

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, DECEMBER 20, 2011**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, December 20, 2011, commencing at 7:00 a.m.

Present: Council Member Hansen, Council Member Katzakian, Mayor Pro Tempore Nakanishi, and Mayor Mounce

Absent: Council Member Johnson

Also Present: City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

B. Topic(s)

B-1 Discuss Role of the Lodi Animal Advisory Commission (PD)

City Manager Bartlam provided a brief introduction to the subject matter of the role of the Lodi Animal Advisory Commission.

Linda Castelanelli, former Chair of the Commission, provided a brief presentation regarding the recommendations previously brought forward by the Commission and the need for follow-up direction from the City Council.

In response to Mayor Mounce, Police Chief Mark Helms stated the City's contract with People Assisting the Lodi Shelter (PALS) to operate the animal shelter is working well.

In response to Mayor Mounce, Mr. Bartlam stated the role of a liaison for any of the boards, committees, and commissions in the City is to act as a link between the respective group and the City Council by among other things communicating policy.

In response to Mayor Mounce, Lieutenant Steve Carillo provided a brief overview of the power and duties of the Commission as set forth by resolution, stating PALS through its contract is performing many of the stated functions.

In response to Council Member Hansen, Ms. Castelanelli stated the Abandoned Cat Team currently handles trap neuter and return programs.

In response to Council Member Hansen, Lt. Carillo stated the \$50,000 from Community Development Block Grant (CDBG) funds for spay and neuter programs is administered through PALS at the animal shelter according to CDBG requirements.

In response to Council Member Hansen, Lt. Carillo stated adoption and license fees are set by the City. Lt. Carillo stated that, according to the report from the County, the City of Lodi has the highest adoption rate, the lowest euthanasia rate, and the lowest fees with the exception of Tracy.

In response to Council Member Hansen, Mr. Bartlam stated the adoption fees would have been adopted by the City Council via resolution or ordinance.

A brief discussion occurred between Ms. Castelanelli and City Attorney Schwabauer regarding the existence of PALS as an individual non-profit organization and a separate arm of that group

known as Lodi Shelter PALS with whom the City's contract exists.

In response to Council Member Hansen, Lt. Carillo stated PALS exists separately as an organization and pulls animals from the shelter for adoption just like the American Society for the Prevention of Cruelty to Animals and other similar organizations.

In response to Council Member Hansen, Lt. Carillo stated the current staffing at the animal shelter includes three full-time animal control personnel, four part-time kennel assistants, and two additional people from PALS serving as a front office clerk and an office manager.

Discussion ensued between Mayor Mounce, Council Member Hansen, and Ms. Castelanelli regarding catch and release programs, staff flexibility to try successful programs from other jurisdictions, and fees for cat adoptions.

In response to Council Member Hansen, Lt. Carillo stated the existing fees, which have been in place for a long time, are for cost recovery only and are not revenue generating.

Hy Cohen spoke of the Commission's need to receive direction from the City Council after the recommendations in the annual report are brought forward.

Carol Evans spoke in regard to charging the City's adopted fees for pet adoptions at the animal shelter as a PALS volunteer.

Eunice Friederich spoke in regard to keeping the adoption fees low to encourage more pet adoptions.

Myrna Wetzel spoke in regard to chips being required for pet adoptions through PALS but not at the animal shelter.

The City Council provided general direction to the City Manager to bring the matter back as an agenda item at a future City Council meeting for formal action by the City Council on the previously presented recommendations of the Commission.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 8:25 a.m.

ATTEST:

Randi Johl
City Clerk



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Discuss Role of the Lodi Animal Advisory Commission
MEETING DATE: December 20, 2011
PREPARED BY: Chief of Police

RECOMMENDED ACTION: Discuss role of the Lodi Animal Advisory Commission.

BACKGROUND INFORMATION: The Animal Advisory Commission expressed concerns regarding its responsibilities in a letter submitted to the City Council on November 14, 2011 (Exhibit A). The Commission has questions about its role as defined in Resolution 2007-161, performance expectations and direction. This was outlined in its 2010 Annual Report and Mid-Year Amendment.

As requested by Councilmember Johnson, this matter is being brought before City Council for discussion. Staff and Commission representatives will be present at the meeting to answer any questions on the subject matter.

FISCAL IMPACT: Not Applicable

FUNDING AVAILABLE: Not Applicable

A handwritten signature in black ink, appearing to read "Mark Helms", written over a horizontal line.

Mark Helms
Chief of Police

MH:pt

Attachments: LAAC Letter

Cc: City Attorney
Linda Castelanelli

APPROVED:

A handwritten signature in black ink, appearing to read "Konradt Bartlam", written over a horizontal line.

