



**MINUTES**  
**BOARD OF ANIMAL SERVICES COMMISSIONERS**  
**CITY OF LOS ANGELES**

Monday, August 8, 2005

9:00 a.m.

CITY HALL

200 N. Spring St.

Room 1060

Los Angeles, CA 90012



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Commissioners: Kathleen Riordan, President  
Alex Rubalcava, Vice President  
Erika Brunson  
Tariq Khoro  
Deborah A. Knaan

**COMMISSION MEETING, 9:00 A.M.**

Commission President Riordan called the Commission meeting to order at 9:17 a.m. Present were Commissioners Riordan, Rubalcava, Brunson, Khoro and Knaan.

**1. REPORT OF THE GENERAL MANAGER**

Guerdon Stuckey, General Manager, reported that a bomb threat had been made at one of the shelters. Mr. Stuckey stated that he was worried about the safety issue associated with it. It has caused a great deal of concern amongst the employees. All shelters have reviewed protocols associated with the threat. Mr. Stuckey also reported that there was a protest at one of the homes of senior staff. The Department will meet with the appropriate city agencies to see if something could be done about this issue. In response to a question by Commissioner Brunson regarding the reason for the protest, Mr. Stuckey indicated the protest was over the usual thing, the euthanasia of animals.

Public Comment

Phyllis Daugherty: Asked Mr. Stuckey if City Council was being apprised of the bomb threats and threats of violence. The way it was done in the past, the P.R. person informed the mayor and council members of the threat.

**2. COMMISSION BUSINESS**

**A. Approval of the Minutes for the Meeting of July 25, 2005**

Commissioner Brunson requested the minutes be amended to reflect that the Spaymobile is not provided by Amanda it is not provided by the Coalition but by her (Ms. Brunson) personally. Commissioner Knaan recommended that the title of Item 1, "Transfer of Evidence Animals" in the General Manager's Report be changed to "Impound of Evidence Animals". A motion to approve the minutes with the aforementioned changes was made by Commissioner Brunson and seconded by Commissioner Knaan. The motion was approved by a 5-0 vote.

**B. Meetings/Events Attended**

Commissioner Rubalcava reported that he attended a meeting of Singita.

C. Consideration of Future Agenda Items

- Commissioner Knaan indicated that a report on licensing, due on September 12 was not on the calendar. Commissioner Rubalcava indicated that the item was on the agenda entitled “Marketing Program for Increased Dog Licenses”. Commissioner Brunson indicated it was on the agenda the first time on November 8<sup>th</sup> of last year.
- Commissioner Knaan indicated that the euthanasia list contained the word fractious. She asked the term be removed from the list.
- Commissioner Knaan indicated that the report on Evidence Animals, Item 3 C on today’s agenda was not what she requested. Commissioner Knaan requested a report on the protocol that was used in the preparation and filing of cases. She expected a final filing protocol that the Commission could vote on. Asked that the “Protocol for Handling Evidence Animals” be on the August 22<sup>nd</sup> agenda.
- Commissioner Brunson reported that there was \$15,000 in equipment missing from the Spaymobile. The items were taken off for inventory purposes and now cannot be found. Without the equipment Sam Simon will not be able to operate the van. Laura Dern donated the money and she would like to know where it is. A report on the missing equipment will be presented in the General Manager’s Report.
- Commissioner Knaan indicated that the Sanchez Appeal should be on the next agenda.
- Commissioner Riordan asked for someone to report on how Chameleon works and how long we hold impounds. She had been told that the information on where the animal went was sometimes unavailable. Mr. Stuckey indicated that the Department was able to identify what group adopted or rescued the animal although the information was not available to the public. Commissioner Riordan and Mr. Stuckey will discuss the issue offline.

3. **GENERAL MANAGER RECOMMENDS FOR BOARD ACTION**

A. Board Report: Proposal to Provide Animal Services to the City of Beverly Hills

Ross Pool, Management Analyst II. Reported on the request by the City of Beverly Hills (Beverly Hills) for the Department to provide animal care and control services. Mr. Pool indicated that the Department has a formal request from Beverly Hills to provide a full level of animal services that are now provided by the County of Los Angeles Animal Services. A preliminary estimate of cost indicated the City could provide the services for approximately \$100,000 per year based on an average of 120 animals per year. Beverly Hills has reviewed the Department’s preliminary cost estimate to provide services and believes it is within their budget. In order to begin actual contract negotiations, the Commission should approve the recommendation to enter into negotiations and forwarded it to the Mayor and Council for their approval. Once the approval of the Council and Mayor is received, the Department could then enter into formal talks with Beverly Hills.

