Legislature finds and declares that shelters receiving animals that have identification should make reasonable attempts to notify the owner of the animal's location.

(h) The Legislature finds and declares that the duties of shelters to properly care for an animal do not cease if the owner of a lost animal does not claim the animal, and the shelter should have the duty to make the animal available for adoption for a reasonable period of time and to care properly for the animal during this period.

(i) The Legislature finds and declares that lost animals should be held for a period of time to ensure that the owner has proper access to redeem the animal.

SEC. 2. Section 1815 of the Civil Code is amended to read:

1815. An involuntary deposit is made:

(a) By the accidental leaving or placing of personal property in the possession of any person, without negligence on the part of its owner.

(b) In cases of fire, shipwreck, inundation, insurrection, riot, or like extraordinary emergencies, by the owner of personal property committing it, out of necessity, to the care of any person.

(c) By the delivery to, or pick up by, and the holding of, a stray live animal by any person, or public or private entity.

SEC. 3. Section 1816 of the Civil Code is amended to read:

1816. (a) The person or private entity with whom a thing is deposited in the manner described in Section 1815 is bound to take charge of it, if able to do so.

(b) A public agency or shelter with whom a thing is deposited in the manner described in Section 1815 is bound to take charge of it, as provided in Section 597.1 of the Penal Code.

SEC. 4. Section 1834 of the Civil Code is amended to read:

1834. A depositary of living animals shall provide the animals with necessary and prompt veterinary care, nutrition, and shelter, and treat them kindly. Any depositary that fails to perform these duties may be liable for civil damages as provided by law.

SEC. 5. Section 1834.4 is added to the Civil Code, to read:

1834.4. (a) It is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Adoptable animals include only those animals eight weeks of age or older that, at or subsequent to the time the animal is impounded or otherwise taken into possession, have manifested no

sign of a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for placement as a pet, and have manifested no sign of disease, injury, or congenital or hereditary condition that adversely affects the health of the animal or that is likely to adversely affect the animal's health in the future.

(b) It is the policy of the state that no treatable animal should be euthanized. A treatable animal shall include any animal that is not adoptable but that could become adoptable with reasonable efforts. This subdivision, by itself, shall not be the basis of liability for damages regarding euthanasia.

SEC. 6. Section 1845 of the Civil Code is amended to read:

1845. An involuntary deposit is gratuitous, the depositary being entitled to no reward. However, an involuntary depositary of any live animal may accept advertised rewards or rewards freely offered by the owner of the animal.

SEC. 7. Section 1846 of the Civil Code is amended to read:

1846. (a) A gratuitous depositary must use, at least, slight care for the preservation of the thing deposited.

(b) A gratuitous depositary of a living animal shall provide the animal with necessary and prompt veterinary care, adequate nutrition and water, and shelter, and shall treat it humanely and, if the animal has any identification, make reasonable attempts to notify the owner of the animal's location. Any gratuitous depositary that does not have sufficient resources or desire to provide that care shall promptly turn the animal over to an appropriate care facility.

(c) If the gratuitous depositary of a living animal is a public pound, shelter operated by a society for the prevention of cruelty to animals, or humane shelter, the depositary shall comply with all other requirements of the Food and Agricultural Code regarding the impounding of live animals.

SEC. 8. Section 1847 of the Civil Code is amended to read:

1847. The duties of a gratuitous depositary cease:

(a) Upon restoration by the depositary of the thing deposited to its owner.

(b) Upon reasonable notice given by the depositary to the owner to remove it, and the owner failing to do so within a reasonable time. But an involuntary depositary, under subdivision (b) of Section 1815, may not give notice until the emergency that gave rise to the deposit is past. This subdivision shall not apply to a public pound, a shelter operated by a society for the prevention of cruelty to animals, or a humane shelter. The duty to provide care, as required by Section 1846, continues until the public pound or private shelter is lawfully relieved of responsibility for the animal.

SEC. 9. Section 2080 of the Civil Code is amended to read:

2080. Any person who finds a thing lost is not bound to take charge of it, unless the person is otherwise required to do so by contract or law, but when the person does take charge of it he or she is thenceforward a depositary for the owner, with the rights and obligations of a depositary for hire. Any person or any public or private entity that finds and takes possession of any money, goods, things in action, or other personal property, or saves any domestic animal from harm, neglect, drowning, or starvation, shall, within a reasonable time, inform the owner, if known, and make restitution without compensation, except a reasonable charge for saving and taking care of the property. Any person who takes possession of a live domestic animal shall provide for humane treatment of the animal.

SEC. 10. Section 17005 is added to the Food and Agricultural Code, to read:

17005. (a) It is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Adoptable animals include only those animals eight weeks of age or older that, at or subsequent to the time the animal is impounded or otherwise taken into possession, have manifested no

sign of a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for placement as a pet, and have manifested no sign of disease, injury, or congenital or hereditary condition that adversely affects the health of the animal or that is likely to adversely affect the animal's health in the future.

(b) It is the policy of the state that no treatable animal should be euthanized. A treatable animal shall include any animal that is not adoptable but that could become adoptable with reasonable efforts. This subdivision, by itself, shall not be the basis of liability for damages regarding euthanasia.

SEC. 11. Section 17006 is added to the Food and Agricultural Code, to read:

17006. Animals that are irremediably suffering from a serious illness or severe injury shall not be held for owner redemption or adoption. Newborn animals that need maternal care and have been impounded without their mothers may be euthanized without being held for owner redemption or adoption.

SEC. 12. Section 31108 of the Food and Agricultural Code is amended to read:

31108. (a) The required holding period for a stray dog impounded pursuant to this division shall be six business days, not including the day of impoundment, except as follows:

(1) If the pound or shelter has made the dog available for owner redemption on one weekday evening until at least 7:00 p.m. or one weekend day, the holding period shall be four business days, not including the day of impoundment.

(2) If the pound or shelter has fewer than three full-time employees or is not open during all regular weekday business hours, and if it has established a procedure to enable owners to reclaim their dogs by appointment at a mutually agreeable time when the pound or shelter would otherwise be closed, the holding period shall be four business days, not including the day of impoundment.

Except as provided in Section 17006, stray dogs shall be held for owner redemption during the first three days of the holding period, not including the day of impoundment, and shall be available for owner redemption or adoption for the remainder of the holding period.

(b) Any stray dog that is impounded pursuant to this division shall, prior to the killing of that animal for any reason other than irremediably suffering, be released to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal rescue or adoption organization if requested by the organization prior to the scheduled killing of that animal. In addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals released.

SEC. 13. Section 31752 of the Food and Agricultural Code is amended to read:

31752. (a) The required holding period for a stray cat impounded pursuant to this division shall be six business days, not including the day of impoundment, except as follows:

(1) If the pound or shelter has made the cat available for owner redemption on one weekday evening until at least 7:00 p.m. or one weekend day, the holding period shall be four business days, not including the day of impoundment.

(2) If the pound or shelter has fewer than three full-time employees or is not open during all regular weekday business hours, and if it has established a procedure to enable owners to reclaim their cats by appointment at a mutually agreeable time when the pound or shelter would otherwise be closed, the holding period shall be four business days, not including the day of impoundment.

Except as provided in Sections 17006 and 31752.5, stray cats shall be held for owner redemption during the first three days of the holding period, not including the day of impoundment, and shall be available for owner redemption or adoption for the remainder of the holding period.

(b) Any stray cat that is impounded pursuant to this division shall, prior to the killing of that animal for any

reason other than irremediable suffering, be released to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal rescue or adoption organization if requested by the organization prior to the scheduled killing of that animal. In addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals released.

SEC. 14. Section 31752.5 is added to the Food and Agricultural Code, to read:

31752.5. (a) The Legislature finds and declares the following:

(1) Domestic cats' temperaments range from completely docile indoor pets to completely unsocialized outdoor cats that avoid all contact with humans.

(2) "Feral cats" are cats with temperaments that are completely unsocialized, although frightened or injured tame pet cats may appear to be feral.

(3) Some people care for or own feral cats.

(4) Feral cats pose particular safety hazards for shelter employees.

(5) It is cruel to keep feral cats caged for long periods of time; however, it is not always easy to distinguish a feral cat from a frightened tame cat.

(b) For the purposes of this section, a "feral cat" is defined as a cat without owner identification of any kind whose usual and consistent temperament is extreme fear and resistance to contact with people. A feral cat is totally unsocialized to people.

(c) Notwithstanding Section 31752, if an apparently feral cat has not been reclaimed by its owner or caretaker within the first three days of the required holding period, shelter personnel qualified to verify the temperament of the animal shall verify whether it is feral or tame by using a standardized protocol. If the cat is determined to be docile or a frightened or difficult tame cat, the cat shall be held for the entire required holding period specified in Section 31752. If the cat is determined to be truly feral, the cat may be euthanized or relinquished to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal adoption organization that agrees to the spaying or neutering of the cat if it has not already been spayed or neutered. In addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for the animal released.

