

Washoe County Regional Animal Services Advisory Board

DRAFT OF MINUTES-VIRTUAL ZOOM MEETING

Friday, October 22, 2021 @ 9:30 a.m.
WASHOE COUNTY REGIONAL ANIMAL SERVICES
CENTER CLASSROOM
2825 LONGLEY LANE, #A, RENO, NV

MEMBERS

Naomi Duerr (Chair)
Paul Anderson
Jill Dobbs
Irene Payne, Vice Chair
Trudy Brussard
Julie McMahan
Kitty Jung (absent)

STAFF

Shyanne Schull (Director)

LEGAL COUNSEL

Jen Gustafson (ADA)

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1. CALL TO ORDER/ROLL CALL [Non-Action Item]

The meeting was opened and a quorum was established.

PRESENT: Naomi Duerr, Paul Anderson, Jill Dobbs, Irene Payne, Trudy Brussard,
Julie McMahan

ABSENT: Kitty Jung

2. PUBLIC COMMENT [Non-Action Item]

No public comment.

3. APPROVAL OF JULY 23, 2021 MINUTES [For possible action]

VICE CHAIR PAYNE: Motion to approve Minutes of July 23, 2021.

MEMBER DOBBS: Seconded the motion. Motion carries unanimously.

4. OPEN MEETING LAW AND ETHICS TRAINING AND WASHOE COUNTY REGIONAL ANIMAL SERVICES' (WCRAS) ORIENTATION
[Non-action item]

CHAIR DUERR: Felt it was a good idea for everyone to have a refresher on this item.

DDA GUSTAFSON: Her office provides regular trainings on the Open Meeting Law. Likes to complete trainings on the topic from time to time.

A. OPEN MEETING LAW

The major focus is really about sticking to the agenda. Feels it's very important to remember to only discuss, and vote, on only items which are actually properly agendized.

The legislative intent of the Open Meeting Law. Public bodies do exist to conduct the people's business. Board deliberation/action should be taken openly in the public eye.

When does Open Meeting Law apply? In general, it applies to all meetings of a public body of which deliberation takes place and/or action may occur. Discussions of the Open Meeting Law: public body, meeting, notice, agenda and minutes. Last legislative session, there were amendments to the Open Meeting Law in AB 253. The Bill didn't have any major revisions, however, remote technology meetings because of COVID, the legislature instituted some parameters.

Public Body. WCRAS Advisory Board is considered a public body which is subject to Open Meeting Law and since it is supported in whole or part by tax revenue, so the Board is a public body subject to the Open Meeting Law.

There are statutory exemptions to Open Meeting Law. The Nevada Legislature, the Parole Board, and most private non-profit corporations are not subject to Open Meeting Law.

Definition of Meeting. Meeting is essentially a gathering of a quorum of the public body to deliberate or take action on a subject matter under the Board's authority. You have to have a quorum in order to constitute a meeting.

What is a quorum? A simple majority of the public body's membership. So WCRAS Advisory Board has seven members, and four need to be present to conduct a meeting, and that's the quorum for the Board.

There are three methods of conducting meetings: In person, via remote technology, and hybrid, as long as the meeting is properly noticed and complies with Open Meeting Law. The exception is if the public body is comprised of all elected officials, you need to have a physical meeting space. Qualification if you use remote technology only, then the public has to be able to hear and observe the meeting, has to be able to provide live public comment during the meeting, and have the option to attend via telephone. New agendas have been updated to reflect 2021 legislative amendments.

Email can't be used to get around the parameters of the Open Meeting Law. So if you have a quorum over email, make sure not to discuss Board business.

Walking quorum. If a public body's members engage in a series of gatherings, if you don't have a quorum for any individual gathering, but collectively, the members of the public body that attend one or more gatherings collectively constitute a quorum, and the series of gatherings was held with the intent to avoid Open Meeting Law, it is a violation. It is also more applicable to in-person meetings; watching conduct on breaks.

Attorney/Client Communication. It is an exception to Open Meeting Law. A quorum of Board Members can gather to receive information from the public body's attorney about potential litigation. Board Members can also gather to receive training from the attorney about their legal obligations. Email communication with Board's attorneys is generally not a meeting. Don't discuss Board business during a quorum, not during a public meeting.

Social Functions. Attendance at parties with other Board Members is okay, but don't discuss Board business.

Notice of the Meeting. Notices and the agenda of the meeting need to be posted. Personal locations and/or remote technology information has to be provided. There is a list of location where the notice is posted, contact information for a person who can provide any supporting materials, the means of providing public comment, and the actual agenda. It has to be posted at a principal office of public body and websites. There is an additional requirement for remote technology meetings only wherein it is a requirement to have a website.

Individuals can also request to receive all meetings of a particular public body and the County staff will maintain a subscription list of all Boards. The notice has to be posted at least three working days prior to the meeting by 9:00 a.m.

Agenda. Discusses parameters of what agendas have to consist of. Most important is a clear and complete statement of topics to be considered. If it's an action item, the words "For possible action" have to be included next to the action item. Non-action items are to provide information to the Board. Action items is where the Board deliberates on a subject for which the Board has jurisdiction and take action at a future meeting.

Public Comment Periods. The public can discuss items on or off the agenda. The Chair can guide public comment. If someone is disruptive, the Chair can put a stop to it. But the viewpoints don't want to be restricted from someone who is speaking. The Board can't deliberate or take action in response to public comment unless the item is on the agenda. There has to be notice that the agenda items can be combined, removed or taken out of order.

Materials Available to the Public. The agenda, supporting materials have to be posted on the public body's website, and when they are made available to the public body, they also have to be made available to the public. Supporting materials can be made available via email as well.

Action on an Item. If the public body has a member who's not an elected official, an affirmative vote taken by a majority of the members present during the meeting is the action. For WCRAS, it's a simple majority.

Required of Minutes. Meetings have to be audio recorded and transcribed by a certified court reporter. Draft Minutes have to be available within 30 working days after the meeting, retained for five years, and approved within 45 days or at the next meeting of the body, whichever is later. The public can also record meetings.

Corrective Action. If an Open Meeting Law violation occurs, the public body may take corrective action within 30 days. Happens occasionally. The AG's Office may elect not to prosecute an Open Meeting Law violation.

Enforcement. Briefly discussed how the Open Meeting Law is enforced. An individual can make a complaint to the AG's Office who has primary jurisdiction over Open Meeting Law. If the AG's Office conducts an investigation, the public body is informed. After the investigation is complete, the AG's Office will either send a letter to

the complainant that says no violation has occurred, or issue actual Findings of Facts, Conclusions of Law in writing. It will be posted on the AG's website and explain details. If the AG finds an Open Meeting Law violation, the public body has to acknowledge that finding on the next agenda.

For Open Meeting Law violations, the AG may bring a legal proceeding to void a particular action that's taken in violation of the Open Meeting Law or obtain an injunction to prevent violations of the Open Meeting Law. A private citizen may also do so, however, very difficult.

For WCRAS is that an action taken in violation of the Open Meeting Law is considered a void action. There are potential administrative fines against Board Members who violate the Open Meeting Law. Serious violations of Open Meeting Law can result in misdemeanor charges.

If a Board Member violates the Open Meeting Law because the Board Member is relying on bad advice from legal counsel, there will not be an administrative fine or criminal penalty.

Sources of Information. Found in NRS 241. The AG's Office has a large manual and there is also published opinions available on the AG's website.

The Open Meeting Law tends to be more complicated which is why legal counsel sits with County Boards.

MEMBER BRUSSARD: Confirmed that notices of the meetings and agendas are received more than three days before, and wondered if the public does.

DDA GUSTAFSON: The notice and agenda are posted on the Animal Services Advisory Board website and the requirement is three days before the meeting. And simultaneously, an email is sent to members advising of the same, along with materials.