Commissioner Rubalcava asked the term of the contract. It was reported that the City could not enter into a contract for more than three years. The length of the contract would be a negotiated item. Mr. Stuckey indicated the benefit to the Department would be an additional market that would provide a platform for the adoption of animals. Commissioner Brunson indicated that it would give us access to various a new public relations venue that could be used for spay and neuter programs. Commissioner Riordan was worried that the cost to provide the services was understated. Furthermore she was concerned that our officers must learn the laws and codes of Beverly Hills.

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They do not have a breeder's ordinance we do. The first initial proposal was that we would only house the animals whether than have them taken all the way to the county shelter in Carson.

Commissioner Rubalcava asked if the Department had a handle on the number of cruelty cases that were handled in Beverly Hills and was told that we did not have those numbers. Commissioner Riordan indicated that these stats should not only come from the County but also the police department. Commissioner Brunson indicated that the Department providing services to Beverly Hills would allow us an inroad into the Beverly Hills market. Commissioner Knaan was concerned about the record keeping, such as truck mileage, that would place an additional burden on the Department.

Commissioner Knaan would like to know what their animal cruelty case requirement caseload is and how many do they have per year. Commissioner Riordan wanted to know where the money was going. She asked if the money was to be added to our budget to fund the program and where the income for Beverly Hills dog licenses was to be deposited. Commissioner Rubalcava indicated the program would be revenue neutral. Commissioner Khoro indicated he was in favor of forging a relationship with another city to encourage increased adoptions. Commissioner Riordan was concerned that the West Los Angeles Shelter would be overwhelmed by calls for service and the resident's world demand an officer respond.

Commissioner Rubalcava requested an explanation on how staff arrived at the budget. Mr. Pool indicated that it was based on a Myers & Allen study that was first used to plan the new shelters. The ratio of animal control officers was 1.7 per 100,000 population. When a 20% time off ratio was added to the staffing level, the staffing for Animal Control Offices was .69. Commissioner Riordan asked if licensing canvassers were included in the calculation and was told they were not.

#### Public Comment

Phyllis Daugherty; Wondered where the City Attorney is in all this. The last time it came up they did not know whether it could be done. What jurisdiction does Los Angeles have to go in and collect dog licenses in Beverly Hills and put the money in our general fund? This is complex and we don't have enough officers for Los Angeles.

Dov Lesel: Waiting to see where the funds are going and whether we are going to enforce their laws. The City Council must be the one who approve a contract between jurisdictions for services. Has reviewed the concept and believes it can be done provided the City Council approves it. The Commission, as the first decision makers can request additional information from Beverly Hills to clarify some of the questions.

Mr. Stuckey indicated that this was merely a recommendation to begin contract negotiations. It was not a final contract. So the issues raised would be addressed in the contract. The Commission would be brought back to the Commission and Council for their approval.

Commissioner Knaan recommended the item be continued based on the receipt of additional information. Commissioner Khoro seconded the motion. The vote was 3-2 to continue the item pending answers from Beverly Hills. Commissioners Brunson and Rubalcava voted no.

The questions are:

- Who is going to collect the licenses and who is gets to keep the fees?
- Whose laws are we going to enforce?
- Who handles their animal cruelty and neglect cases?

**B. Board Report: Use of Volunteers for Mobile Adoptions**

Ross Pool, Management Analyst II, reported on the effort to enable volunteers to operate Department vehicles. Mr. Pool outlined the requirements necessary to reinstate the ability of volunteers to drive Department vehicles. The only outstanding issue is the requirement for Department volunteers to sign up with the Mayor's Volunteer Program. Issues with driver liability and union issues have been resolved through conversations with the CAO's Risk Management section and the meet and confer process with SEIU Local 347.

Commissioner Knaan commented that this was to be a voting issue at this meeting and the question of volunteer's driving must be solved once and for all. Also wanted to know when this could be finalized. Commissioner Rubalcava asked if we could do this under our own volunteer program. Mr. Pool responded that it would have to be through the Mayor's Volunteer Program. Commissioner Brunson reported that the former Mayor's office discontinued the volunteer program. Mr. Pool indicated he would re-contact the Mayor's office to follow-up and resolve the outstanding issues and report back at the next meeting.