SEC. 15. Section 31753 is added to the Food and Agricultural Code, to read:

31753. Any rabbit, guinea pig, hamster, pot-bellied pig, bird, lizard, snake, turtle, or tortoise legally allowed as personal property impounded in a public or private shelter shall be held for the same period of time, under the same requirements of care, and with the same opportunities for redemption and adoption by new owners or nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal rescue or adoption organizations as cats and dogs. Section 17006 shall also apply to these animals. In addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals released to nonprofit animal rescue or adoption organizations pursuant to this section.

SEC. 16. Section 31754 is added to the Food and Agricultural Code, to read:

31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by pounds or shelters shall be held for two full business days, not including the day of impoundment. The animal shall be available for owner redemption for the first day, not including the day of impoundment, and shall be available for owner redemption or adoption for the second day. After the second required day, the animal may be held longer, killed, or relinquished to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal adoption organization under the same conditions and circumstances provided for stray dogs and cats in Sections 31108 and 31752.

(b) This section shall become operative on July 1, 1999. This section shall become inoperative on July 1,

2001, and, as of January 1, 2002, is repealed, unless a later enacted statute that is enacted before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 16.5. Section 31754 is added to the Food and Agricultural Code, to read:

31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by pounds or shelters shall be held for the same holding periods, with the same requirements of care, applicable to stray dogs and cats in Sections 31108 and 31755, except that the period for owner redemption shall be one day, not including the day of impoundment, and the period for owner redemption or adoption shall be the remainder of the holding period.

(b) This section shall become operative on July 1, 2001.

SEC. 17. Section 32001 of the Food and Agricultural Code is amended to read:

32001. All public pounds, shelters operated by societies for the prevention of cruelty to animals, and humane shelters, that contract to perform public animal control services, shall provide the owners of lost animals and those who find lost animals with all of the following:

(a) Ability to list the animals they have lost or found on "Lost and Found" lists maintained by the pound or shelter.

(b) Referrals to animals listed that may be the animals the owners or finders have lost or found.

(c) The telephone numbers and addresses of other pounds and shelters in the same vicinity.

(d) Advice as to means of publishing and disseminating information regarding lost animals.

(e) The telephone numbers and addresses of volunteer groups that may be of assistance in locating lost animals.

The duties imposed by this section are mandatory duties for public entities for all purposes of the Government Code and for all private entities with which a public entity has contracted to perform those duties.

SEC. 18. Section 32003 is added to the Food and Agricultural Code, to read:

32003. All public pounds and private shelters shall keep accurate records on each animal taken up, medically treated, or impounded. The records shall include all of the following information and any other information required by the California Veterinary Medical Board:

(a) The date the animal was taken up, medically treated, euthanized, or impounded.

(b) The circumstances under which the animal was taken up, medically treated, euthanized, or impounded.

(c) The names of the personnel who took up, medically treated, euthanized, or impounded the animal.

(d) A description of any medical treatment provided to the animal and the name of the veterinarian of record.

(e) The final disposition of the animal, including the name of the person who euthanized the animal or the name and address of the adopting party. These records shall be maintained for three years after the date the animal's impoundment ends.

SEC. 19. Section 597.1 of the Penal Code is amended to read:

597.1. (a) Every owner, driver, or keeper of any animal who permits the animal to be in any building,

enclosure, lane, street, square, or lot of any city, county, city and county, or judicial district without proper care and attention is guilty of a misdemeanor. Any peace officer, humane society officer, or animal control officer shall take possession of the stray or abandoned animal and shall provide care and treatment for the animal until the animal is deemed to be in suitable condition to be returned to the owner. When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall immediately seize the animal and comply with subdivision (f). In all other cases, the officer shall comply with the provisions of subdivision (g). The cost of caring for and treating any animal properly seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid, if the seizure is upheld pursuant to this section.

(b) Every sick, disabled, infirm, or crippled animal, except a dog or cat, that is abandoned in any city, county, city and county, or judicial district may be killed by the officer if, after a reasonable search, no owner of the animal can be found. It shall be the duty of all peace officers, humane society officers, and animal control officers to cause the animal to be killed or rehabilitated and placed in a suitable home on information that the animal is stray or abandoned. The officer may likewise take charge of any animal, including a dog or cat, that by reason of lameness, sickness, feebleness, or neglect, is unfit for the labor it is performing, or that in any other manner is being cruelly treated, and provide care and treatment for the animal until it is deemed to be in a suitable condition to be returned to the owner. When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of an animal or the health or safety of others, the officer shall immediately seize the animal and comply with subdivision (f). In all other cases, the officer shall comply with subdivision (g). The cost of caring for and treating any animal properly seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid.

(c) Any peace officer, humane society officer, or animal control officer shall convey all injured cats and dogs found without their owners in a public place directly to a veterinarian known by the officer to be a veterinarian who ordinarily treats dogs and cats for a determination of whether the animal shall be immediately and humanely destroyed or shall be hospitalized under proper care and given emergency treatment.

If the owner does not redeem the animal within the locally prescribed waiting period, the veterinarian may personally perform euthanasia on the animal. If the animal is treated and recovers from its injuries, the veterinarian may keep the animal for purposes of adoption, provided the responsible animal control agency has first been contacted and has refused to take possession of the animal.

Whenever any animal is transferred to a veterinarian in a clinic, such as an emergency clinic that is not in continuous operation, the veterinarian may, in turn, transfer the animal to an appropriate facility.

If the veterinarian determines that the animal shall be hospitalized under proper care and given emergency treatment, the costs of any services that are provided pending the owner's inquiry to the responsible agency, department, or society shall be paid from the dog license fees, fines, and fees for impounding dogs in the city, county, or city and county in which the animal was licensed or, if the animal is unlicensed, shall be paid by the jurisdiction in which the animal was found, subject to the provision that this cost be repaid by the animal's owner. The cost of caring for and treating any animal seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to the owner until the charges are paid. No veterinarian shall be criminally or civilly liable for any decision that he or she makes or for services that he or she provides pursuant to this subdivision.

(d) An animal control agency that takes possession of an animal pursuant to subdivision (c) shall keep records of the whereabouts of the animal from the time of possession to the end of the animal's impoundment, and those records shall be available for inspection by the public upon request for three years after the date the animal's impoundment ended.

(e) Notwithstanding any other provision of this section, any peace officer, humane society officer, or any animal control officer may, with the approval of his or her immediate superior, humanely destroy any stray or abandoned animal in the field in any case where the animal is too severely injured to move or where a

veterinarian is not available and it would be more humane to dispose of the animal.

(f) Whenever an officer authorized under this section seizes or impounds an animal based on a reasonable belief that prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall, prior to the commencement of any criminal proceedings authorized by this section, provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation, with the opportunity for a postseizure hearing to determine the validity of the seizure or impoundment, or both.

(1) The agency shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice of the seizure or impoundment, or both, to the owner or keeper within 48 hours, excluding weekends and holidays. The notice shall include all of the following:

(A) The name, business address, and telephone number of the officer providing the notice.

(B) A description of the animal seized, including any identification upon the animal.

(C) The authority and purpose for the seizure, or impoundment, including the time, place, and circumstances under which the animal was seized.

(D) A statement that, in order to receive a postseizure hearing, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning an enclosed declaration of ownership or right to keep the animal to the agency providing the notice within 10 days, including weekends and holidays, of the date of the notice. The declaration may be returned by personal delivery or mail.

(E) A statement that the cost of caring for and treating any animal properly seized under this section is a lien on the animal and that the animal shall not be returned to the owner until the charges are paid, and that failure to request or to attend a scheduled hearing shall result in liability for this cost.

(2) The postseizure hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The seizing agency may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the seizure or impoundment of the animal and is not junior in rank to that person. The agency may utilize the services of a hearing officer from outside the agency for the purposes of complying with this section.

(3) Failure of the owner or keeper, or of his or her agent, to request or to attend a scheduled hearing shall result in a forfeiture of any right to a postseizure hearing or right to challenge his or her liability for costs incurred.

(4) The agency, department, or society employing the person who directed the seizure shall be responsible for the costs incurred for caring and treating the animal, if it is determined in the postseizure hearing that the seizing officer did not have reasonable grounds to believe very prompt action, including seizure of the animal, was required to protect the health or safety of the animal or the health or safety of others. If it is determined the seizure was justified, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal, the charges for the seizure and care of the animal shall be a lien on the animal, and the animal shall not be returned to its owner until the charges are paid and the seizing agency or hearing officer has determined that the animal is physically fit or the owner demonstrates to the seizing agency's or the hearing officer's satisfaction that the owner can and will provide the necessary care.

(g) Where the need for immediate seizure is not present and prior to the commencement of any criminal proceedings authorized by this section, the agency shall provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation, with the opportunity for a hearing prior to any seizure or impoundment of the animal. The owner shall produce the animal at the time of the hearing unless, prior to the hearing, the owner has made arrangements with the agency to view the animal upon request of the agency, or unless the owner can provide verification that the animal was humanely

destroyed. Any person who willfully fails to produce the animal or provide the verification is guilty of an infraction, punishable by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000).

(1) The agency shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice stating the grounds for believing the animal should be seized under subdivision (a) or (b). The notice shall include all of the following:

(A) The name, business address, and telephone number of the officer providing the notice.

(B) A description of the animal to be seized, including any identification upon the animal.