MEMBER BRUSSARD: Inquired about corrective action and asked for an example.

DDA GUSTAFSON: Discussed a meeting had prior that was a technical Open Meeting Law violation because "For Possible Action" was not written on an agenda item. The Board took action on the item which resulted in the violation.

At the next meeting, the agenda had to include “For Corrective Action” and essentially re-hear that public hearing and re-vote on the matter. It was a corrective action because the previous action was void because of the violation. So the next action allowed them to re-hear the item.

Advised that if there is an Open Meeting Law violation, DA Gustafson contacts the AG’s Office and gives them a heads up, and advises of corrective action.

MEMBER BRUSSARD: Confirmed the “oops” is cleaned up.

DDA GUSTAFSON: Reiterated that when corrective action is taken, it’s a completely fresh slate. Nothing is relied upon from the previous meeting and the vote actually may turn out different in the corrective action than it had in the previous meeting.

MEMBER DOBBS: Thanked DA Gustafson for taking the time to review and present this topic.

CHAIR DUERR: Wanted clarification for walk-in quorum. Asked for slides to be presented again. Wanted to make sure re: qualification. “If using remote technology system only, the public must be able to hear, observe meeting, provide live public comment during the meeting, and have option to attend meeting via phone.” Wanted clarification that the language doesn’t say “Attend meeting via Zoom,” and wanted to know if that was implied and/or addressed.

DDA GUSTAFSON: That language is considered the remote technology systems. Zoom meets those requirements of the definition of “remote technology systems.”

CHAIR DUERR: Wanted to know if a meeting was completely done using remote technology, a physical location is not required.

DDA GUSTAFSON: Confirmed yes unless the body is comprised of all elected officials.

CHAIR DUERR: If Board is all elected officials, a physical meeting space is required.

Also sought clarification on walk-in quorum. Inquired about having specific intent. Discussed today’s proposal about amendments to the Dangerous Dog Code and wanted to understand that members are allowed to lobby each other, one by

one, without gathering a decision. Confirmed that freedom of speech is not impaired so she can speak to any member of the Board, but maybe it can be persuaded.

DDA GUSTAFSON: There is a specific intent part that a series of gatherings is being held to avoid the Open Meeting Law. Obviously, that's a difficult thing to prove. General advice to County Boards is to try not to do it in a quorum situation because accusations may come about violating the Open Meeting Law.

CHAIR DUERR: Confirmed it was arguable.

DDA GUSTAFSON: Agreed.

CHAIR DUERR: Inquired about posting notice of a meeting.

DDA GUSTAFSON: Pre 2021 law said that for physical posting of the notice and agenda, it had to be physically posted at the principal office of the public body, PLUS three prominent places within the jurisdiction. So the 2021 legislative changes said that the three prominent places is no longer a requirement.

CHAIR DUERR: Discussed that the physical posting had been in the law forever. Is an affidavit still required?

DDA GUSTAFSON: The affidavit is still required for the remaining requirement which is the principal office of the public body. Whoever posts that, still has to fill out the affidavit of posting. But because the three prominent places is no longer a requirement, then an affidavit is not required.

CHAIR DUERR: Huge change to her. The old process was draining.

DDA GUSTAFSON: Feels that with COVID that it was a large understanding that it was an archaic requirement and most people are receiving information via the Internet, and the three prominent place requirement was no longer needed.

CHAIR DUERR: Wanted clarification about the principal place of business via another location where the meeting is held.

DDA GUSTAFSON: Would double-check that information, but thought it was just principal place of office of the public body. It wouldn't be a bad idea to post at the location of the meeting. She would double-check the language of AB 253.

CHAIR DUERR: Had questions on public comment. Disruption. Is it the purview of the Chair to allow public comment on non-action items?

DDA GUSTAFSON: Confirmed the general County policy is that the block of time at the beginning and end of a meeting is allowed, and to offer public comment for each action item. If there is an action item that has public interest, offer public comment. The Chair has discretion in running the meeting and if there is an informational discussion not agendized for action, the Chair can offer public comment, but it's not legally required.

CHAIR DUERR: Discussed a controversial item at a recent TMWA meeting and there was a lot of public interest. Felt public comment would have helped.

Disruption. Conduct that disrupts a meeting order. Questioned about the Zoom meeting and if a public member starts using foul language, is it permitted to just "mute" that individual?

DDA GUSTAFSON: Confirmed yes, if their actions are truly disruptive. If it's an accident using a bad word, caution that individual. If it becomes disruptive, they can be muted.

CHAIR DUERR: Public comment gets out of hand. The clerk has the ability to mute that individual once the Chair says to. Discussed responses to public comment – not deliberate as a body. City of Reno and Washoe County has different rules.

DDA GUSTAFSON: Felt the County takes a very careful approach to respond to members of the public and not engage in deliberation in something not on the agenda. General different approaches with different public bodies. But yes, it's legally permissible to express sympathy to someone who says something.

CHAIR DUERR: Feels like she doesn't let meetings get out of hand. Recalls that the Open Meeting Law allows response to public comment.

DDA GUSTAFSON: Confirms silence to public comment isn't necessary. Just be careful when something starts to edge towards deliberation is when it becomes a legal issue.

CHAIR DUERR: Thanked DA Gustafson for the presentation.

MEMBER BRUSSARD: Wanted clarification about deliberation.

CHAIR DUERR: Doesn't want misinformation presented about a topic and it's important to clarify the record. On the other hand, it's a personal view and avoid a debate.

Closed the presentation regarding Open Meeting Law. Appreciated all the information.

DDA GUSTAFSON: Advised she is open to any questions about Open Meeting Law.

B. ETHICAL REQUIREMENTS

Discussed the Code of Ethics Standards. Basically a series of rules that governs the conduct of certain public officers and certain employees. NRS 281(a). Mentioned that it doesn't apply to Advisory Boards, but it is still followed and comply with ethical standards.

Discussed nine ethical rules in statute. A lot of it is common sense and doesn't think it would necessarily apply to WCRAS Advisory Board, but wanted everyone to be aware of the rules that govern membership on public bodies.

1. You cannot accept any gifts, any services, any favors or any employment that would improperly influence a reasonable person by virtue of your Board membership.
2. You cannot use Board membership to get anything to which you would not otherwise be entitled.
3. You cannot act as the County's agent in negotiating contracts between your business interests and Washoe County's.
4. You cannot receive private payment to perform your Board duties.
5. You cannot use any insider information or confidential information that you obtain by virtue of serving on this Board to further your own interests.
6. You cannot suppress government reports, government information, because it might negatively affect your financial or business interests.
7. Anything that you cannot ethically do yourself, you also can't ask a subordinate or someone else to do on your behalf.

8. You cannot seek out employment or contracts by virtue of your Board membership.

9. You cannot use government property for personal use. There is an exception for de minimus use.

Conflicts of interest. Suggested a call or email prior to a meeting and she can help determine if a conflict actually exists and needs to be disclosed. If a conflict exists at the time the matter is called, it must be disclosed. Under state law, conflicts include commitments in a private capacity to the interest of someone else in the matter; a financial interest in the matter; receipt of a gift or loan in connection of a matter.

Recusal. As a Board Member, there is a duty to vote. Abstention deprives the public of your voice. Recusal is generally disfavored. Recusal is necessary in clear cases where the independence of judgment of a reasonable person in a public officer situation would be materially affected by the conflict. Provided a fair and impartial example.

CHAIR DUERR: Commented on a great presentation. No questions from the group.

C. WCRAS FUNCTIONAL OVERVIEW

DIRECTOR SCHULL: Provided an overview/structure of where WCRAS falls in line of other County departments. In 2014, WCRAS became a stand alone department and a Director position was created.

CHAIR DUERR: Requested to be provided with the organizational chart.

DIRECTOR SCHULL: Will send the new chart. The old one is also provided on website.