Konradt Bartlam, City Manager

November 14, 2011

Lodi City Council
221 W. Pine Street
Lodi, CA 95240

RE: Lodi Animal Advisory Commission

This communication resulted from a meeting on October 21, 2011 between Mayor Johnson and Lodi Animal Advisory Commission (LAAC) representatives Linda Castelanelli and John Primasing. The meeting took place in order to raise concerns the LAAC has encountered over the past months and it was suggested that a letter be forwarded to the City Council outlining the matter.

The LAAC's most recent Annual Report was presented to Council at its August 9, 2011 Shirtsleeve Session. The report included the status of previous goals, an outline of accomplishments made during the reporting period, and 12 recommendations. Of significance, in order for the LAAC to move forward, was the first recommendation which is listed below:

Resolution 2007-161 established guidelines for the Lodi Animal Advisory Commission, including the following powers and duties:

- 1. Act in advisory capacity to the City Council in all matters pertaining to animals and to cooperate and coordinate with other governmental agencies and civic groups in the advancement of sound animal planning and programming;*
- 2. Explore both the short-term and long-term needs of the Lodi Animal Shelter and investigate and make recommendations on possible funding sources to meet identified needs;*
- 3. Make periodic inventories of animal services that exist and/or may be needed and present the same to the City Council;*
- 4. Aid in coordinating and promoting pet population control measures through education and development of spay/neuter programs and explore funding opportunities for programs and education regarding the same; and*
- 5. Serve as an information and referral source on animals in the community.*

It is recommended that the City Council revisit Resolution 2007-161 considering and integrating changes that have occurred since contracting with Lodi Shelter PALS. Duties described under items 4 and 5 are now provided all or in part by Lodi Shelter PALS or Animal Shelter staff. Additionally, it is suggested that the word "inventories" in item 3 be amended to "observations of conditions".

No feedback was provided by the City Council at the Shirtsleeve Session, which leaves the Commission without direction. It appears futile to pursue future projects until the Commission is informed of the Council's position on the various recommendations presented in the LAAC's last report. Therefore, we formally request clarification from the City Council on the LAAC's responsibilities, performance expectations, and direction on each of the recommendations outlined in the 2010 Annual Report and Mid-Year Amendment as submitted on August 9, 2011.

Respectfully,
Members of the Lodi Animal Advisory Commission

RESOLUTION NO. 2007-161

A RESOLUTION OF THE LODI CITY COUNCIL CREATING
AND ESTABLISHING THE GUIDELINES FOR THE
LODI ANIMAL ADVISORY COMMISSION

WHEREAS, the City of Lodi has a long-standing history of recognizing the need associated with the pet population in the community; and

WHEREAS, the City Council established the Animal Shelter Task Force on September 20, 2000, to review the needs of the Animal Shelter and provide short and long-term recommendations regarding the same; and

WHEREAS, the City Council recently acknowledged the need to create a permanent Commission to review, among other things, responsible pet ownership including benefits of spaying and neutering, proper care and shelter, and general awareness of issues concerning the humane treatment of animals; and

WHEREAS, the following design for the establishment of the Lodi Animal Advisory Commission is hereby submitted.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby creates the Lodi Animal Advisory Commission and hereby establishes the guidelines as follows:

Recitals

ORGANIZATION:

The Lodi Animal Advisory Commission (hereinafter "Commission") shall organize and adopt administrative rules and procedures consistent with the powers and duties provided to accomplish its purposes. The Chairperson shall appoint such officers or committees as shall be deemed necessary by the Commission.

POWERS AND DUTIES:

1. Act in advisory capacity to the City Council in all matters pertaining to animals and to cooperate and coordinate with other governmental agencies and civic groups in the advancement of sound animal planning and programming;
2. Explore both the short-term and long-term needs of the Lodi Animal Shelter and investigate and make recommendations on possible funding sources to meet identified needs;
3. Make periodic inventories of animal services that exist and/or may be needed and present the same to the City Council;
4. Aid in coordinating and promoting pet population control measures through education and development of spay/neuter programs and explore funding opportunities for programs and education regarding the same;
5. Serve as an information and referral source on animals in the community.

MEMBERSHIP:

The Commission shall consist of seven (7) members appointed by the Mayor from a list of nominees with the approval of the City Council.

Each member of the Commission shall hold office for a term of three (3) years, except that:

1. The terms of the members first taking office shall expire as follows, as designated by the Mayor at the time of appointment: two (2) at the end of the first year, two (2) at the end of the second year, and three (3) at the end of the third year; and
2. As terms expire after the first and second year, succeeding appointees shall serve for three (3) years; and
3. Any member appointed to fill the vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and
4. No member shall serve more than two (2) consecutive years per term. This provision shall only apply to persons appointed to fill vacancies within the membership.

Members of the Commission may consist of individuals representing other non-profit organizations, the veterinarian profession, the business community, and the general citizenry, among others.

No two voting members of the Commission shall be representatives, employees, and/or officers of the same group, association, corporation, and/or organization.