(C) The authority and purpose for the possible seizure or impoundment.

(D) A statement that, in order to receive a hearing prior to any seizure, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning the enclosed declaration of ownership or right to keep the animal to the officer providing the notice within two days, excluding weekends and holidays, of the date of the notice.

(E) A statement that the cost of caring for and treating any animal properly seized under this section is a lien on the animal, that any animal seized shall not be returned to the owner until the charges are paid, and that failure to request or to attend a scheduled hearing shall result in a conclusive determination that the animal may properly be seized and that the owner shall be liable for the charges.

(2) The pre-seizure hearing shall be conducted within 48 hours, excluding weekends and holidays, after receipt of the request. The seizing agency may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who requests the seizure or impoundment of the animal and is not junior in rank to that person. The agency may utilize the services of a hearing officer from outside the agency for the purposes of complying with this section.

(3) Failure of the owner or keeper, or his or her agent, to request or to attend a scheduled hearing shall result in a forfeiture of any right to a pre-seizure hearing or right to challenge his or her liability for costs incurred pursuant to this section.

(4) The hearing officer, after the hearing, may affirm or deny the owner's or keeper's right to custody of the animal and, if reasonable grounds are established, may order the seizure or impoundment of the animal for care and treatment.

(h) If any animal is properly seized under this section, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal. Furthermore, if the charges for the seizure or impoundment and any other charges permitted under this section are not paid within 14 days of the seizure, or, if the owner, within 14 days of notice of availability of the animal to be returned, fails to pay charges permitted under this section and take possession of the animal, the animal shall be deemed to have been abandoned and may be disposed of by the impounding officer.

(i) If the animal requires veterinary care and the humane society or public agency is not assured, within 14 days of the seizure of the animal, that the owner will provide the necessary care, the animal shall not be returned to its owner and shall be deemed to have been abandoned and may be disposed of by the impounding officer. A veterinarian may humanely destroy an impounded animal without regard to the prescribed holding period when it has been determined that the animal has incurred severe injuries or is incurably crippled. A veterinarian also may immediately humanely destroy an impounded animal afflicted with a serious contagious disease unless the owner or his or her agent immediately authorizes treatment of the animal by a veterinarian at the expense of the owner or agent.

(j) No animal properly seized under this section shall be returned to its owner until, in the determination of the seizing agency or hearing officer, the animal is physically fit or the owner can demonstrate to the seizing agency's or hearing officer's satisfaction that the owner can and will provide the necessary care.

(k) Upon the conviction of a person charged with a violation of this section, or Section 597 or 597a, all animals lawfully seized and impounded with respect to the violation shall be adjudged by the court to be forfeited and shall thereupon be transferred to the impounding officer or appropriate public entity for proper adoption or other disposition. A person convicted of a violation of this section shall be personally liable to the seizing agency for all costs of impoundment from the time of seizure to the time of proper disposition. Upon conviction, the court shall order the convicted person to make payment to the appropriate public entity for the costs incurred in the housing, care, feeding, and treatment of the seized or impounded animals. Each person convicted in connection with a particular animal may be held jointly and severally liable for restitution for that particular animal. The payment shall be in addition to any other fine or sentence ordered by the court.

The court may also order, as a condition of probation, that the convicted person be prohibited from owning, possessing, caring for, or having any contact with, animals of any kind and require the convicted person to immediately deliver all animals in his or her possession to a designated public entity for adoption or other lawful disposition or provide proof to the court that the person no longer has possession, care, or control of any animals. In the event of the acquittal or final discharge without conviction of the arrested person, the court shall, on demand, direct the release of seized or impounded animals upon a showing of proof of ownership. Any questions regarding ownership shall be determined in a separate hearing by the court where the criminal case was finally adjudicated and the court shall hear testimony from any persons who may assist the court in determining ownership of the animal. If the owner is determined to be unknown or the owner is prohibited or unable to retain possession of the animals for any reason, the court shall order the animals to be released to the appropriate public entity for adoption or other lawful disposition. This section is not intended to cause the release of any animal, bird, reptile, amphibian, or fish, seized or impounded pursuant to any other statute, ordinance, or municipal regulation. This section shall not prohibit the seizure or impoundment of animals as evidence as provided for under any other provision of law.

(l) It shall be the duty of all peace officers, humane society officers, and animal control officers to use all currently acceptable methods of identification, both electronic and otherwise, to determine the lawful *owner or caretaker of any seized or impounded animal*. It shall also be their duty to make reasonable efforts to notify the owner or caretaker of the whereabouts of the animal and any procedures available for the lawful recovery of the animal and, upon the owner's and caretaker's initiation of recovery procedures, retain custody of the animal for a reasonable period of time to allow for completion of the recovery process. Efforts to locate or contact the owner or caretaker and communications with persons claiming to be the owner or caretaker shall be recorded and maintained and be made available for public inspection.

SEC. 20. Section 599d is added to the Penal Code, to read:

599d. (a) It is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Adoptable animals include only those animals eight weeks of age or older that, at or subsequent to the time the animal is impounded or otherwise taken into possession, have manifested no sign of a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for placement as a pet, and have manifested no sign of disease, injury, or congenital or hereditary condition that adversely affects the health of the animal or that is likely to adversely affect the animal's health in the future.

(b) It is the policy of the state that no treatable animal should be euthanized. A treatable animal shall include any animal that is not adoptable but that could become adoptable with reasonable efforts. This subdivision, by itself, shall not be the basis of liability for damages regarding euthanasia.

SEC. 21. Sections 12 and 13 of this act shall become operative on July 1, 1999.

SEC. 22. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates

Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

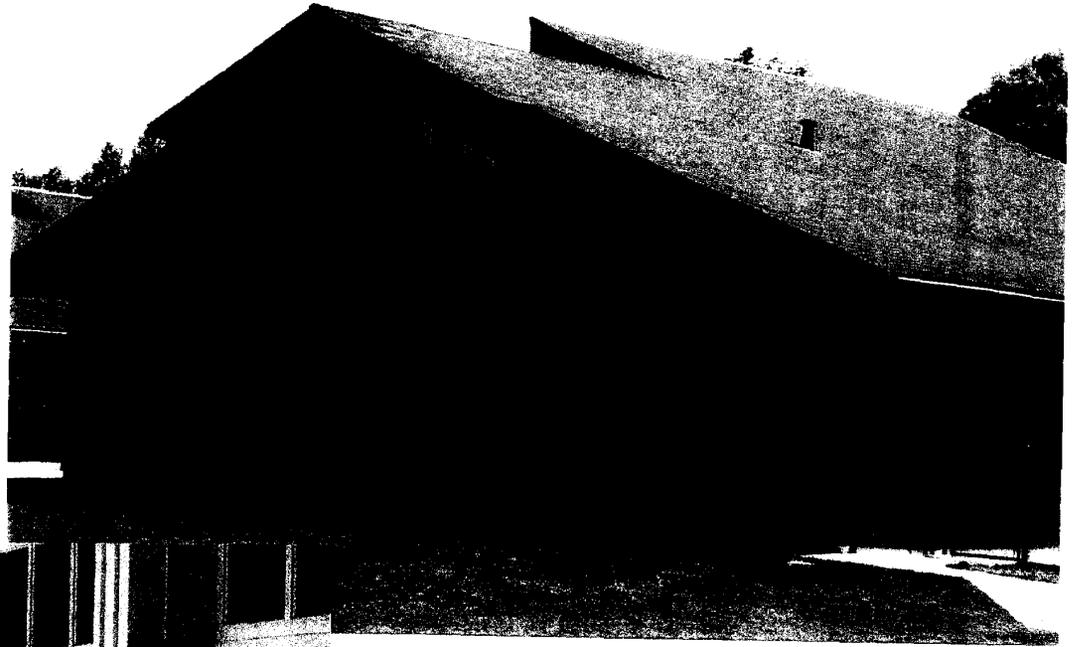
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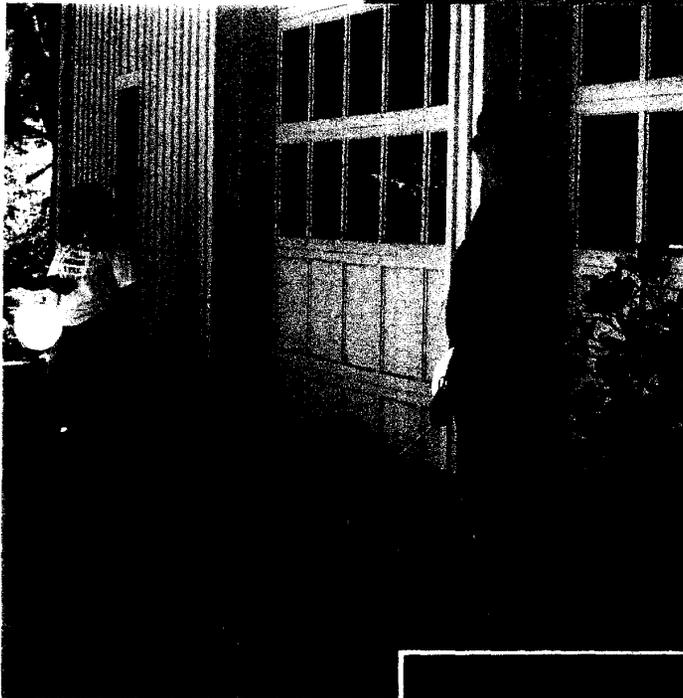
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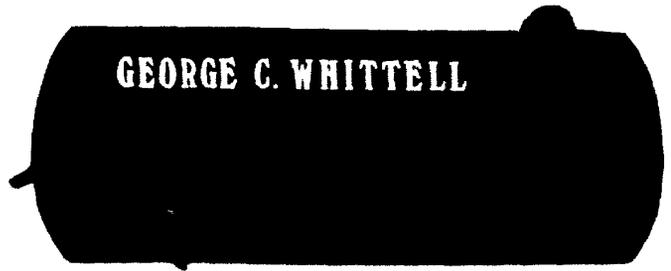
Senate Rules Committee / California State Senate / WebMaster@sen.ca.gov