NHS and WCRAS are co-located and share the Longley facility. Provided a chart indicating the differences as well as overlap. Discussed stray animal handling, pick up, sheltering of strays, case investigations, cruelty, animal licensing, disaster response and evacuation – all for WCRAS. There are 42 full-time employees. \$5 million dollar budget that is funded through a special revenue fund.

NHS is a non-profit private organization. Through their Professional Service Agreement, a lot of functions are shared, along with individual functions to the

community. NHS largely handles the adoptions for Animal Services for unclaimed animals. Also handle most of owner surrendered animals, with SPCA and Pet Network.

Provided an average of stats and overview of tasks. 4,200 stray animals; 3,500 noise complaints; 2,200 animal bites; 4,700 animal welfare calls. Both NHS and WCRAS share responsibility of live release percentage. In Washoe County, live release for cats is 95% and 94% for dogs, as an average. Work very hard to insure animals that come into care have a live outcome. 36,000 calls for service. Open 7 days a week, 365 days a year. Dispatch office is ran by three full-time dispatchers.

Rabies enforcement and prevention and education. Quarterly updates provide information on bites and efforts for vaccination clinics.

Emergency response. It is the highest level demand, as well as wild fires. Field evacuation support has officers to respond to affected neighborhoods to assist with evacuation of animals. Support staff sets up emergency sheltering.

Regulation enforcement. NCP, Notice of Civil Penalties, for dogs at large, licensing violations, vaccination violations, unlawful tethering. Citations can also be issued. Officers testify in Court.

Sheltering animals. Animals being held for case holds or stray animals, lost animals, small and large animals are also housed – chickens, hamsters, rats, horses, goats, pigs.

Outreach. A major focus of the department. Discuss at length about outreach at each of quarterly director report meetings. A very important component to help mitigate pet related issues in the community and bridge gaps, help people/pets stay together. Offer free microchip program, pet resources for seniors, pet food resources.

Open from 8:00 a.m. to 10:00 p.m. on field side of things, holidays included. Office hours are different, Monday through Friday, 8:00 a.m. to 5:00 p.m., and Saturdays from 9:00 a.m. to 3:00 p.m.

CHAIR DUERR: Thanked Director Schull for the presentation. No questions or comments from group. Asked about social media information.

DIRECTOR SCHULL: Social media is an avenue to spread the word about Animal Services, outreach programs. The community doesn't understand the difference between NHS and WCRAS. Social media allows for the communication with the

community.

VICE CHAIR PAYNE: Reiterates past discussions of WCRAS to be able to use social media to the full ability, especially for a lost animal and trying to find the owners. Feels social media and FaceBook are very useful. Wants social media used to the full extent.

MEMBER McMAHON: Feels that social media has been ramped up quite nicely. Gave the example of the lost Akita and used the social media platform to find the owners. Feels that the social media platform is coming across all feeds. Good job.

CHAIR DUERR: Noticed a difference with social media and community participation. Referenced two prior events with the City of Reno and the use of social media provided great information and a good outcome, keeps positive messages coming, making community aware of everything.

VICE CHAIR PAYNE: Added that it takes time to have an effective social media strategy and implemented.

CHAIR DUERR: Closed out item. Lots of good information.

5. INFORMATIONAL REPORT ON WCRAS DANGEROUS DOG CASES
[Non-action item]

CHAIR DUERR: Confirmed that dangerous dogs are an issue. And also an allegation that someone's dog is dangerous can be very emotionally charged, and how others perceive their animal, and whether they are being treated fairly by organization.

DIRECTOR SCHULL: Introduced Field Supervisor, Robert Wooster, who deals a lot with dangerous dog cases, as well as the administrative hearing process, and is very familiar with the Code, and the process.

FS WOOSTER: Presented Power Point presentation with information.

WCRAS review of dangerous dogs and stats compiled over the last two years. For the prior two years, there were 69 administrative hearings. The hearings are handled at an administrative level, not Court. Discussed "what is a dangerous dog."

"Without provocation, on two separate occasions within 18 months, it [dog] behaved menacingly to a degree that would

lead a reasonable person to defend himself against substantial bodily harm when the dog was off the premises of its owner.”

Discussed that maybe that dog aggressively chased somebody and they had to find somewhere/some place to get away, although no physical harm occurred, the dog exhibited behavior that was considered dangerous.

“Without provocation, it killed or inflicted substantial bodily harm upon a human being on public or private property whether on or off owner’s premises; or without provocation, it killed or injured any domestic animal while the offending dog was off its owner’s property.”

Example was the dog that gets out, attacks another dog being walked on a leash. People also bit by dogs and causes a lot of bodily injury to a person.

Who can request a Dangerous Dog hearing? Anyone attacked by a dog, or a representative of that person can make the report. Any law enforcement or Animal Control Officer. Any person whose domestic animal has been attacked by a dog without provocation, injured or killed by said dog.

Majority of the hearings are requested by citizens or people involved in the incident. The department will come forward and request a hearing if the person involved does not want to come forward.

CHAIR DUERR: Confirmed the department can request the hearing on someone’s behalf if they believe it’s warranted.

FS WOOSTER: Confirmed, yes. Over the last two years, there have been 69 hearing requests. Of those 69 hearings, 52 of the dogs were declared dangerous, 17 were not.

Why a dog might not be declared dangerous: 1) If a witness doesn’t show up to testify as to what occurred; 2) if the hearing officer determines there’s not enough evidence or meet ordinance standard. Occasionally, through the hearing process, the parties involved speak to each other and work things out, and request to cancel the hearing. Also, sometimes the hearing officer doesn’t declare it dangerous because they feel the owner has taken proper steps to be sure it doesn’t occur in the future.

Provided examples of injuries to community members and/or dogs. Showed multiple slides/photographs of individuals and/or people injured.

Discussed what happens to the dog when it is declared dangerous. Of the 69 dogs that had hearings requested, 35 were impounded to WCRAS, roughly 50%. A decision to impound the animal largely depends on the incident that occurred. The animal is kept at WCRAS until the outcome of the hearing. If it is declared dangerous, the animal is held until the owner is in full compliance with the ordinance before returning it.

WCRAS has the ability to do a home inspection and check to see if the owner has a secure area to house the animal. If it is a first incident, dog on dog attack, and minor injuries, and if the animal can be properly contained, a home quarantine may be allowed. If during that time the dog violates, is found running loose, the dog will be impounded pending the outcome of the hearing.

CHAIR DUERR: Discussed the presentation. Wondered if there were animals considered dangerous that have different levels of harm, less than what was presented.

FS WOOSTER: By Code, a dog that causes injury to a domestic animal can be declared dangerous. Any minor injury is still an injury, and can proceed to a hearing, if requested. It is the Hearing Officer's decision whether or not to declare it dangerous.

CHAIR DUERR: Questioned about what kind of training the Hearing Officer has.

FS WOOSTER: Referred to DDA Gustafson to answer that question.

DDA GUSTAFSON: Advised that the Hearing Officers are on the Judge Pro Tem list and are all licensed attorneys who don't work for the County. They enter into a contract with the BOCC – independent, third-party contractors.

CHAIR DUERR: Asked for questions for Field Supervisor Wooster.

VICE CHAIR PAYNE: Inquired about if a dog has been declared dangerous and the owners do not comply with the requirements, and have no intention to, what happens to the dog at that time?

FS WOOSTER: If that situation occurs, a citation will be issued to the owners. If they are not in compliance, the dog will stay at WCRAS. Typically, a Judge will provide a time period for the owners to comply. If they don't, the dog then becomes

property of Animal Services. Some can be adopted. More often that not, the animals are euthanized because of what's occurred.

CHAIR DUERR: Asked for percentages on those situations.

FS WOOSTER: Didn't have stats on which animals saved versus not.

