



MINUTES

BOARD OF ANIMAL SERVICES COMMISSIONERS CITY OF LOS ANGELES

Tuesday, October 11, 2005
6:30 PM



**WEST LOS ANGELES MUNICIPAL BUILDING
1645 Corinth Avenue, Room 200
Los Angeles, CA 90012**

Commissioners: Kathleen Riordan, President
Tariq Khero, Vice President
Marie Atake
Erika Brunson
Deborah A. Knaan

SPECIAL COMMISSION MEETING, 6:30 P.M.

Commission President Riordan called the Commission meeting to order at 6:30 p.m. Present were Commissioners Riordan, Khero, Atake, Brunson and Knaan.

Items 4 A and G were taken out of order.

4. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

A. Board Resolution Regarding Employee Safety From Violence

Commissioner Brunson presented the Board of Animal Services Resolution regarding employee safety from violence.

Public Comment

Daniel Guss: Provided the Commission, the Mayor's Office and the General Manager with violent felony arrests records of a Department employee, and a report that this employee allegedly assaulted his supervisor. The resolution should eliminate such acts of violence against fellow employees and against the public.

Mary Catalano: After being fired as a volunteer, she and Joanne Wagner were victims of violence at the South Los Angeles Shelter. Wagner was pushed, her camera was grabbed, and her car was keyed to the cost of \$2,000.00. Ms. Catalano's tires were slashed.

Zsuzsa Blakely: Upset that the same shelter employee pushed her on two separate occasions. Outraged that the Commission was comparing the alleged violence against employees to the violence against the animals.

Laura Beth Heisen: Blamed the Department for not considering solutions suggested during past meetings. Suggested that the Department become more proactive.

Ian Weber: Commented that the individuals in authority at the animal shelters are very manipulative and cunning and lack the experience needed. Questioned whether their appointment was of a political nature.

Pamelyn Ferdin: Ashamed of the Commission that there is not a resolution that focuses on eliminating the abuse of animals. The abuse is the result of the corruption and mismanagement by the Department heads.

Melya Kaplan: Supported the resolution. Expressed the humane society's desire to bring about change through non-violent means. Asked the small group of individuals to stop their acts of violence.

Sergio Monteiro: Felt that there is a great deal of corruption that exists among the top City employees who earn high salaries. These individuals should be carefully monitored for their decisions and actions.

Scott Sorrentino: Concerned that the over-statements contained in the resolution may limit freedom of speech and hoped that the resolution would not intimidate individuals from speaking at public forums.

Commissioner Riordan responded that the Commission does not wish to limit freedom of protest, and that it condemns all forms of violence. She said that a second resolution would be considered that protected the public and employees from violence committed by other employees. Commissioner Khero thought that the resolution did not infringe on 1st Amendment rights and expressed the need for the public to deliver criticism directly to the Commission. Commissioner Knaan supported the public's right to protest and added that all individuals who commit acts of violence should be prosecuted under the law.

Commissioner Brunson motioned that the Commission uphold the terms and conditions set forth by the resolution dated October 5, 2005. The motion was seconded by Commissioner Khero and approved 5-0.

REGULAR AGENDA ITEMS

G. Discussion: Information on Barking Dogs, Dangerous Animals and Other Related Issues in West Los Angeles

Captain Helen Brakemeier reported on the proper procedure for filing complaints against excessive barking dogs. A complaint must first be put in writing or completed on the Department's Internet website. The complaint should include the complaining party's name, address, telephone number, the address of the barking dog, and a brief description of the complaint. Upon receiving the complaint, the Department will issue the dog owner a notice advising him to cease from allowing the dog to bark. The Department will also notify the complaining party that the process has started and that they must wait a period of 15 days before filing a second complaint. Filing of a second complaint would compel the Department to set up a meeting between the two parties, either in the District or with the City Attorney, at which they can work together to resolve the problem. If a resolution is not reached within 120 days of this meeting, a request for an administrative hearing can be made upon proof of excessive barking. A hearing examiner presiding over the hearing will make a recommendation to the General Manager. The General Manager will review the case and make a decision. The owner of the dog has a right to appeal the General Manager's decision and petition for a writ of mandate. Commissioner Knaan asked if there are step-by-step instructions on filing complaints on the website. Instructions on filing complaints can be found on the Complaints section of the website. District Manager Derek Brown confirmed that complaints filed online are forwarded to the Districts. He mentioned that the City Attorney is in charge of the Canine Court, where they provide mediation services. A professional trainer evaluates the dog and makes a recommendation to solve the problem. Commissioner Riordan wanted to clarify if decisions at Canine Court were enforceable and if parties could still pursue administrative hearings. District Manager Brown responded that the Canine Court's decisions were not binding, but that they could still be used in the hearings. Commissioner Khero wanted to know how helpful Canine Court has been. District Manager Brown indicated that the Court has