Classroom Barn



Dog Obedience Class





The
Marin
Humane
Society

A Few Programs at The Marin Humane Society





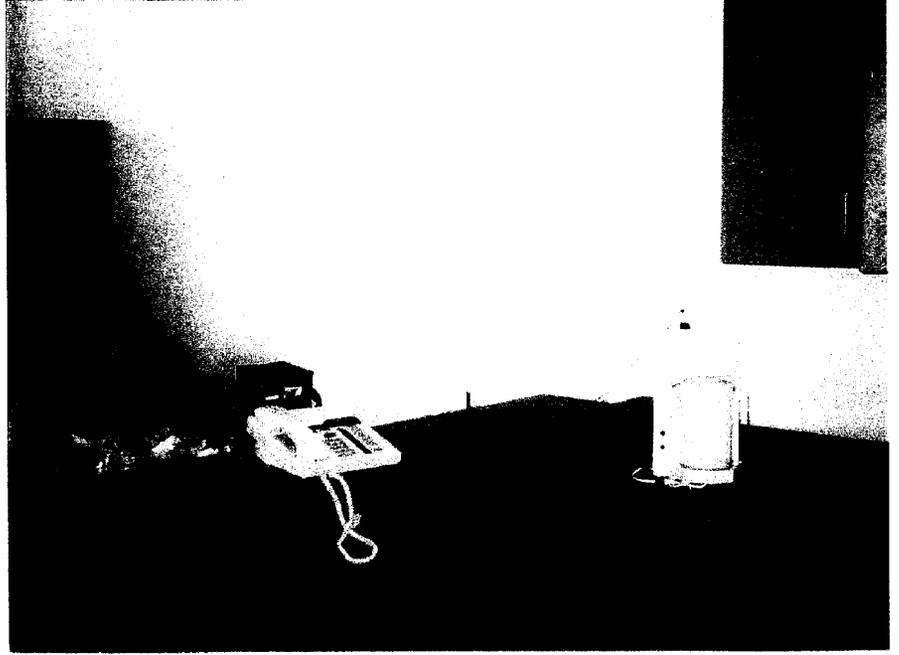
Antioch Police Facility and adjoining Animal Shelter