CHAIR DUERR: Confirmed the three options: 1) owner makes changes and keeps the dog; 2) if owner doesn't make changes or follow Judge's rules, the ownership of the dog is severed; 3) the dog gets adopted or euthanized.

FS WOOSTER: Confirmed that the majority of the people comply with the ordinance which is building a proper enclosure, having insurance and following rules. Many people will also surrender the animal and elect to have animal euthanized. Recalled three dogs over the last two years that were declared dangerous and were able to get to rescue. Once declared dangerous, the animal has demonstrated behavioral issues that are not safe for the community.

CHAIR DUERR: Wondered if it was small percentage were adopted if they had been declared dangerous.

FS WOOSTER: Confirmed it is not a large number.

CHAIR DUERR: Asked if there have been complaints in these scenarios. Wonders what happens to the owners when the dog is declared dangerous. Do the owners lash out at staff? Hold officers responsible?

FS WOOSTER: Discussed that the majority of people recognize the issues are owner related, and not having responsible owners. Staff does receive a lot of heat from public. Confirms it is an emotional situation for all. Feels staff is good working with the people and helping them understand cooperation is the key. The ultimate goal is compliance and that the animal can return home.

CHAIR DUERR: Inquired about the dogs held at length pending the hearing process. What is the time frame? How is it handled?

FS WOOSTER: Once hearing is requested, owners are notified. Hearing office is aware of animals being held – turn around is about two weeks. No direct contact allowed, but owners can visit with animals. Some owners have damaged property to release their dogs.

CHAIR DUERR: Recalled an incident that one dog was left for about two months while hearing was pending. Asked to discuss.

FS WOOSTER: Cannot recall a dangerous dog case that wasn't heard within a month. Usually about two weeks. There are animals who stay longer while owner is trying to come into compliance, but not pending a hearing.

CHAIR DUERR: Confirmed it could take time after the hearing.

FS WOOSTER: Owner is given 30 days for compliance or appeal the decision. The appeal takes longer because it's heard outside the hearing office.

CHAIR DUERR: Confirms it goes into a judicial situation.

FS WOOSTER: Confirms the animal will stay at the shelter pending the outcome of the hearing and/or appeal.

CHAIR DUERR: Wondered if when the dog is declared dangerous, is it a lifetime thing for the animal? Or is there a period of time it only applies?

FS WOOSTER: Confirms the dangerous dog declaration is for the entirety of the animal's life within Washoe County. The ordinance is for the life of the animals. Typically, the animal's behavior stays the same. The owner holds the responsibility to make those changes.

MEMBER DOBBS: Echoed Field Supervisor Wooster's comments. Works with nationally renowned animal behaviorists. Dog's brain works differently than a humans. There are things you can train out of a dog. Confirmed that the dog should have the dangerous declaration for the rest of its life for the safety of humans and other animals.

CHAIR DUERR: Asked if there were any other comments.

FS WOOSTER: Recognized animals are being housed in shelter and/or homes. Time lines have to be met as quickly as possible, as well as compliance.

CHAIR DUERR: Wondered if the case always goes to a Hearing Officer first before the Court system.

FS WOOSTER: Confirmed.

CHAIR DUERR: If an appeal is sought by the owner, the time frames can be 14 days, up to 30 or 60.

FS WOOSTER: Directed question to DAA Gustafson. He's not sure of time frame for appeal. Hasn't seen an appeal occur as quickly as 14 days.

CHAIR DUERR: Wondering if there is anything that can be done if dangerous dogs have to be handled a certain way pending the appeal process.

FS WOOSTER: Currently has three dangerous dog cases that are on appeal. None of those dogs are currently housed at the shelter. Currently have five dangerous dogs at the shelter now – two waiting for a hearing, and three that have violated since they were declared dangerous. Those owners were cited for violating the second time and the animals are waiting the outcome of the Court case.

VICE CHAIR PAYNE: Wanted to know if there was such a thing as dangerous breeds of dogs? Or is it the owner's lack of ability to handle a specific breed?

FS WOOSTER: Feels that it is nature versus nurture. Certain traits that a dog has – a combination of both of what the animal will do naturally versus what it's been trained or untrained to do. Indicates there are dogs that have the potential to be dangerous dogs, but have responsible animal owners, and nothing has occurred. It's a combination. Not one particular breed deemed to be more dangerous than others.

MEMBER McMAHON: Commented on previous statements of Officer Wooster about some of the animals that have been housed for lengthy times. Comments that it is the owners that create the situations for the animals to end up in the shelters for long periods of time. Feels that it all falls back on owner's responsibility of being committed and following through for the animals.

Feels that the breed pre-disposition of behavior is a misconception. In her field, one of the most dangerous dogs are chihuahuas. Cane Corsos have a reputation of being the gentlest giant. Animals in the correct hands avoid the dangerous dog situations.

CHAIR DUERR: Appreciated Member McMahon's experience on the Board. Shared her pet, a long-haired Chihuahua, who was a sweet pet. Has seen others that seem extremely possessive and protective of owners.

Asked if there was any additional comments or questions.

MEMBER DOBBS: Advised that breed, under the law, is not a permissible consideration when making a dangerous dog determination. Under state law, breed is not considered. Under County Code, it repeats state law. The Hearing Officers cannot consider breed when looking at a dangerous dog. They have to look at the dog's actions.

CHAIR DUERR: Confirmed breed is not an evaluation criteria. Moved on to next section. Asked if Officer Wooster could remain at meeting for his input on Item #6.

FS WOOSTER: Can stay a bit longer for discussion.

6. PRESENTATION AND DISCUSSION OF PROPOSED AMENDMENTS TO DANGEROUS DOG CODE [For possible action]

DIRECTOR SCHULL: Presented overview of Code Amendments to be discussed. Provided updated document to attempt language and amendments to address challenges and bridge some gaps. Discussions have been to fix issues and take feedback of dangerous dog processes and dangerous dog owners to make process better for everyone. DAA Gustafson has been very involved in process.

Definition of dangerous dog and what constitutes a dangerous dog. Criteria presented what constitutes a dangerous dog currently written within Code. Goals provided to more closely align Washoe County Code to State law as it relates to dangerous dogs, and address dangerous dogs, and add second tier of vicious dogs – not currently contained in Code. This is one of the most significant changes.

Dangerous Dogs and Vicious Dogs are discussed. Dangerous dog classification: Has to behave menacingly twice in 18 months without provocation, off property of the owner. Have to have seriously injured a domestic animal without provocation, and also being off owner's premises as well.

Serious injury means something requiring sutures, staples, glue, or causes internal injury or requires surgery. If the dog bites a human two times in 18 months without provocation off the owner's premises, it can be declared dangerous. Law enforcement has capability of declaring a dog dangerous if used in the commission of a crime.

MEMBER DOBBS: Pointed out that the red changes on the chart are since the last time the chart was presented to the Board. The language re: "Bit a human being two times in 18 months," was copied from State law, but it's "without provocation and off the owner's premises." Wanted to know if it should still say "off the owner's

premises.” Why would it matter if a dog has bit a human two times? Feels it would matter if the dog was on or off owner’s premises. Wondered if it should be changed.

DIRECTOR SCHULL: Agreed it should be discussed. If the language “off owner’s premises” then it could be an on property bite. Asked for FS Wooster’s comments.

FS WOOSTER: Discussed that originally the “on the owner’s private property” and the animal was protecting the property was why it wasn’t included. Felt the purpose should be determined, i.e., a mailman on the property versus someone trying to break in.

CHAIR DUERR: Called for comments.

MEMBER McMAHON: Discussed the terminology “off owner’s premises.” Because if the injured person on the premises chooses not to seek medical attention, then it’s not a reportable bit. Feels it should be verified that if they seek medical attention, it’s required by law to become a reported bite. But if it’s on private property and not reported, then there wouldn’t be anything to stand on. How is it handled in Washoe County?