**Public Comment**

Joyce Forest: Speaking for many volunteers when she requested the volunteer paperwork and driving program be resumed. This will increase the number of pet adoptions and will not decrease the number of employee hours. Also reported on a successful event in the Larchmont area and it will be impossible to do if the volunteers are not able to drive and do paperwork that is an important part of the adoption process.

Commissioner Brunson indicated that the volunteers ability to complete the paperwork be included in the item so it does not become a separate issue.

A motion to continue the item was made by Commissioner Rubalcava and seconded by Commissioner Knaan. The motion was approved 5-0

**REGULAR AGENDA ITEMS**

**B. Update: Update on Evidence Animal Cases**

Commander David Diliberto, Director of Field Operations, reported on the update on evidence animal cases. Commander Diliberto reported on several changes that were to be made to the report including the report being by date of impound, items numbered in order and the inclusive date of the report. In addition, a glossary of terms to explain where the case is in the system will

be included. This list is also checked weekly and updated. Any information that is not forthcoming from the shelters will be reported to Commander Diliberto.

Commissioner Knaan asked what the point for holding an animal for three months is if the evidentiary value of the animal has disappeared. A conversation between Commander Diliberto and Commissioner Knaan over the disposition of several of the animals listed on the cases ensued. Assistant City Attorney Dov Lesel reported that animals must be held if the owner does not give up their rights of the dog. The Department is unable to dispose of the dog until after the case has been settled. If a person is not convicted they have a right to get the dog back.

Commissioner Brunson asked if there was a fee that could be charged to the dog owner. Mr. Lesel said that he had advised the Department a while back that they could charge the owner with the maintenance and parts of the seizure. Commissioner asked if a defendant could house their cats at another location while awaiting trial. Commander Diliberto indicated that it had been done in the past.

Commissioners Knaan indicate that, being Mr. Stuckey's protocol is complete, why not make it part of the report and if an invoice was given to the defendant monthly. Mr. Lesel indicated that the only thing left is for staff in the City Attorney's Office to write some of the procedures on who should or should not be allowed to foster. Commander Diliberto indicated that it was a good idea to provide an accounting to the defendant and it would be a part of the report.

#### Public Comment

Jane Garcia: As a volunteer, questioned whether she was allowed to groom evidence animals. She described a dog hat had been impounded for weeks who require grooming but was denied permission. Also wanted to know if the grooming fee was passed on to the dog owner. Commander Diliberto indicated that pictures could be taken for evidence and the dogs should be groomed.

Phyllis Daugherty: Brought up that in some instances animal foster groups would like to reimbursed for caring for the animals. If the Department is reimbursed for animal care should the amount be turned over to the fosterer.

Commission President Riordan called Break at 10:45 A.M.

Commission President called the Meeting to order at 10:55 A.M.

#### C. Update: Six-Month Review of Municipal code Section §53.15.15

Lt. Jesse Castillo, Sr. Animal Control Officer I, Officer-in-Charge of the Spay and Neuter Task Force presented a brief history of the unit. The unit began in November 2000 with a goal of reducing unwanted animals because of irresponsible breeding and to encouraging the spay and neutering of dog and cats. Full staffing of the unit is five officers. Currently the unit has four offices. Lt. Castillo presented stats of the success of the unit (See Report). Complaints come from the general public, rescue organizations and officer leads. The public can call the Department and the call is forwarded to the unit. When a complaint is received, an officer is sent

to the location and issues a citation if warranted.

Commissioner Rubalcava asked about the unit distribution of spay and neuter coupons. Lt. Castillo reported that many persons do not want to spay or neuter their animals, at which time the officer collects the fee due. If it is an unwanted pregnancy, a coupon is issued so the owner can get the animal sterilized. Commissioner Brunson asked if spay and neuter information is distributed by the unit. Lt Castillo indicated that spay and neuter information is left at the house when no resident is home. Commissioner Riordan asked for statistical information on the task force for the last three years. Commissioner Knaan asked what proactive actions are taken other than contacting the breeders. Lt Castillo indicated they are constantly doing outreach programs at parks and other venues. Commissioner Rubalcava requested the statistical information be included in the licensing report to be presented to the Commission.

The Spay and Neuter Task Force Fax number is (323) 224-2353 and the phone number is (323) 276-5024.

Items Due the Commission:

- Provide three-year Fiscal Year historical data
- Breakout of number of altered and unaltered licenses
- Asked for canvassing information being included in the licensing report
- Asked for the canvassing information be included in the licensing discussion

Public Comment

Phyllis Daugherty: If residents are operating a business why is the information not referred to the City Clerk for business license purposes. There is a big loophole in the wording that questions whether the animal was bread in the City and the ability of Department Officers to take action. She will follow-up with the wording.