Front Office and Visitor Reception Area

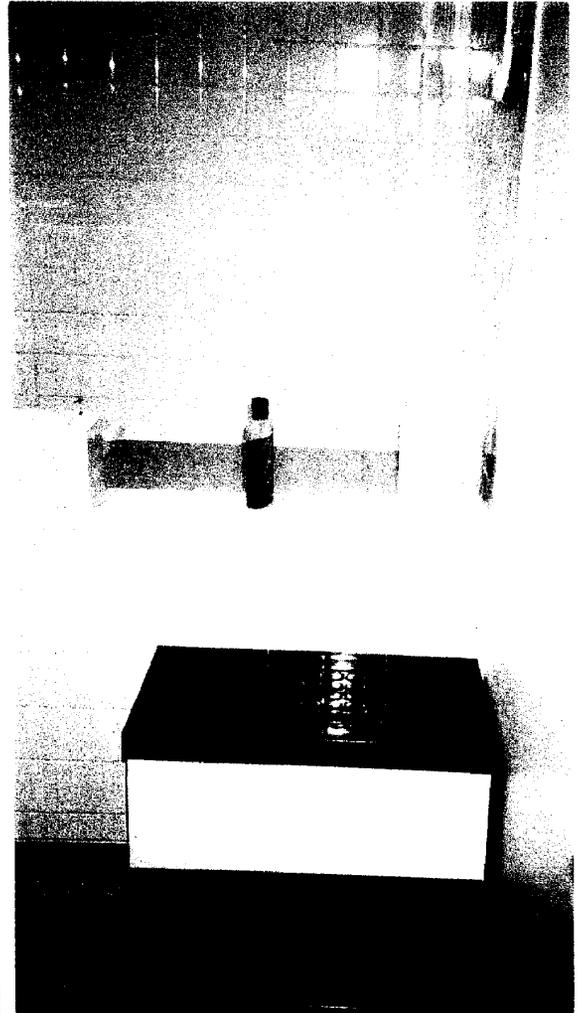


Employee Break Room and Kitchen

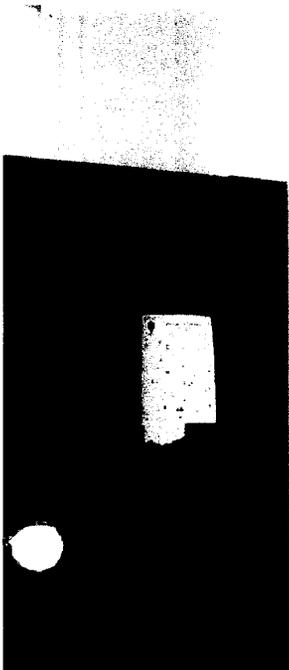


Oakland Animal Control

Pet Grooming/Bathing Area



Employee Lockers and Showers



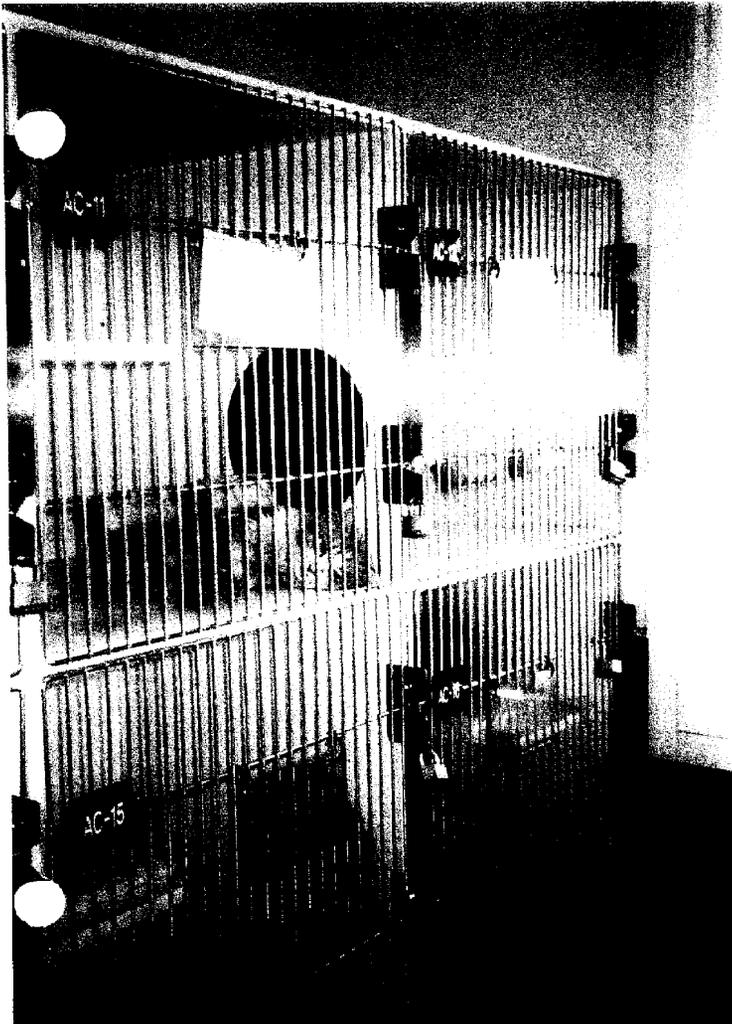
Oakland Animal Control



Get Acquainted Room with courtyard

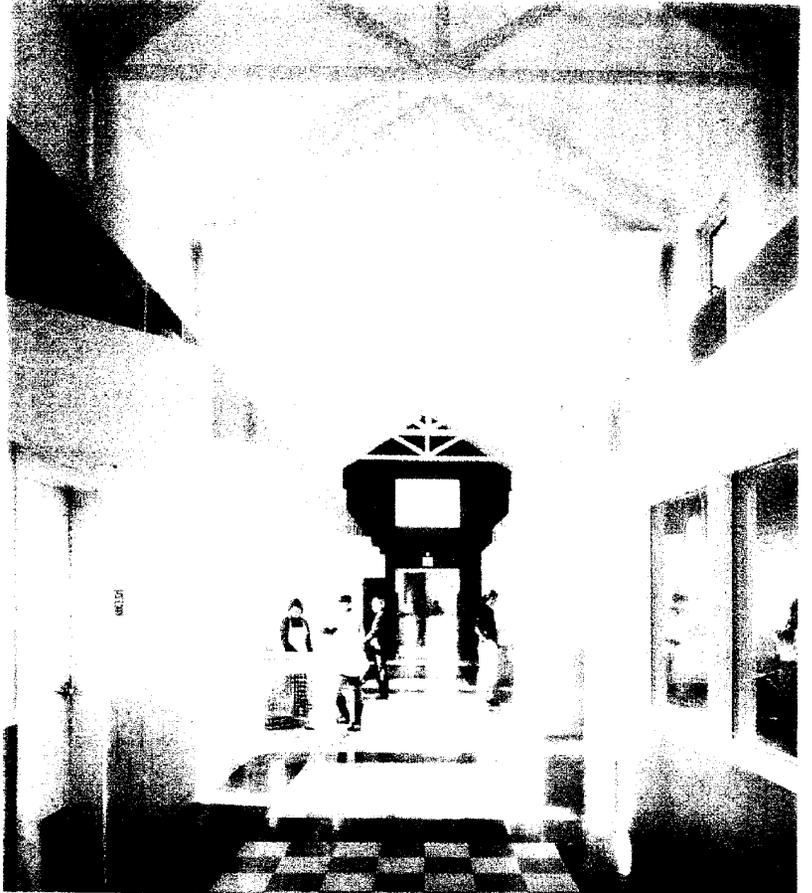


4" block wall



Cat Adoption Room

Oakland Animal Control



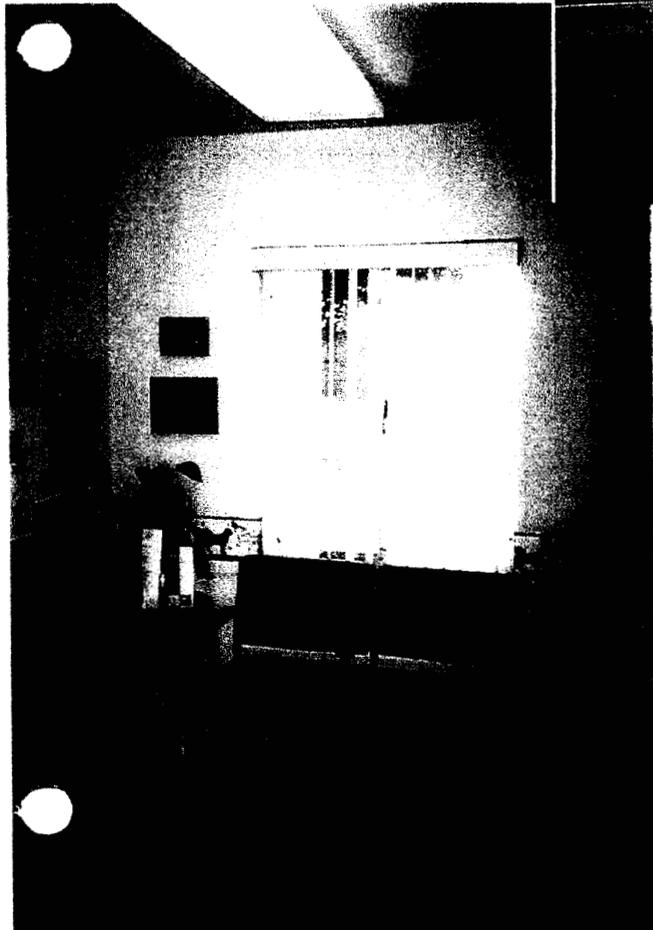
*Oakland Animal Control Facility
Adoption Gallery*