DIRECTOR SCHULL: Advises that all bites are to be reported regardless of how they occurred. If the skin was broken and someone receives treatment, that office is required to report to Animal Services.

MEMBER McMAHON: Thinks that would make the on or off premises null.

CHAIR DUERR: Feels that “seeks medical attention” is the key. Provided personal example while passing out flyers. A dog tied to a vehicle broke the rope, ran up and bit her. Skin was slightly broken. She treated the bite and moved on. Wasn’t reported.

FS WOOSTER: Confirmed it is important to understand the purposes of reporting and that it isn’t for enforcement as far as fines or a dangerous dog determination, but for exposure to potential rabies and quarantining animals.

CHAIR DUERR: Confirms that she should have reported the incident.

FS WOOSTER: Agreed so that it could have been checked out if the animal has a current rabies vaccination. Ten day quarantine is required.

MEMBER DOBBS: Confirms that any time someone is bitten, it needs to be reported. Encourage people when bitten to report.

MEMBER ANDERSON: Commented that if an owner has a dog that has bitten two times in 18 months, there is a concern. Example: If a person has a home and a dog in a secured back yard and someone jumps the fence to rob the house, and the dog bites, and the same thing happens again, is it automatically a dangerous dog?

MEMBER DOBBS: It's important to remember it's a hearing process. Recommended removal of "off owner's premises" because of a situation like Member Anderson just discussed, is addressed during hearing process. Doesn't feel it's appropriate that statute language negate just because the bit happened on the process that it shouldn't go through the hearing process. It's why it's a due process situation.

MEMBER ANDERSON: Agreed. Wanted to make sure it wasn't automatic, but moves on to the hearing process.

CHAIR DUERR: Commented on Member Anderson's scenario. On one hand, looking at adjudicating a crime which may occur much later; or the Hearing Officer is having the adjudicate the crime and decide if it was warranted. Asked for additional comments.

DIRECTOR SCHULL: Added that provocation would not be taken off the table. Provocation would potentially come into play if someone is crossing onto private property, it would be considered in the hearing.

CHAIR DUERR: Wondered if it was possible for the person to keep the dog pending the hearing process. Provided an additional comment re: personal situation. Is someone that comes on your property uninvited considered provocation?

DIRECTOR SCHULL: Agrees it can be considered provocation.

CHAIR DUERR: Asked for Member Anderson's comments.

MEMBER ANDERSON: Is in agreement with removing "off owner's premises." Was concerned if it automatically deemed the animal dangerous or not.

CHAIR DUERR: Innocent until proven guilty, and held at the shelter or with the owner until a hearing and determination is made.

DIRECTOR SCHULL: Confirmed, yes.

CHAIR DUERR: Confirmed language should be “Bit human two times in 18 months.” And it should say “without provocation.” And delete “off owner’s premises.”

DIRECTOR SCHULL: In agreement.

MEMBER DOBBS: Agrees with removing “and off owner’s premises.”

VICE CHAIR PAYNE: Agrees with that language.

MEMBER BRUSSARD: Wondered if “trespass” can be integrated to clarify the “burglar over the fence” versus the “mailman.”

MEMBER DOBBS: “Trespass” is one of the exceptions to declaring a dog dangerous. The language that has been added is, “Trespassers equal a person committing a wilful trespass upon the premises occupied by the dog’s owner.”

CHAIR DUERR: Felt there was general support for deleting “off owner’s premises” but leave in “without provocation.”

DIRECTOR SCHULL: Stated that law enforcement can still declare a dangerous dog if it was used in the commission of a crime. Discussed “vicious” categorization. If a dog kills a domestic animal without provocation off the owner’s premises, kills or inflicted substantial bodily harm upon a human on or off the owner’s premises or after it’s been declared dangerous already and the dog continues to engage in further dangerous dog behavior, a dog could be declared vicious.

Additional definitions were added defining “animal” and “substantial bodily harm” and “provocation.”

Currently Code says, “Dogs can be declared dangerous for attacking a domestic animal” versus “including livestock.” Wants to add livestock, goats and sheep, but exclude birds, fish, rodents and rabbits.

Exceptions. Want to clarify current language “Can’t declare a dog based on breed.” You can’t declare a dog dangerous because of defensive action against a person committing a crime and you can’t declare a dog because a person provokes a dog. Suggesting the language includes trespassing person’s committing a wilful trespass upon a premise occupied by a dog’s owner they cannot be declared. If a dog is on a leash and

is defending itself from an attack by an unrestrained animal.

Dog working as an agricultural guardian. Signs are usually present indicating that. If those animals are attacked by a person walking a restrained dog, or an unrestrained dog, the guardian dog cannot be deemed dangerous as in the course and scope of their duties as an agricultural guardian.

CHAIR DUERR: Asked about how it might relate in dog parks.

DIRECTOR SCHULL: Agrees that dog parks can be challenging. Asked for DDA Gustafson's comments.

Advised if an owner is in a dog park and entering into an area where animals are off leash, it will be a civil issue. Not a lot of grounds for a dangerous dog situation to arise because you enter the situation voluntarily. Challenges with jurisdictional enforcement.

DDA GUSTAFSON: Agreed that dog parks are challenging re: dangerous dog code because all dogs are off leash. It creates a lot of difficulty and is very challenging.

CHAIR DUERR: Asked about it because of code amendments sought. The City of Reno is looking at adding more dog parks.

DIRECTOR SCHULL: Confirmed it's enter at your own risk in a dog park.

CHAIR DUERR: Suggested dog parks be signed about entering at your own risk.

MEMBER ANDERSON: Seeking clarification of the agricultural guardian description. Wondered about a working dog on cattle, a heeler, and wondering if it was a protective category.

DIRECTOR SCHULL: Agrees that it wouldn't be considered an agricultural guardian and considered a working dog. If an altercation occurs with a working dog off leash and another animal, it would be considered separately. It would not be an exception.

MEMBER ANDERSON: Causes him concern wondering if a heeler dog nipping and/or biting the cattle would be considered a situation that should be reported.

DIRECTOR SCHULL: Dog treatment towards the cattle is a scenario few and far between. Commented that it would be more of a welfare situation and not a dangerous dog situation.

FS WOOSTER: Confirmed that the owner of the cattle would have to report it and request a hearing for it because if it was your cattle dog herding your cattle, you would be reporting yourself. A passerby wouldn't be requesting a hearing for dangerous dog.

DIRECTOR SCHULL: Current code indicates dangerous dog provisions don't apply to shelters, commercial animal facilities, rescues and sanctuaries, licensed veterinary clinics. The goal is to change the verbiage to "commercial animal establishments; pet stores, kennels, boarding facilities, etc." It must be a 501(c)(3) or non-profit for exemption.

Relocation of a dangerous dog within Washoe County. Currently, it is required to notify WCRAS 30 days in advance, written notice, and approval is needed. Wants to clarify the requirements still holding the 30 day written notice to inspect property, and they can't move the dog until they're actually compliant with the Code. Requirements may change depending on the property.

MEMBER McMAHON: Wanted clarification re: proof of compliance and not able to move the dog, is the animal then taken back into custody?

DIRECTOR SCHULL: If they aren't in compliance with the Dangerous Dog Code, obtain a Warrant to get the dog back, or attempt to work with owner depending on situation.

MEMBER McMAHON: Asked if owners were working toward compliance, WCRAS would have the opportunity to be supportive without going back to litigation.

DIRECTOR SCHULL: Confirms WCRAS always works with dog owner attempting to come into compliance even if time frame needs to be extended.

Introducing a dog from another jurisdiction into Washoe County that is dangerous. Currently, 30 days written notice to Animal Services, and approval. Discussed previous things, however, too many variables to compare. If someone comes into Washoe County with a dangerous dog, an inspection will be conducted. 30 day notice also required with a copy of the order with all dangerous information. Work with dog owner re: property enhancement and safety.