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reduced backlog for the Districts, and that the Court's professional trainer has been instrumental in evaluating both the dog and its owner and making recommendations. The assistance from Canine Court has allowed more cases to be heard, reduced the time to process cases to a 2-3 month period, and alleviated the long-term housing of dangerous animals at the shelters.

Public Comment

Zsuzsa Blakely: Upset with the number of barking dog complaints. Animal control officers have gone onto people's property and seized their animals due to barking complaints. Later these animals were killed.

Laura Beth Heisen: Recommended the use of anti-bark collars. Suggested that the Department put together information on where to get such collars and how to use them.

Daniel Guss: One case involved a gentleman who did not speak English and was denied an interpreter by the City Attorney's Office at his hearing despite asking for assistance. The City Attorney's response was to get rid of the dog. This case took over 14 months to finally resolve.

Jacky de Haviland: Does not understand why the Department does not provide trainers and counselors to owners to help them in understanding why their dogs bark excessively.

Commissioner Riordan responded that recommendations for trainers are often part of the terms and conditions when a decision has been reached in the appeals process, but that the Department due to individual promotion cannot provide trainers. Complaints often have to do with neighbors not getting along, and have nothing to do with the animals.

1. ELECTION OF COMMISSION PRESIDENT AND VICE-PRESIDENT

Commissioner Atake motioned to approve the nomination of Commissioner Riordan as a candidate for Commission President. The motion was seconded by Commissioner Khero.

Public Comment

Daniel Guss: Wanted someone with different opinions and perspectives such as Commissioner Khero or Commissioner Knaan, but that Commissioner Riordan should remain on the Commission.

Zsuzsa Blakely: Supported Commissioner Riordan to remain as Commission President due to her leadership and compassion to do right, and her willingness to stand up against the other Commissioners if needed.

The motion passed 4-0; Commissioner Riordan abstained.

Commissioner Knaan motioned to approve the nomination of Commissioner Khero as a candidate for Commission Vice President. The motion was seconded by Commissioner Brunson and passed 4-0; Commissioner Khero abstained.

2. REPORT OF THE GENERAL MANAGER – GUERDON H. STUCKEY

A. Department Response to Recent Wildfires

The General Manager reported on the Department's participation in the recent wildfires. Staff members, some working over 24 hours straight, were able to relocate hundreds of horses, dogs, cats, birds and other animals to temporary holding areas located at Hansen Dam, the Los Angeles Zoo Equestrian Center, and Pierce College. The Department's response was impressive in providing the proper care and compassion for these animals. The Fire Department commended the staff on their collaborative efforts to get all the animals out of danger safely, and to reunite them with their owners.

B. Katrina Animals Received

The General Manager gave an update on the animals received from Hurricane Katrina. 3 animals were received; 1 from Mississippi and 2 from Louisiana, and currently being held at Bark Avenue. Commissioner Khero asked if they could expect to receive more animals. Mr. Stuckey responded that they did not anticipate receiving the 3 most recent animals, but that it had been the result of individuals coming to Los Angeles and knowing the process to find care for these animals. There was no solicitation from the Department. Commissioner Knaan asked who was paying to house the animals. Mr. Stuckey indicated that the housing for the hurricane-rescued animals was being donated by Bark Avenue. Commissioner Knaan mentioned that the Department was informing callers that one of the rescued animals appearing on the website and being kept at the North Central Center, was to be held until January. Mr. Stuckey said that he would have staff look into the matter and have an answer forwarded.

Public Comments

Scott Sorrentino: Felt that all animals would be adopted if they were labeled Katrina animals.