*Oakland Animal Control Facility
Classroom garden*



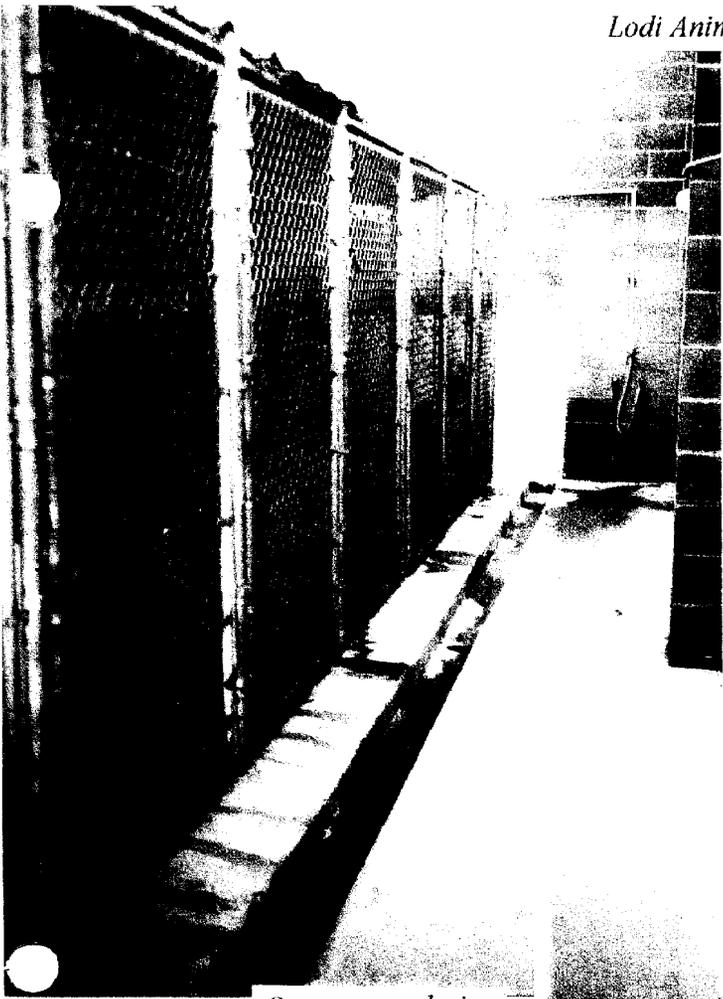
Main Lobby

City of Lodi Animal Shelter



Front Office and Visitor Reception Area

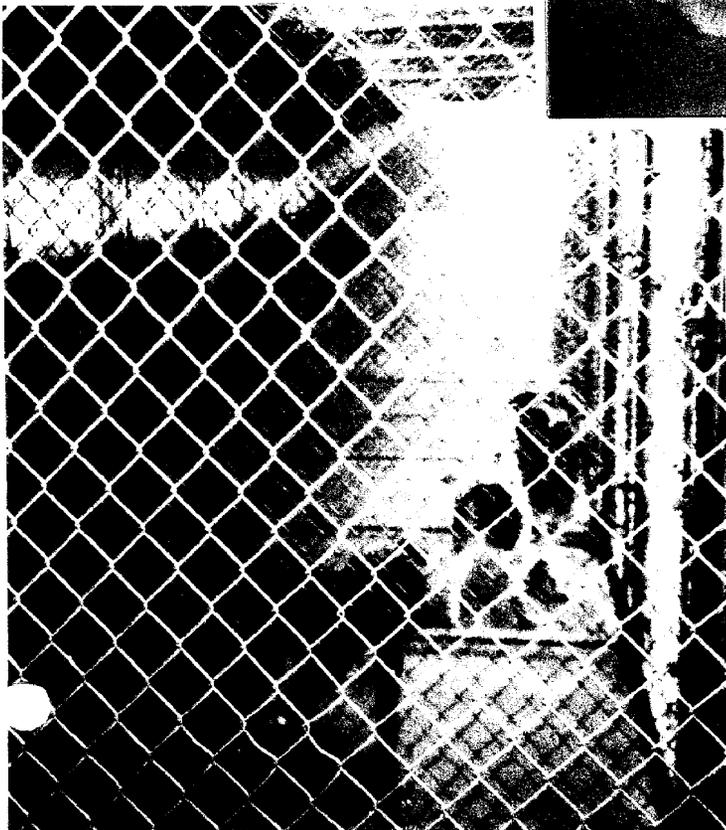




Open sewer-drain



Dog "Isolation" Kennel



Damaged concrete-impossible to sanitize

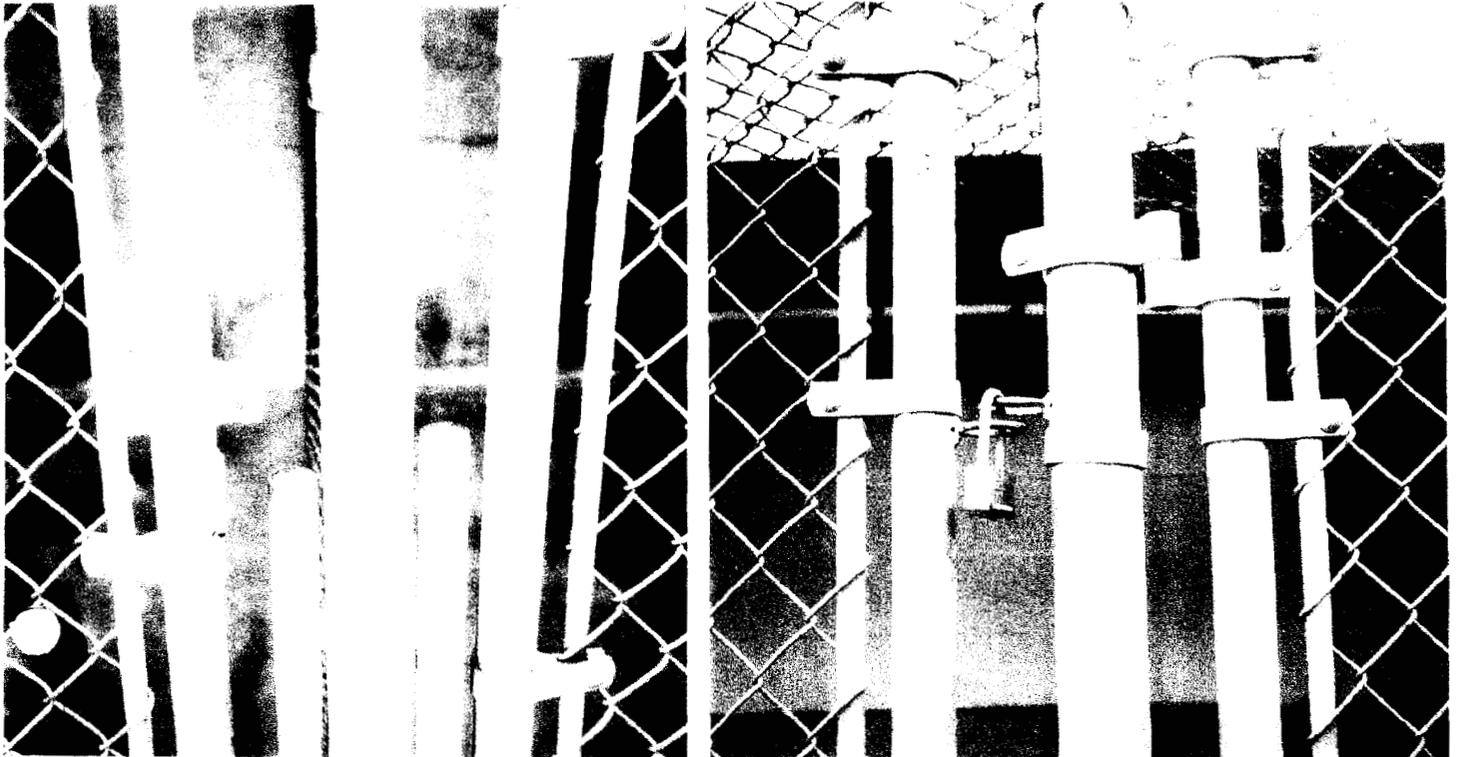


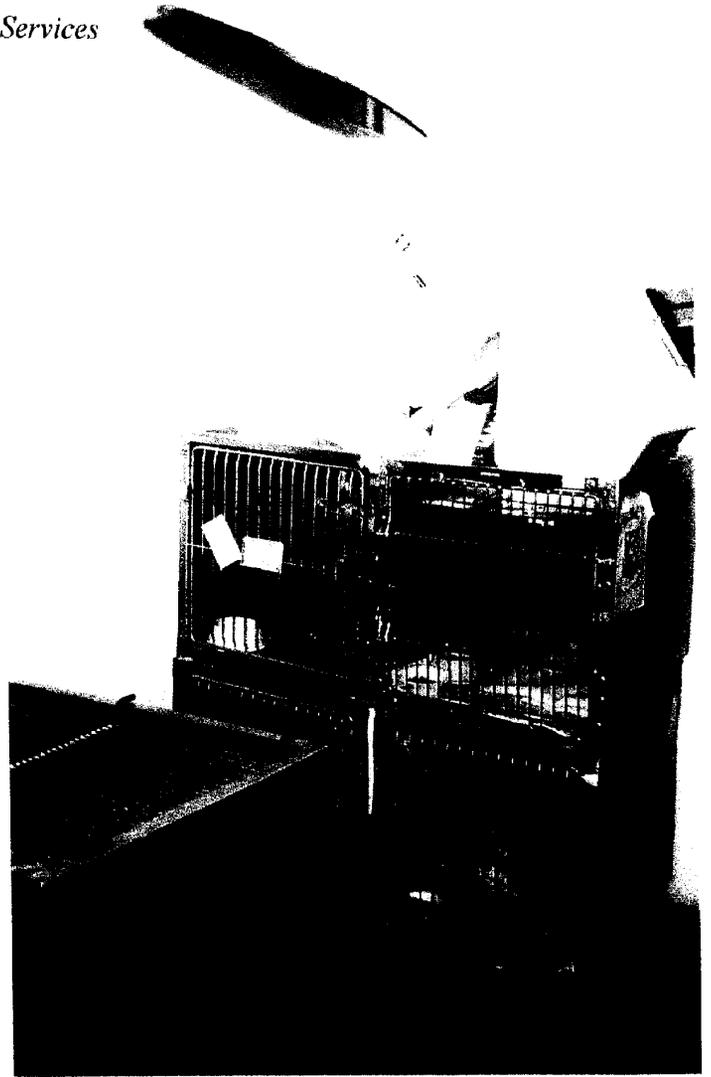
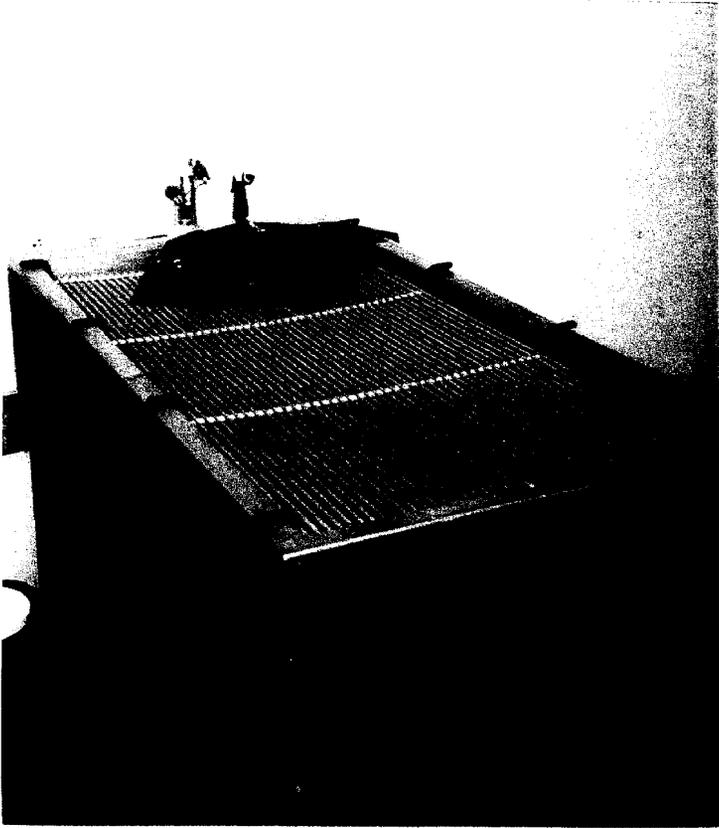