MEMBER BRUSSARD: Doesn't understand how that can be implemented. Wondered how it was handled if someone with a dangerous dog comes into Washoe County and doesn't tell WCRAS of the situation. How is that handled?

DIRECTOR SCHULL: Confirmed that situation happens all the time. People don't generally know they are supposed to report, or choose not to. Requesting voluntary compliance. Wants it in code so if someone moves here they have the jurisdiction.

MEMBER BRUSSARD: Sees it being very difficult to enforce. If an owner is good enough to actually license the dog, the license application doesn't state, "Has your dog ever been declared dangerous?"

DIRECTOR SCHULL: Agreed that was a good point.

CHAIR DUERR: Would be a self-reporting thing.

DIRECTOR SCHULL: Agreed.

Transferring a dangerous dog leaving Washoe County. It happens frequently. The owner has the option to move it out of the County if they can't come into compliance here, they look elsewhere. Current code required 30 days notice. The goal is to clarify further – not only 30 day notice, but courtesy notice to incoming jurisdiction, which is already done. Microchipping is required for a dangerous dog so updating the microchip also takes the next step.

Discusses that this section often gets abused. The owner will state they are moving, but it isn't much time before the dog is back in Washoe County. Attempting extra measures that there is substantial proof the dog has moved out of Washoe County.

Code 55.760 - Requiring a dog declared dangerous to have specific signage. Current code says owner has to post sign on property indicating dangerous dog on property. No criteria for what the sign looks like, how obvious. Wants to change the requirement to be a department issued sign that provides the proper signage color to attract attention.

CHAIR DUERR: Agreed it was a good idea.

DIRECTOR SCHULL: Indicated sign will contain contact information for Animal Services.

CHAIR DUERR: Wanted to know if dog owner would be charged.

DIRECTOR SCHULL: The fees for the sign may be incorporated into the dangerous dog charges.

Dangerous dog requirements. Substantial changes were made based on feedback from officers. Current requirement is if an animal is kept outside unattended, 9 gauge chainlink, posts with concrete footings at least 24" deep, perimeter walls with concrete at least 12" deep, securely fixed top or roof, gates at least six feet tall, fencing six feet tall.

Current code for the enclosures is based on animal size. It is very expensive for fencing companies to build the enclosures. It is also difficult to accomplish in 30 days.

New goal is to provide a standard size available at hardware stores, concrete footings, additional work. But to purchase a kit. The home or dwelling can be used as an enclosure. Apartment owners of pets don't have a yard. Current code is difficult to approve the enclosure for the dog because of apartment residency.

Wants to make sure measures are taken to prevent entry of young children or the escape of the dog. Inspection is required and suggestions will/will not be made.

Enclosure requirements. If a dog is kept outside unattended, they have to have enclosure. The 10x5 would be for one dog, regardless of size. If there is more than one dog and one is dangerous and one is not, they have to add 5 feet to the 10x5 to keep both dogs.

CHAIR DUERR: Sought clarification on size of dog.

DIRECTOR SCHULL: Current code is broken down by size. If there are multiple dogs in one kennel, it's difficult for officers to determine what can be built for a dangerous dog kennel if there is more than one dog in the kennel.

CHAIR DUERR: Requested screen clarification. 10x5 is okay?

DIRECTOR SCHULL: 10x5 is acceptable. Advised it is a temporary containment for dogs. It's not in general where dogs live. Just an opportunity for them to be outside. Majority of owners live inside with them most of the time.

CHAIR DUERR: Suggested to add a height dimension. Doesn't feel five feet is sufficient.

MEMBER McMAHON: Commented that changing the language to what it is now removes a lot of ambiguity and interpretation of the rule. Agreed that purchasing the pre-constructed panels are easy to purchase to make the enclosed area without being dependent on outside resources. A 10x5 enclosure for any small period of time is reasonable for most animals.

CHAIR DUERR: Asked if "minimum" could be added to size, and include height.

DIRECTOR SCHULL: Agreed that can be done. Asked Field Supervisor Wooster to comment.

FS WOOSTER: Supports the 10x5 as a minimum. Important to point out **minimum**. Most difficult compliance is the kennel. Staff spends a lot of time going to residences to make sure it is done properly. The 30 day time period is difficult. Cost is between \$4,000 to \$6,000. Agrees about the readily available kennels and are secure to house the animal. For owners, it is a better financial decision.

CHAIR DUERR: Wanted to know what the time line was changed to.

FS WOOSTER: To add a 30 day extension for compliance.

CHAIR DUERR: Confirmed it would give administrative authority to extend the time.

FS WOOSTER: Felt it may not be necessary if pre-fab kennels are available. Discussed a case where the owner has done everything required to do. But getting the construction of the kennel is done. The HOA not allowing requirements to be met. A lot of hurdles in compliance.

CHAIR DUERR: Wanted refresh on requirements.

FS WOOSTER: Small breeds, 20 pounds or less, is 4' wide by 6' long, and 2 additional feet wide, per dog. Medium breeds are 40 pounds to 20 pounds, 6'x12' kennel, and 4 additional feet per dog. Large dogs are 12x18.

DIRECTOR SCHULL: 40 pounds or more.

FS WOOSTER: Confirmed it is a minimum requirement. Owners can build as large as they want. Usually, the majority of back yards don't have the ability to build a kennel that size. Most locations are not feasible. 10x5 can be put into a garage and keep animal safe, or on a patio.

CHAIR DUERR: Wanted confirmation of adding height.

FS WOOSTER: Agreed minimum of 6 feet was added.

DIRECTOR SCHULL: Discussed liability insurance. In code is \$250,000 liability insurance bond for any declared dangerous dog or each declared dangerous dog for compliance with code. Suggestion is to create separation in the requirements for dangerous and vicious dogs, that dangerous dog requirement be dropped to \$150,000. Wanted confirmation that vicious dog was going to be \$250,000.

FS WOOSTER: Confirmed that was correct.

DIRECTOR SCHULL: Dangerous dog requirement signed statements. Current code is owner will sign a promissory note not to cancel surety bond and to notify Animal Services if dog escapes, attacks another animal or perishes, or attacks another person, and that they cannot transfer or give away a dangerous dog.

Hopeful to simplify the section and remove the "sign promissory statement" part and make these requirements mandatory. Owner would be required to do it to be in compliance.

Specify the penalties. Prohibit transferring of a vicious dog per state law, currently written, and allow transferring of dangerous dog with Animal Services' approval with new owner, and the new owner must comply with Washoe County requirements.

Last part of 760 - Dangerous dog requirements deadline for compliance. Currently, owners have 30 days for compliance. Would like to extend time frame 30 days if necessary.

55.770. Unlawful act for a dog that has been declared dangerous. Currently specifies that a leash or muzzle is required for owner to remove dog off property and take it out. Would like to clarify that the owner doesn't have to be the one taking the animal out – someone else can. And also, at no time is the dog to be left unattended while off the owner's premises. Can't take the dog out in public and leave it

unattended.

Clarify the type of leash or muzzle – type of collar. Martingale style collar is what is suggested to be required, and not exceeding six foot length of leash. Feels it is a safe collar.

55.780. Impoundment of dangerous dog. Currently, a dangerous dog can be immediately impounded when: 1) a dog is not validly registered; 2) if not being secured to property; 3) if they haven't secured/maintained insurance; 4) if the dog is off property or out of enclosure, not leashed or muzzled; 5) if dog attacks another animal or person; 6) if dog is in violation of this chapter, the dog may be impounded pending a dangerous dog hearing, in the interest of public safety.

The goal is to clarify what the rules are during different stages of that process. If the dog is pending a hearing, may be impounded for injury to an animal, and shall be impounded for injury to a human.