In addition to the Mayor, the City Manager, and the City Attorney, such other persons may be designated by the Mayor as ex officio members without vote from any department, office, commission, board, employee, or instrumentality of the City of Lodi to aid, assist, and advise the Commission.

VACANCIES:

If a member of the Commission is absent from three (3) consecutive regular meetings of the Commission without leave of absence from the Commission expressed in its official minutes, such office shall become vacant and shall be so declared by the Mayor. The Commission shall notify the City Clerk's office of such vacancy as soon thereafter its occurrence as practicable.

ANNUAL REPORT:

The Commission shall prepare and submit an annual report to the City Council no later than sixty (60) days after the end of each calendar year.

COMPENSATION:

Members of the Commission, the Chairman, and persons appointed to assist the Commission in making its studies shall serve at no salary, but shall be reimbursed for travel and subsistence expenses incurred in the performance of their official duties while away from the City of Lodi in accordance with the travel allowance policies adopted by the City of Lodi but only to the extent that appropriations for such travel allowance have been approved by the City Council.

STAFF ASSISTANCE:

The Commission is authorized to secure through the City Manager from any department, officer, consultant, commission, board, employee, or other instrumentality of the City of Lodi suggestions, estimates, and statistics for the purposes of carrying out the provisions of this part and each such department, officer, consultant, commission, board, employee, or other instrumentality of the City of Lodi through the City Manager is authorized and directed to furnish such information, suggestions, estimates, and statistics to the Commission upon request made by the Chairman of the Commission or upon the request of any member or subcommittee of the Commission whatsoever.

MEETINGS: LOCATIONS:

The Commission shall hold a monthly meeting on the 2nd Monday of each month at 6:00 p.m., in the Community Room of the Police Department, located at 215 West Elm Street, Lodi, California 95240. Such meeting shall be open to the public and comply with all applicable provisions of the Ralph M. Brown Act.

AUTHORITY NON-EXCLUSIVE:

Nothing herein in this Part shall be deemed to deprive the City Council or any board, commission, or officer of the City of any power, duty, or function, which such Council, board, commission, or officer may now have or be hereafter granted, it being the intention that the powers and functions hereinabove provided to be exercised by the Commission be non-exclusive. Also, nothing herein contained shall be deemed to require the City Council, or any board, commission, or officer, to refer or submit to the Commission, or to receive from such any report or recommendation respecting any matter hereinabove mentioned in the Part before taking any action or making any decision with respect to such matter, it being the intention of this Part to authorize the performance of certain functions by said Commission and not to deprive the Council or any board, commission, or officer of any power, duty, or privilege, which it now may have or may hereafter be granted.

Dated: August 1, 2007

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I hereby certify that Resolution No. 2007-161 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 1, 2007, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Katzakian, Mounce,
and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk

Dec 14 2011

Lodi City Council

Lodi Animal Advisory Commission

Dear City Council Members,

This letter is to share my thoughts with you regarding my participation in the Lodi Animal Advisory Commission Jan 2007 through Dec 2010.

Let me first say that working in the Veterinary Industry for 21 years now, I was very excited to learn that we had a commission dedicated to helping the Lodi Animal Shelter. I was even more excited when I was chosen to serve, thinking this would be a great way for me to give back to the industry that has treated me so well over the years.

I am sorry to say it turned out to be a very disappointing experience. The first year, we had a Liaison that treated us like we were a major inconvenience and intrusion. That feeling was even shared with us vocally at one of our meetings. We were not allowed to visit the shelter at any time thus not enabling us to come to any educated recommendations for our first year of duty causing a lot of discord amongst us as members of the commission. I chalked this up to nothing more than first year paranoia on the behalf of the Shelter Staff and looked forward to the next year.

The second year gave us a different Liaison, with pretty much the same results. We were allowed to visit the shelter on an appointment basis only, but at least we were allowed to survey the situation visually. Filthy cages and less than appropriate living conditions and all. Recommendations made by the commission were still not taken seriously as "Lack of funds" was the overall excuse we were given for any and all situations. I've never known cleanliness to be such an expensive obstacle, but apparently, my expectations were too high and I at times was told that I was unreasonable in my requests.

Still hoping the third year would get better as we were all settled in and at least communicating on more pleasant ground, a new Liaison again, was appointed but the overall story did not change. Kennels remained filthy and Dogs were being fed and watered once a day. It was at

this point I realized that the City had put a commission in place to appease a group of people who thought the animals should have a voice.

I will say that about half way through my third year, P.A.L.S had been put in charge of the Shelter by the City and miraculously improvements started to happen. I felt used and actually quite embarrassed for allowing myself to be silently laughed at by the people of P.A.L.S who attended every meeting, while whispering to each other knowing that they would one day be in control and all the things we were asking for would be taken care of and they would look like hero's.

Thank you for listening,

Gina Mendes