Animal Control Officer's Office

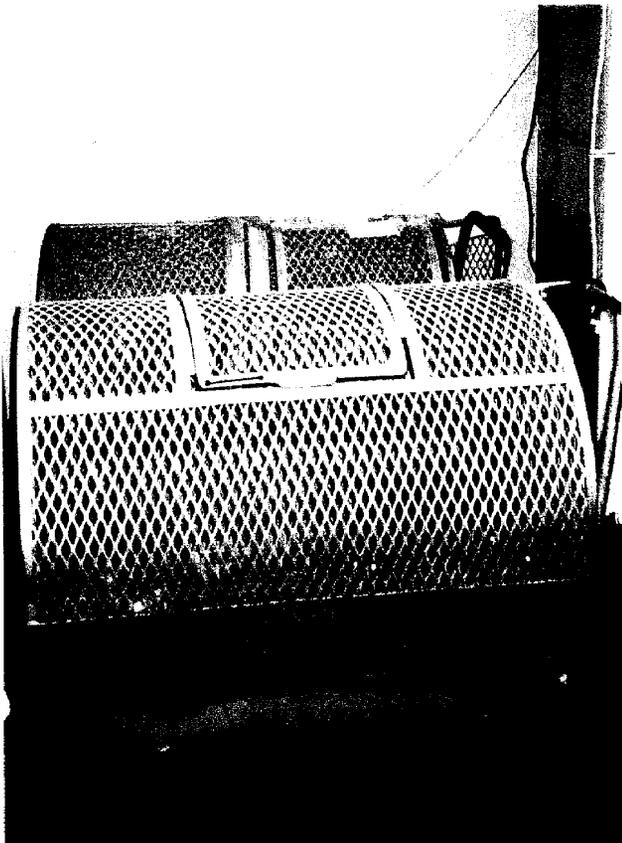


Storage Room





Combination Euthanasia/Feral Cat/Cat Isolation Area



SUMMARY OF LAND AND FACILITY NEEDS

1992

Table 32
Summary of Park and Facility Needs
City of Lodi

| Park Area or Facility | Recommended Standard | Existing Inventory | Demand (1) | | Additional Need | |
|-----------------------------|---------------------------|----------------------|------------------|------------------|------------------|------------------|
| | | | 1992 | Buildout | 1992 | Buildout |
| Neighborhood Parks | 2.5 Ac./1,000 Pop. | 83.2 | 133.0 Ac. | 180.0 Ac. | 49.8 Ac. | 96.8 Ac. |
| Community Parks | 1.8 Ac./1,000 Pop. | 36.0 | 95.7 | 129.6 | 59.7 | 93.6 |
| Regional Parks | 0.8 Ac./1,000 Pop. | 43.0 | 42.5 | 57.6 | (0.5) | 14.6 |
| General Open Space | 2.1 Ac./1,000 Pop. | 58.0 | 111.7 | 151.2 | 53.7 | 93.2 |
| Special Use Areas | 0.8 Ac./1,000 Pop. | 42.3 | 42.5 | 57.6 | 0.2 | 15.1 |
| TOTAL PARK LAND | 8.0 Ac./1,000 Pop. | 262.5 Acres * | 425.4 Ac. | 576.0 Ac. | 162.9 Ac. | 313.3 Ac. |
| Senior Baseball Fields | 1 per 10,000 Pop. | 7 | 7 | 10 | - | 3 |
| Youth Baseball Fields | 1 per 6,000 Pop. | 13 | 12 | 17 | - | 4 |
| Softball Fields | 1 per 9,100 Pop. | 7 | 8 | 11 | 1 | 4 |
| Football Fields | 1 per 18,000 Pop. | 4 | 4 | 8 | - | 2 |
| Soccer Fields | 1 per 3,800 Pop. | 19 | 19 | 27 | 2 | 8 |
| Tennis Courts | 1 per 1,850 Pop. | 29 | 40 | 62 | 11 | 33 |
| Basketball Courts (outdoor) | 1 per 9,000 Pop. | 5 | 6 | 8 | 1 | 3 |
| Indoor Pool Area | 86.0 SF/1,000 Pop. | 2,250 | 4,575 SF | 6,192 SF | 2,325 SF | 3,942 SF |
| Gymnasium Space | 1 per 18,000 Pop. | 2 Gyms | 3 Gyms | 4 Gyms | 1 Gym | 2 Gyms |
| Recreation Trails | 0.24 miles/1,000 Pop. | 2.3 Mi. | 12.8 Mi. | 17.3 Mi. | 10.5 Mi. | 15.0 Mi. |

(1) Assumes a 1992 population of 53,186 and a Buildout population of 72,000. For organized sports assumes a 1992 service area population of 73,000 and a year 2007 population of 102,850

* Excludes 2.7 acres of mini-parks and 68.6 acres of undeveloped park land.

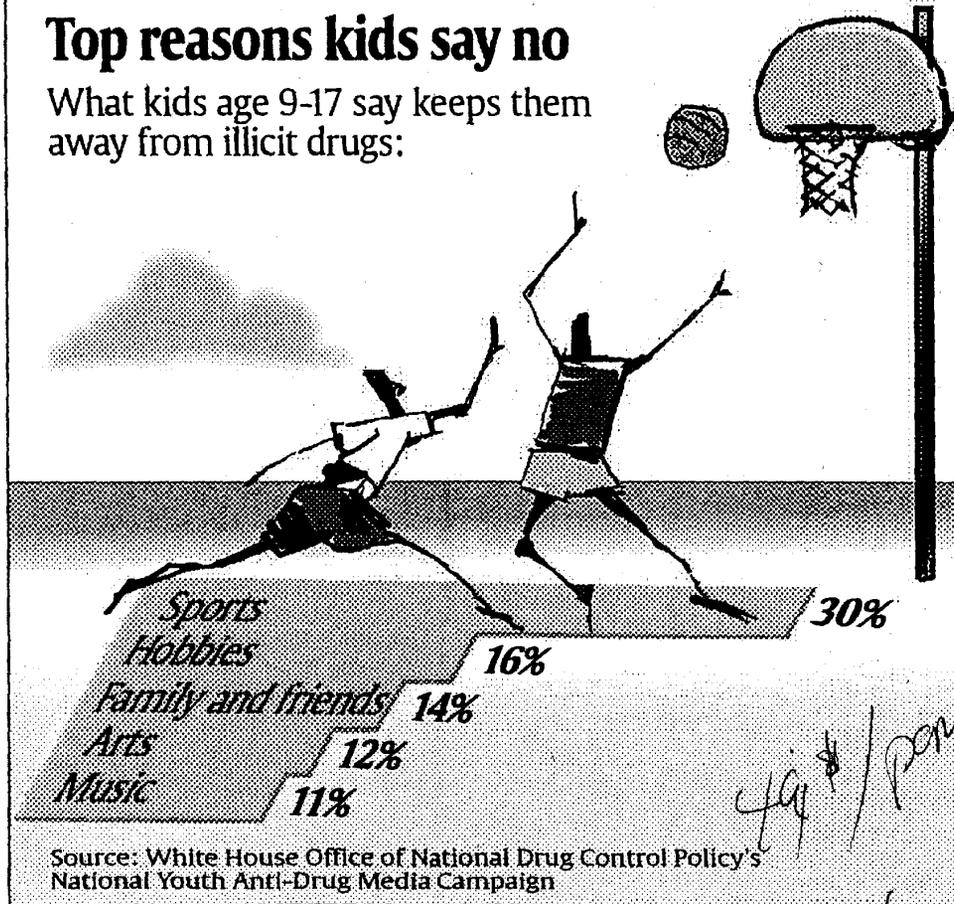


From wire service reports
E-mail Betterlife@usatoday.com

USA TODAY Snapshots®

Top reasons kids say no

What kids age 9-17 say keeps them away from illicit drugs:



By Cindy Hall and Web Bryant, USA TODAY

SACRAMENTO BEE 2/22/01

Davis parks tax headed for ballot

By Pamela Martineau
Bee Staff Writer

In Davis, beautiful parks are more important to residents than reducing crime.

That fact, conveyed to city officials earlier this month in a voter survey, helped convince elected leaders Wednesday night to place the city's second park tax in three years on the June ballot.

On June 5, Davis voters will be asked to approve a measure that would double the parks tax approved in 1998, raising it from \$49 a parcel to \$98. The proposed tax increase is expected to raise about \$1.2 million a year for the upkeep of two new Davis parks.

Davis' population, estimated at 66,299, has increased rapidly over the past few years and by 5.5 percent between 1999 and 2000 alone. Growth figures for 2000 are not yet available.

Area real estate agents say that many of the city's new residents move to Davis because of its reputation as a family-friendly town with good schools and many recreation opportunities.

Those same residents are placing a strain on city services, requiring officials to build new parks while maintaining existing parks.

Karl Mohr, city finance director

See DAVIS, page B8

Davis: Voters rejected \$100 parks tax in 1997

From page B1

tor, said developers who have built in the town in the past few years have been asked to pay for park construction. Davis has roughly \$7 million earmarked for two new parks. The bulk of those funds came from developers, Mohr said.

Upkeep of the parks is beyond the reach of the town's budget, Mohr said. That's why residents are being asked to step in.

"We've got the money in the bank to construct the parks, but we can't maintain them," Mohr said.

In 1997, Davis voters rejected a proposed parks tax of \$100 a year. City officials returned to voters in 1998 with a proposed parks tax of \$49 a year, which was approved by 78 percent of voters. That measure expires in 2002.

The parks tax now being proposed would expire in 10 years.

In November, Davis voters also agreed to tax themselves \$24 a year to preserve open space just outside the city limits. That measure, Measure O, was approved by 70 percent of Davis voters.

Davis leaders proceeded cautiously with this year's tax proposal, hiring a research firm to survey likely voters about the plan.

"We've got the money in the bank to construct the parks, but we can't maintain them."

Karl Mohr, Davis city finance director

City leaders originally had hoped to place a parks and a public safety measure on the ballot. The city needs more public safety dollars to build a fourth fire station to meet increased calls for service. Funds to pay for additional police officers and expenses on a new police station also are needed.

But a survey of likely voters showed that the parks tax is more popular than a public safety tax.

In the survey of 600 people that was conducted in January, 64 percent said they considered maintaining local parks and recreation areas to be very important.

Only 26 percent said they considered improving fire protection to be very important, and 43 percent said they considered reducing crime to be very important.

When asked if they would support a tax to maintain parks, 72 percent said they would, while only 66 percent said they would support a measure to bolster public safety.

Tax increases require a supermajority of 66.6 percent of voters to pass. Mohr said the city will move forward with the parks tax and study whether to return to voters later for a public safety tax.

"We'll wait and see how the park tax goes," he said.