Clarifying when Animal Services would impound the animal to the shelter, and when the animal might be kept at home until the hearing. Once hearing has occurred, current requirements are the same - relocating and introducing the dog in Washoe County, and new address not in compliance.

Failure to turn over the dog for impoundment is a misdemeanor. Impound fees if the dog is not declared dangerous, there will be no impound fees charged if the animal was held here at Animal Services. A declared dog may be impounded pending a Court disposition for public safety.

CHAIR DUERR: Asked for explanation re: vicious dogs in impoundment versus dogs who are not vicious. Are there different requirements for a vicious dog?

DIRECTOR SCHULL: There are different criteria for vicious.

FS WOOSTER: The Hearing Officer is the one who decides if a dog is vicious or dangerous.

MEMBER McMAHON: Dangerous versus vicious – does it change the way the animal will be handled or interacted with during that time?

FS WOOSTER: It is all the same. Officers will help to be safe and/or seen by a vet. Extra precautions are taken.

CHAIR DUERR: Asked about bite quarantine versus dangerous dog quarantine.

FS WOOSTER: Explained even if the dog doesn't do anything wrong, but accidentally breaks the owner's skin playing fetch, the dog is still quarantined due to rabies exposure.

CHAIR DUERR: Asked if 10 days was still the standard.

FS WOOSTER: Explained if the dog wasn't in violation of County Code and is current on rabies, it is quarantined at home. Majority are quarantined at home. Animals that come to the shelter are in violation of Code at the time.

DIRECTOR SCHULL: Euthanasia of vicious dog. Wants to add language that allows the authority to be determined if that dog is vicious. Gives AHO the authority to put that in the Order. Language existed in 2015, and prior, but are suggesting to resurrect the language. 55.800. Recommended DDA Gustafson speak to this.

MEMBER DOBBS: Wanted clarification re: the only basis to order a dog euthanized is if it killed or inflicted substantial bodily injury upon a human being.

Discussed recently dealing with a 70 pound dog with extreme aggression to other dogs and euthanasia was the best course of action for the dog and the human with the dog because of the incident. Owner was injured in this case. Would this allow the AHO to require euthanasia?

DIRECTOR SCHULL: Doesn't think the way it is currently written that it would give them the ability to declare euthanasia for the dog.

DDA GUSTAFSON: Currently, no basis that the AHO can order euthanasia for a dog declared dangerous or vicious, and the owner doesn't come into compliance with the Code, then a euthanasia proceeding would potentially occur. This gives the AHO to declare euthanasia at the beginning of the proceeding prior to the person coming into compliance at all. It would allow the AHO to hear the evidence, having no basis to declare a dog euthanized, would have a very limited basis to say the dog should be euthanized.

MEMBER DOBBS: Supports the addition of the language. Agrees there is benefit to expand the language if it killed or inflicted substantial bodily harm upon another pet or human being.

CHAIR DUERR: Confirming Member Dobbs means that euthanasia should not be the decision of the AHO, it should be under specific circumstances.

MEMBER DOBBS: Thinks it should be added to the language “order a dog euthanized if it kills or inflicts substantial bodily harm upon another pet or human being.” Should be discussed, instead of limiting it to humans.

VICE CHAIR PAYNE: Agrees with the suggested wording. Very conflicted to expand it further to include attacks on other animals resulting in automatic euthanasia.

MEMBER DOBBS: Clarified that it is not automatic. It’s an option for the AHO to order euthanasia.

MEMBER McMAHON: Inquired about inflicting severe bodily harm to a human. Human life versus animal life – proposing language to add bodily harm to include animals, is there something in the law that differentiates between human life and the “property” of an animal.

MEMBER DOBBS: Thinks not because it’s a due process hearing. Pets are declared property and getting a due process hearing. Appeal can be filed. Discussed that while anyone is walking down the street with their beloved pet and has a dog rip it to shreds in front of you, and degloves it, the owner would want it to be considered that the dog be euthanized for the protection of other people’s beloved pets.

CHAIR DUERR: Agrees with the comment. If the dog is that level of dangerous, euthanasia is on the table and there’s a process. Currently says, “If an already declared vicious dog attacks human being or animal, Animal Services can impound pending Court Order for dog’s euthanasia.”

MEMBER DOBBS: Agrees there is wording conflict between the two provisions that need to be clarified.

DIRECTOR SCHULL: Feels that if the language is opened up to that, it would apply to a dangerous dog, not just a vicious dog.

CHAIR DUERR: Feels that the characterization has been made as to vicious is on a human; dangerous can be on a human or animal based on the severity of the harm. Member Dobbs feels that vicious can apply to harming an animal as well.

VICE CHAIR PAYNE: Agrees with Member Dobbs. Initially had concerns about including attacks on other dogs, and after Member Dobbs presented the revised wording for vicious, she is in agreement.

DDA GUSTAFSON: Initially, the thought process was that it would only apply to vicious dogs because the way vicious dog is currently written is if it's "killed a domestic animal." Serious injury is dangerous land and killing an animal is vicious land.

MEMBER DOBBS: Still feels the language needs to be clarified that if it's vicious, the AHO can still order the dog euthanized.

CHAIR DUERR: Continued argument that definition of vicious only included killing, not severely harming.

MEMBER DOBBS: Still feels that "substantial bodily injury" should be included. If an owner's pet is killed by a dog, the AHO should have the power to order the dog euthanized.

CHAIR DUERR: Feels the language is already that.

MEMBER DOBBS: Understands that the only basis the AHO can order the dog euthanized is if it's killed or inflicted substantial bodily injury upon a human. Thinks the conflict in the language exists.

DDA GUSTAFSON: Confirms that is the current proposal and that Member Dobbs wants "vicious" definition that's related to an animal and go a step further and open it up to dangerous dogs. Is the language limited to vicious or should it be opened up to dangerous behavior as well.

MEMBER DOBBS: Agrees that it should be opened up and that the AHO would have the ability to order a dangerous or vicious dog euthanized if it's killed or inflicted substantial bodily harm upon a human being or domesticated pet.

CHAIR DUERR: Reiterated the language to be, "The AHO has the authority to determine an animal to be euthanized." The question is under what conditions and does it include severe harm to an animal.

FS WOOSTER: Discusses the definition of substantial bodily injury is for a human and not for an animal. There isn't necessarily a clean definition. Agrees with Member Dobbs. Confirms there is a difference the egregiousness of attacks and they may

be dangerous, but one may be more severe than the other.

MEMBER DOBBS: Agrees the language is subjective. Providing the AHO the option to consider that in light of the specific circumstances is important.

MEMBER McMAHON: Inquired if there was a way to differentiate that allows the AHO to make the decision. Feels that cases are individual. Discusses the animals taken to her vet that are severely injured. Agrees there are different levels of injury and bite – dangerous and vicious identifications leave a grey area. Wants to know what other information can be supplied to determine the category the animal falls under.

MEMBER BRUSSARD: Agreed with the language and that DDA Gustafson can present it in more concise language. The AHO has the opportunity to exert authority to recommend the dog be euthanized.

CHAIR DUERR: Agrees the wording needs to be smoothed out and language be more direct and concise. Suggested the staff go back and circle around the wording again. Thinks it would be best done offline and staff mull it over more.

DIRECTOR SCHULL: Her headset is dying and will move to her laptop. During that time, suggested DDA Gustafson discuss 55.800.

DDA GUSTAFSON: 55.800 discusses the process for how to do an administrative proceeding, criminal penalties versus civil penalties. The changes are to update and reflect the current process rather than change current process.

CHAIR DUERR: Asked if there was anything more on this topic.

DDA GUSTAFSON: Agrees there aren't any specifics with the specific language because it was covered in the big picture chart of the changes. Animal Services will need to go before the BOCC and do a Chapter 2 and ask that the department work with the DA's Office on formulating an actual ordinance. With the input from today's meeting, and additional revisions, it would be presented again to WCRAS Advisory Board.