Commander Diliberto indicated that the Department is aware of the loophole and is working with the Office of the City Attorney to revise the code and eliminate the error.

Melanie Poez: Wished to thank the Department and the Lieutenant for having instituted the task force. There are many people in the community who could be galvanized to support the effort. Suggest the \$100 breeder fee be increased. Has seen a tremendous change in the volunteer program for the better.

Joyce Foster: Several volunteers have come up with an idea to increase spay and neuter. If you bring your cat in the Department will spay or neuter your animal for free and give your \$5.00 or a coupon to Toys-R-Us. This has been done in San Francisco and has been successful.

Commander Diliberto reported that cities across the nation are copying our ordinance.

Terri Austin: When drafting the ordinance she called all over the country to see which jurisdiction had similar statutes, she discovered the ordinances were not enforced. We are the only city in the nation that has a Spay and Neuter Task Force to enforce the law. We should see

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big leaps and bounds in the program in the next several years. Should make sure all the information for the program is included in the adoption packets to ensure residents spay or neuter their animal.

E. Discussion Item: Opening Spay and Neuter Clinics to General Public

Mr. Ross Pool, Management Analyst II, reported on the Department's efforts toward opening the shelter spay and neuter facilities to the general public. The LAMC Section §53.31 enables the General Manager to open clinics to the general public provided they pay a fee. There is nothing in the codes that precludes the Department from opening the clinics. The only problem is a staffing issue. Commissioner Brunson said the Board is in support of the proposal, especially on weekends. Mr. Stuckey reported that the Department is constantly in a mode of interviewing for veterinarians. Commissioner Brunson indicated that Dr. Bob was dying to do spay and neuters.

Ms. Teri Auston, of the Amanda Foundation, indicated a presentation at the last Commission meeting proposed that coupons be used to fund sterilizations on Sunday and Mondays at the South Los Angeles Shelter. The foundation has paid veterinary staff to staff the shelter. As far as having the public come in on the weekend.

Public Comment

Phyllis Daugherty: The \$28 fee was the amount charged several years ago. This was changed in 1990 by the state to \$40. Private veterinarians will be coming out of the woodwork when you open service to the private residents

**4. PUBLIC COMMENT PERIOD - (Comments from the public on items of public interest within the Board's subject matter jurisdiction.)**

Phyllis Daugherty: The City of Los Angeles should send a letter in support of SB861, a bill to enforce spay and neuter laws to cut down the overpopulation of certain breeds. Nationwide, 60-70% of animals are pit or pit-bull mixtures. The humane way to address this issue world is to allow local jurisdictions to pass spay and neuter ordinances that allow for the alteration of animals that are picked-up for the second time. SB 861 is bold and flawed, but it is the first attempt to control breeds that are killed in the shelters. We need it now.

Teri Austin: If the Department requested an address the foundation would provide it. However, it would be a tremendous amount of paperwork to give out every address of every adopter. This would be on a case-by-case basis. Three-quarter of breeders have area codes 909 or 626 and are not in the city. The loophole is that if they are not born in the city then the person whose house they are born in needs the permit. That is the loophole we are trying to close up. Also, when people adopt dogs and live outside the city we loose track of them and there is no way to follow-up.

Joyce Forest; When an animal comes in, it is scanned for a chip, but the don't call Avid. They will notify the original adopter but a third party may have adopted the animal. They should call Avid to get the correct address.

Barbara Trelease: In support of the rabbit spay and neuter program. People do not want to pay \$50 for a rabbit. But many people will pay \$75 to a rescue group to get an animal that is spayed or neutered. They

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will go to a pet shop and pay \$35 for a rabbit that is not altered. It would be more equal to have them treated more equally with cats. Also discounts for rescue groups.

Jane Garcia: Concerned about the Rescue Wagon program. Only dogs tagged for the rescue wagon are the cute ones. The pit bulls and chows are not getting selected. The cards are being marked as rescued. People are discouraged from taking the animals tagged for the Rescue Wagon. Leaving animals in the shelter for two and three week, the animals will get sick. The program needs to be clarified. Staff are worried about the tethering ordinance will produce a great deal of animal turn-ins because they can't deal with them.

Commissioner Riordan commented on the support of SB 891.

Commissioner Riordan requested the Rescue Wagon be on the next agenda.

**5. ADJOURNMENT**

Meeting was adjourned at 11:23 A.M.