Filed 3-5-01

Jennifer Perrin

From: Mona Adams [MonaAdams@softcom.net]
Sent: Sunday, March 04, 2001 8:23 PM
To: hitchcock@lodi.gov; howard@lodi.gov; land@lodi.gov; nakanishi@lodi.gov; pennino@lodi.gov
Subject: New Animal Shelter for Lodi

To All of the Members of the City Coucil of Lodi:

We have been sent an e-mail regarding the possible building of a new Animal Shelter for Lodi. We are very much in favor of seeing some of the hard earned money that we pay in taxes each year go toward something that we feel so strongly about. As animal lovers and pet owners we think it is our duty to humanely care for all the animals that who through no fault of their own become the responsibility of the city. A new facility might allow more time to find an owner or adopt an animal out instead of desroying it.

As we have become the owners of all of our cats through abandonment, we know there is a need not only for a better and bigger shelter but for better education for anyone who owns an animal. Maybe a better shelter will be a first step toward the good of at least some of the abandoned animals who did not find their way into someone's home and hearts ours did. We only hope you will consider spending some of the tax dollars that we Lodians pay each year for such a worthy project.

Sincerely,

Mona and JD Adams

Jennifer Perrin

From: Cat Connection [catconnection@softcom.net]

Sent: Monday, March 05, 2001 4:46 AM

To: hitchcock@lodi.gov; howard@lodi.gov; land@lodi.gov; nakanishi@lodi.gov; pennino@lodi.gov

Subject: Lodi Needs New Animal Shelter!

"There are no ordinary cats!" Colette

Dear Mayor & Council Members,

We are writing to ask that you wholeheartedly support the funding for a new animal shelter & animal services for the city of Lodi.

Lodi's animal services and shelter lag far, far behind other cities of our size and the shelter especially is woefully inadequate to serve the needs of the citizens of Lodi. It is dark, wet, smelly & usually overcrowded with sick, injured, quarantined and healthy animals kept together- not an enticement to those redeeming animals, nor to those looking to adopt a new friend. The shelter staff and volunteers who are trying so hard to administer quality level services to the public, desperately need decent room & facilities to care for the animals and to accomodate citizens trying to adopt homeless pets.

With Lodi growing by leaps and bounds, our shelter situation can only get worse unless steps are taken now to build & maintain an adequate shelter for the city and to take very pro-active public education steps to promote responsible pet ownership, spaying & neutering as the solution for the pet overpopulation problem and increase adoptions of homeless pets from the city shelter.

It is within your power to give the city of Lodi an animal services department and shelter that we can all be proud of - please, please do what's necessary to accomplish this worthwhile and compassionate goal!

**Best Regards,
Rose Hilliard & Juli McGrew
Cat Connection of Lodi
<http://www.homestead.com/CatConnectionofLodi/homepage.html>**

Jennifer Perrin

From: Lillian Furek [lilfurek@softcom.net]

Sent: Thursday, March 01, 2001 8:07 PM

To: Howard@lodi.gov; Pennino@lodi.gov; Hitchcock@lodi.gov; Land@lodi.gov; Nakanishi@lodi.gov

Subject: Animal Shelter

Dear Council Members,

It is imperative that we have a new and better animal shelter for the beautiful cats and dogs that come there, hoping to find themselves good homes.

It is unfortunate so many have to be put down. After all, overpopulation is not their fault. LET's give them a chance,.

Thanks, LillianFurek

Jennifer Perrin

From: wendy lau [spottyboy@hotmail.com]
Sent: Sunday, March 04, 2001 8:01 AM
To: land@lodi.gov; pennino@lodi.gov; hitchcock@lodi.gov
Subject: Animal Shelter

In advance of the 3/5/01 Town Hall meeting, I want to express my 100% support for a new animal shelter for Lodi. The existing shelter is a disgrace.

Wendy Lau
209 S. Fairmont St.
Lodi, 95240

Get your FREE download of MSN Explorer at <http://explorer.msn.com>

Jennifer Perrin

From: James Jenner [oring4@yahoo.com]
Sent: Monday, March 05, 2001 8:46 AM
To: land@lodi.gov
Subject: Time for an Update!!

Dear Mr. Land -

We are writing to request that you give your support for a new Lodi Animal Shelter. There have been many improvements made at the Shelter in the past couple of years, but the fact is that our city has outgrown the current facility and it is just not big enough to be effective anymore. Please vote yes tonight - everyone will win with a new Shelter - the people, the animals and the City.

Thank you for your consideration.

Sincerely,
James and Lori Jenner

CITY COUNCIL

ALAN S. NAKANISHI, Mayor
PHILLIP A. PENNINO
Mayor Pro Tempore
SUSAN HITCHCOCK
EMILY HOWARD
KEITH LAND

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

February 20, 2001

Blaine DeJong, President
Booster of Boys and Girls Sports (BOBS)
324 N. Cluff Avenue
Lodi, CA 95240

Dear Blaine:

The Lodi City Council will be conducting a Town Hall meeting at 7:00 p.m., on Monday, March 5, 2001 at the Carnegie Forum. The topic for the evening will be Projects for City Budget Fiscal Year 2001-2003.

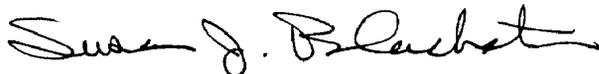
Some of the projects that will be discussed include the Indoor Sports Facility, Aquatics Center, Lodi Lake, DeBenedetti Park and the Animal Shelter.

Mayor Nakanishi has asked that I invite you to make a 3-minute presentation that evening on the BOBS' priorities for the 2001-2003 budget. The Recreation Commission and the Lodi Sports Foundation will also be invited to make a presentation to the City Council.

Please call my office at 333-6702 to confirm your attendance on March 5. I would be more than happy to assist you with copies of any handouts you would like to provide the Council prior to the meeting.

I look forward to hearing from you soon.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JMP

CITY COUNCIL

ALAN S. NAKANISHI, Mayor
PHILLIP A. PENNINO
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City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

February 20, 2001

John Johnson, Chairman
Lodi Sports Foundation
106 S. Orange Avenue
Lodi, CA 95242

Dear John:

The Lodi City Council will be conducting a Town Hall meeting at 7:00 p.m., on Monday, March 5, 2001 at the Carnegie Forum. The topic for the evening will be Projects for City Budget Fiscal Year 2001-2003.

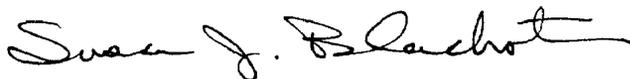
Some of the projects that will be discussed include the Indoor Sports Facility, Aquatics Center, Lodi Lake, DeBenedetti Park and the Animal Shelter.

Mayor Nakanishi has asked that I invite you to make a 3-minute presentation that evening on the Lodi Sports Foundation's priorities for the 2001-2003 budget. The Recreation Commission and the BOBS will also be invited to make a presentation to the City Council.

Please call my office at 333-6702 to confirm your attendance on March 5. I would be more than happy to assist you with copies of any handouts you would like to provide the Council prior to the meeting.

I look forward to hearing from you soon.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JMP

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City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

February 20, 2001

Ken Sasaki, Chairman
Recreation Commission
20033 N. Kennefick
Acampo, CA 95220

Dear Ken:

The Lodi City Council will be conducting a Town Hall meeting at 7:00 p.m., on Monday, March 5, 2001 at the Carnegie Forum. The topic for the evening will be Projects for City Budget Fiscal Year 2001-2003.

Some of the projects that will be discussed include the Indoor Sports Facility, Aquatics Center, Lodi Lake, DeBenedetti Park and the Animal Shelter.

Mayor Nakanishi has asked that I invite you to make a 3-minute presentation that evening on the Recreation Commission's priorities for the 2001-2003 budget. The Lodi Sports Foundation and the BOBS will also be invited to make a presentation to the City Council.

Please call my office at 333-6702 to confirm your attendance on March 5. I would be more than happy to assist you with copies of any handouts you would like to provide the Council prior to the meeting.

I look forward to hearing from you soon.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JMP

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City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

February 20, 2001

Members of the Lodi Swimming Pool Task Force:

The Lodi City Council will be conducting a Town Hall meeting at 7:00 p.m., on Monday, March 5, 2001 at the Carnegie Forum. The topic for the evening will be Projects for City Budget Fiscal Year 2001-2003.

Some of the projects that will be discussed include the Indoor Sports Facility, Aquatics Center, Lodi Lake, DeBenedetti Park and the Animal Shelter.

Mayor Nakanishi has asked that I invite the members of the Lodi Swimming Pool Task Force to attend the Town Hall meeting as the discussion related to the Aquatics Center may be of interest to you.

Should you have questions, please contact me at 333-6702.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JMP

CITY COUNCIL

ALAN S. NAKANISHI, Mayor
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RANDALL A. HAYS
City Attorney

February 20, 2001

Members of the Friends of Lodi Lake:

The Lodi City Council will be conducting a Town Hall meeting at 7:00 p.m., on Monday, March 5, 2001 at the Carnegie Forum. The topic for the evening will be Projects for City Budget Fiscal Year 2001-2003.

Some of the projects that will be discussed include the Indoor Sports Facility, Aquatics Center, Lodi Lake, DeBenedetti Park and the Animal Shelter.

Mayor Nakanishi has asked that I invite the members of the Friends of Lodi Lake to attend the Town Hall meeting as the discussion related to Lodi Lake may be of interest to you.

Should you have questions, please contact me at 333-6702.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JMP