Zsuzsa Blakely: Commented that the animals brought from the fires have displaced the dogs already being kept at the West Valley Center. These displaced animals have been killed as a result. Also questioned why the number of dogs at the South Los Angeles Annex has dramatically dropped after Katrina.

Daniel Guss: Amazed that the General Manager did not make any reference to the No Kill Conference held October 1-2 in his report. Asked why the General Manager did not attend this recent conference.

Jacky de Haviland: Wanted to clarify that the evacuation areas to temporarily hold animals in case of emergency had long been established as City procedure for 20-35 years.

3. COMMISSION BUSINESS

A. Approval of the Minutes for the Meeting of September 12, 2005

Commissioner Knaan requested Mr. Ross Pool, Management Analyst II, that the date of the extended shelter hours mentioned in the General Manager's Report be implemented on September 1st. Also requested to include in the minutes, the context of the comment made concerning Ms. Jane Garcia in the Approval of

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Minutes. On August 8th, Commander David Diliberto, Director of Field Operations, had said that volunteers were allowed to groom evidence animals. Ms. Garcia had been denied the request to groom evidence animals. Commissioner Knaan wanted to clarify that in the Board Report for the Long Term P. R. Marketing Plan she did not use the words “dirty” and “un-kept” when she reported on her visits to the shelters. Commissioner Knaan commented that the minutes for the Board Report: Tuff Mutts, does not reflect the Commission’s concern of the liability it exposed the City to by having volunteers deal with dangerous and aggressive dogs. Commissioner Knaan’s “nay” vote was to terminate the Tuff Mutts program. Commissioner Knaan requested Mr. Pool to change the date in the Update: Marketing Plan for Increased Dog Licensing from September 24th to October 24th.

Commissioner Knaan motioned that the minutes be accepted with the recommended changes. The motion was seconded by Commissioner Khero and was approved on a vote of 5-0.

B. Meetings/Events Attended

Commissioner Atake had volunteered at dog adoption events the two previous Saturdays. Most of the dogs were from South Los Angeles Annex and East Valley Center. Commissioners Brunson, Khero, Knaan, and Riordan had nothing to report.

Public Comments

Daniel Guss: Reiterated the fact that the General Manager did not attend the No Kill Conference in San Diego on October 1-2.

Jacky de Haviland: Clarified that Mr. Nathan Wintergrad would be present on November 1st and available for questions for 3 hours. Added that she attended the conference and would also be available for questions.

Mary Catalano: Agreed with Daniel Guss. Asked why the General Manager did not attend the conference.

C. Consideration of Future Agenda Items

- Commissioner Brunson asked for a report on the phone system. To be on the agenda for October 24, 2005.
- Commissioner Riordan asked for a statistical report on the alleged bites, dogs impounded and killings of particular breeds, mainly pit bulls and rottweilers. To be on the agenda for October 24, 2005.
- Commissioner Knaan asked that the question of holding animal auctions at the shelter be placed on the agenda. To be on the agenda for November 14, 2005.
- Commissioner Knaan asked that the question of owners being able to keep their companion animals with them be placed as a discussion item. To be on the agenda for November 28, 2005.

Public Comments

Heather Smith: Asked to stop the auctioning of animals at the pound to the highest bidder.

Phyllis Daugherty: Wanted to work towards implementing legislation that would spay and neuter dangerous and aggressive breeds of dogs rather banning them.

Bill Dyer: Asked that the issue of allowing owners to keep their animals with them during the occurrence of a national catastrophe be placed on the agenda.

Zsuzsa Blakely: Asked that the Commission revisit the issue of deposit fees issued by the General Manager.

Laura Beth Heisen: Pointed out that Commissioner Riordan's request for the report on dog statistics should also include the total number of dog bites, dogs impounded and dogs killed for proper comparison.

Gillian Lange: Questioned why the Department does not enforce the listing of a breeder's license number when advertising the sale of puppies in newspapers.

Pamelyn Ferdin: Asked for a resolution to grant the public access to animals being held in shelter isolation rooms. Often times the public is unaware of these animals in isolation.

Daniel Guss: Filed a complaint on September 21st challenging the spay/neuter contract with the Sam Simon Foundation. Asked to place on the agenda a discussion regarding the degree of respect the public owes to a vendor of the City of Los Angeles.