CHAIR DUERR: Asked if the redline proposal would be brought back to Advisory Board before presenting to the BOCC.

DDA GUSTAFSON: Stated the opening of the chapter needed to be done, and then the first and second reading.

CHAIR DUERR: Complimented on the style of the presentation for ordinance change. The Boards always want to see the final product before consideration by the elected body. Needs to be presented again to Advisory Board and suggested an affirmative vote of the body on the wording and perhaps Advisory Board meeting could be earlier, if necessary.

DDA GUSTAFSON: Agrees there is no set time period, but wanting to get done sooner than later, and want to get changes going.

CHAIR DUERR: Agreed.

DIRECTOR SCHULL: The last item is the Director's Report if this item is being closed.

CHAIR DUERR: Wanted to call for any comments from attendees on the matters.

MS. CIRONE: Confirmed there is no public comment.

CHAIR DUERR: Closed item. Commented that the meeting is an hour over the time period, and asked about presentation.

DIRECTOR SCHULL: Indicated her report wasn't very long.

CHAIR DUERR: Asked for comment.

MEMBER ANDERSON: Commented to just power through if it's a short presentation.

VICE CHAIR PAYNE: Agrees with Member Anderson.

CHAIR DUERR: Agrees.

7. DIRECTOR'S REPORT [Non-action item]

DIRECTOR SCHULL: Sharing statistics – same quarter over the last four fiscal years.

Animal intakes. Increase in animal intakes. Animals impounded that were microchipped in the first quarter – had a decrease in the number of animals, 715 animals

microchipped upon impound.

Animal outcomes for the same quarter over the last four fiscal years. 1,384 or 55% returned to owner, which is the highest over the last four years. 1,452 animals were rescued. 273 were disposal requests. 85 were euthanized which is down 151 animals from fiscal year 2018. 13 animals died.

Percentage of animals returned to owner by way of microchip. 49% returned by chip out of all animals returned to owner. 49% out of 1,384.

Animals returned in shelter versus field. 24% animals returned in the field versus the shelter. 346 returned in the field versus 1,076 from the shelter.

Welfare calls received. 811 welfare calls. Statistics provided on screen.

Shared information about Kya as a cruelty case. Neighbor witnessed owner beating Kya in the backyard. Kya is a grey pit bull. The dog was impounded. The owner was charged with Animal Cruelty, a Category D Felony. The case took a year to be adjudicated. Kya was surrendered to Animal Services and then placed into a home in California. Shared video of outcome to share with community but also as a PSA "If you see something, say something."

MEMBER DOBBS: Loved the story. Agreed how important the last slide is. SPCA looks forward to helping spread the message, "If you see something, say something."

DIRECTOR SCHULL: Field service calls were down. Illness in the department and light duty field staff could be attributed to the lower intake of animals and calls. 7,055 calls down from 9,653 in 2018. Significant decrease in calls.

Discussed that Washoe County did set up sheltering for victims of the Caldor and Dixie fire evacuees. The collaboration of support was monumental. NHS and SPCA assisted on short notice. RSCVA would only allow animals outside which was not cohesive due to AQI and hot temperatures in August. The City of Reno assisted in getting permission with RSCVA and animals were allowed inside.

CHAIR DUERR: Commented that she toured the animal area with the Red Cross. Commented that Mayor Shieve's intervention that assisted to effectuate the situation.

DIRECTOR SCHULL: Resolution allowed the animals to be safely housed and safe inside the RSCVA. Shared video with Advisory Board about evacuees and pets housed.

CHAIR DUERR: Commented on a phenomenal job done.

VICE CHAIR PAYNE: Also congratulated on a job well done.

DIRECTOR SCHULL: Commented it was first time collaborating with NHS and SPCA. A lot of helping hands in the community to get the job done. Starting to incorporate volunteers and other organizations in future so it isn't so burdensome to set up an emergency shelter and assist with evacuations.

MEMBER DOBBS: Agreed with Director Schull. Also indicated it is important Director Schull is included in the decision making from the very beginning. Hopes all agencies got a better feeling for the process.

CHAIR DUERR: Commented on the emergency operations making sure staff is there along the way.

DIRECTOR SCHULL: Commented on the challenges on the fire. Learned a lot.

CHAIR DUERR: Job well done.

DIRECTOR SCHULL: Presented highlights on outreach services and provided a video.

MS. SWEET: 563 animals returned via microchip. Senior food distribution assisted over 100 seniors with pet food. 593 vaccinations in 90 days.

DIRECTOR SCHULL: Commented on the presentation that Quinn presented.

MS. SWEET: Spay/neuter clinic. 239 pets; 305 free vaccinations; 98 free dog licenses.

DIRECTOR SCHULL: Commented those numbers were about average for a summer for warm temperatures. The hot car campaign with SPCA was done and stats were tracked.

CHAIR DUERR: Asked what the audience was for the Power Point video.

MS. SWEET: Commented that it is being posted on social media one slide at a time. Also put into newsletter.

CHAIR DUERR: Is it an animated Power Point presentation?

MS. SWEET: Confirmed it is basically a Power Point presentation with fancy transitions.

CHAIR DUERR: Suggested adding audio and putting it on Twitter or rotating on website.

MS. SWEET: Suggested also the screen in the lobby.

DIRECTOR SCHULL: Commented on streamlining on statistical reporting.

CHAIR DUERR: Appreciated Quinn being on staff.

DIRECTOR SCHULL: Future topics. Washoe County Code updates. Working on strategic planning in the department.

CHAIR DUERR: Moved to Item 8.

8. WASHOE COUNTY REGIONAL ANIMAL SERVICES ADVISORY BOARD MEMBERS AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS [Non-action item]

CHAIR DUERR: Commented on barking dog incidents and that there was an MIU between RPD and WCSO in responding to barking dog incidents. Wondered if recently the issue has risen again about who is responsible for what.

DIRECTOR SCHULL: Confirmed discussions with RPD as well as City management to discuss interlocal agreement between Washoe County and City of Reno. Doesn't know if a conclusion has been reached to iron out who has the jurisdiction and who takes care of what in relation to animal calls.

CHAIR DUERR: Asked if the previous MIU was found.

DIRECTOR SCHULL: Confirmed she did not find it, but it was presented.

CHAIR DUERR: Asked for comments, questions or requests for future agenda items. No response. Commented on the Code update and appreciated all the information.

VICE CHAIR PAYNE: Thanked Director Schull, Quinn and Member Dobbs and NHS for all they do for the animals.

CHAIR DUERR: Agreed that animals are a huge component for mental health. Animals are critical to that process.

DIRECTOR SCHULL: Commented on the interesting couple of years, and requested dates for the next meeting.

CHAIR DUERR: Discussion with members of January 21, 2022, meeting.

MEMBER DOBBS: Confirms the meeting doesn't need to occur earlier.

DIRECTOR SCHULL: Agrees with whatever the Board agrees to is okay.

CHAIR DUERR: January 21, 2022, is the meeting date, and will discuss the redline ordinance review. Next meeting will be April 22, 2022. Meetings can always be changed, if necessary. July 22, 2022. October 21, 2022.

9. PUBLIC COMMENT [Non-Action Item]

MR. DURAN: Mauricio Duran. Wanted updates on exotic animal ordinances. He does snake relocation and removal services. Is hoping to have an educational museum and is currently working on licenses and permits. Wants to be more active in the community and spread education.

CHAIR DUERR: Directed Mr. Duran to staff for guidance.

MR. DURAN: Wants to pay attention to more County meetings and be involved.

CHAIR DUERR: Invited him to participate.

10. ADJOURNMENT [Non-Action Item]

CHAIR DUERR: Concluded the meeting and confirmed it is adjourned.
Thanked the staff for great information presented.

DRAFT