Jacky de Haviland: Suggested the Commission revisit parliamentary procedure to solidify the issue of accountability.

4. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

B. Board Report: Rabbit Adoption Policy

Commander Diliberto reported that he will work on setting up an account for a revolving fund for the spay and neutering of rabbits. He said that he would send out the proper forms to the list of upcoming spay/neuter events so that they can be part of the agreement with the City. For the events outside of the City of Los Angeles, they will have to register with the Office of Finance to acquire the proper tax ID number. Commander Diliberto mentioned that he would meet with Ms. Michelle Kelly to formulate alternatives to spay and neuter the rabbits the next upcoming days while those events register with the City. Commissioner Riordan commented that a handful of veterinarians would agree to spay or neuter rabbits for \$50.00. General Manager Stuckey added that the Department supports the direction of policy to not release rabbits to anyone suspected of selling them for human or reptile consumption, and would work with the City Attorney on the issue of the fee increase. Commissioner Riordan asked if participant shelter policy would have to change. The Department would be able to develop agreements with rescue groups to waive the \$50.00 fees. Commander Diliberto added that legitimate rabbit adoption rescue groups would have to provide the Department proof of sterilization within 30 days, otherwise be subject to losing their rescue card and being denied the waiver of fees in the future. General Manager Stuckey insisted that the issue be tabled for a later date until they could resolve the issue of the fee increase with the City Attorney, within 30-60 days. Commissioner Knaan asked that the issue of mandatory spay/neuter be voted on so that it would be made effective immediately.

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Commissioner Atake motioned to approve the policy to not release or adopt any rabbit unless it has been spayed or neutered.

Public Comments

Mary Catalano: Wanted to know why an employee was released from employment for unknowingly allowing the adoption of rabbits by a snake handler.

Phyllis Daugherty: Commented that most of the rabbits brought to the shelters have already been spayed or neutered, which should be considered in the price of the animals.

Jacky de Haviland: Suggested that the Commission include rabbits in the Municipal Code to take effect by January. Astonished that the Department considered feeding live prey to other animals in the shelters.

Daniel Guss: Upset with the General Manager and accused him of hiding the truth from the Commission.

Scott Sorrentino: Asked the Commission to produce a timeline from 3 years ago when the issue was first brought up and to analyze the reasons why it has taken so long in finding solutions to resolve the issue.

Rachel Paap: Reiterated that the Sam Simon Foundation had offered their help in the past with City programs to spay and neuter rabbits.

Michelle Kelly: Thanked the Commission for their support on the issue. Encouraged by the cooperation with rescue groups to pay the fee. Added that she would pay for the spay/neutering at the West Los Angeles Center for the next 60 days.

Laura Beth Heisen: Angered that the General Manager did not previously mention that the City pay for the \$35.00 difference. Wanted reassurance that adoptions would not be affected.

Zsuzsa Blakely: Concerned that rabbits are not adopted because they are not easily visible at the shelters.

The motion was seconded by Commissioner Knaan and passed on a vote of 5-0.

C. Board Report: Isolation Animals

Commissioner Riordan said that the Report would be moved to the following Commission Meeting, October 24, 2005 due to the absence of Dr. Smith.

Public Comments

Gillian Lange: Pleased to hear that the public would be given access to view the animals in the isolation areas of the shelters. Urged that there should be proper sanitizing for those entering these rooms.

Zsuzsa Blakely: Claimed that half of the animals in isolation do not have contagious diseases. Isolation prevents animals from being adopted.

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Daniel Guss: Questioned why the General Manager failed to include marketing strategies to draw attention to the isolation room.

Scott Sorrentino: Suggested that sick and injured animals be featured in advertisements to show the compassion of the shelters and draw attention to these animals. Also suggested that a distinction be made between sick animals and injured animals.

Mary Catalano: Complained that the shelter employees often attempt to discourage individuals from viewing the animals in isolation.

Lori Golden: Wanted the language on the website for the “special needs” section to be clear and easily accessible for viewing.

Jacky de Haviland: Commented that the special needs animals bring the most attention to the centers.

Laura Beth Heisen: Pointed out the importance in the way isolation animals are presented to the public. Frustrated that the General Manager has not offered solutions for these issues.

Commissioner Knaan suggested that the Department website include in a special section labeled as “Special Needs” to feature all the animals in isolation at the shelters, and to also display a featured animal every week. This would make the public aware of the animals in isolation. Wanted the General Manager to find out if this was a feasible marketing strategy. Commissioner Khero wanted to also include information for individuals adopting special needs animals that help is available for them to care for these animals.

Commissioner Knaan motioned to table the issue of Isolation Animals to be on the agenda for October 24, 2005. The motion was seconded by Commissioner Khero and passed on a vote of 5-0.

D. Board Report: Cage Cards

Commissioner Riordan said that the Report would be moved to the following Commission Meeting, October 24, 2005 due to time constraints.

Public Comments

Mary Catalano: Emphasized that the importance in providing complete information on the cage cards.

Jane Garcia: Volunteer. Complained about the errors in listing the ages of the animals.

Zsuzsa Blakely: Agreed with Ms. Garcia’s comment. Accused the staff of purposely mislabeling animals, causing them to be killed.

Daniel Guss: Concerned why General Manager is reacting and not acting like the Commission. What are the General Manager’s solutions?

REGULAR AGENDA ITEMS

E. Update: Senior 4 Senior Program

Mr. Stuckey indicated that the issue was forwarded to City Council to be calendared at a later date. Commissioner Knaan commented on the delay of the program being implemented. She mentioned that the East Valley Center had been mistakenly promoting the Senior 4 Senior Program without the approval of City Council. Commissioner Khoro was concerned that this compromised the Department's credibility. Commissioner Riordan said that the Report would be moved to the following Commission Meeting, October 24, 2005.

Public Comments

Mary Catalano: Informed the Commission that Paws L.A. has the funding to help Senior Citizens keep their animals.

F. Update: How Board Policy is Distributed and Implemented

Commissioner Riordan said that the Report would be moved to the following Commission Meeting, October 24, 2005 due to time constraints.

5. PUBLIC COMMENT PERIOD

Michael Wilkinson: Shared horrific story how his dog was attacked by a neighbor's pit bull. The pit bull was released back into the neighborhood. Questioned why he has not received any information on the stipulations imposed on the dog. Urged the Commission to review the case for fear of a repeated incident.

Claudia Kregar: Added to Mr. Wilkinson's story. Described their fear and asked the Commission to review the case of the dangerous dog and address the ordinance of allowing the dog 3 documented maulings before being removed, and suggested that such dogs wear muzzles in public.

Zsuzsa Blakely: Said that the notice of killing has been removed from the South Los Angeles Annex. Commented that the kill list was a good idea, but that it often arrives late. Complained about shelter staff misleading the public about healthy animals.

Phyllis Daugherty: Upset that animal shelters deceive individuals by not disclosing the past records of violent animals being adopted.

Jane Garcia: Concerned that information on the Canine Flu resembles that of a curable disease, which may lead a number of animals being mistakenly killed. Also informed the Commission of the dramatic drop of dogs at the South Los Angeles Annex after Katrina.

Mary Catalano: Agreed with Ms. Blakely's comment on the importance of the kill sign at South Los Angeles. Suggested that a public service announcement address the issue of free spay/neutering offered by the Sam Simon Foundation and Ms. Kelly. Pleased with the evening Commission Meetings.

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Jacky de Haviland: Felt that shelter staff make bad judgments. Angered that a veterinarian at the North Central Center was dismissed by the General Manager.

Kelly Holland: Outraged by the dismissal of Dr. Laura Cochran from the North Central Center. Asked the Commission to meet with Ms. Cochran.

Peter Ryan: Criticized the General Manager for not attending the No Kill Conference and attempting to find solutions.

Scott Sorrentino: Commented that a No Kill policy is possible if the Department can focus on accountability. Encouraged the Commission and the General Manager to attend the presentation by Mr. Wintergrad on November 1st.

Pam Holt: Volunteer. Angered by the dismissal of Dr. Cochran.

Commissioner Riordan wanted to clarify that the Commission is allowed to disclose information about an animal when it is brought into a shelter, but that they do not allow temperament testing.

6. ADJOURNMENT

Meeting was adjourned at 10:05 P.M.