



MINUTES
BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

Monday May 14, 2007
10:00 A.M.
CITY HALL
200 N. Spring St.
Room 1060
Los Angeles, CA 90012

Commissioners: Tariq Khero, President
 Kathleen Riordan, Vice-President
 Marie Atake
 Glenn Brown
 Archie Quincey, Jr.

ADMINISTRATIVE APPEAL HEARING

Commission Vice President Riordan called the Commission meeting to order at 10:05 A.M. Present were Commissioners Riordan, Atake, and Quincey. Commissioners Khero joined the meeting at 10:20 A.M. Commissioner Brown was absent.

1. Appeal of the General Manager's Decision in License Revocation Case – BD 06376NC

Appellant: Barbara Solorio

Complaining Witness: Anna Katiforis

District Manager, North Central Animal Care and Control, Gil Moreno, Lieutenant

Hearing Coordinator, Department of Animal Services, Keith Kramer, Captain

Commissioner Atake motioned to overturn the General Manager's decision to revoke **License Number L07-077364**, for dog "**Daisy**", and reissue it with terms and conditions. The motion was seconded by Commissioner Riordan and passed on a vote of 3-1. Commissioner Quincey opposed.

Determination: License Reissued with Terms and Conditions

2. Appeal of the General Manager's Decision in Barking Dog Case – BD 06338WV

Appellant: Clint and Janice Languein

Complaining Witness: Eishun Fukui

District Manager, West Valley Animal Care and Control, Jan Selder, Captain

Hearing Coordinator, Department of Animal Services, Keith Kramer, Captain

Commissioner Quincey motioned to overturn the General Manager's decision to reissue **License Number L07-139567**, for dog "**Roxy**", and **License Number L07-019287**, for dog "**Xena**", with terms and conditions, and dismiss the complaint due to insufficient evidence. The motion was seconded by Commissioner Atake and passed on a vote of 3-1. Commissioner Khero opposed.

Determination: Case Dismissed

COMMISSION MEETING

Commission President Khero called the Commission Meeting to order at 11:25 A.M.

1. ORAL REPORT OF THE GENERAL MANAGER – EDWARD BOKS

- City Council voted unanimously to support Assembly Bill 1634. The Business and Professions Committee in Sacramento also voted 7-2 to support the Bill. The Bill will go before the Appropriations Committee May 16. During the City Council session, Councilmember Richard Alarcon, originally opposed to the Bill, not only voted to support it, but also made a motion that the Department work on a Citywide spay/neuter ordinance.
- **Statistics for 2007 Calendar Year to Date:** The number of dogs and cats rescued by the Department increased (3.4%). Euthanasia decreased (13.2%), adoptions increased (2%), and New Hope placements increased (3.2%). The Department leads the nation in reunifications, which increased (1.2%). This rate is four times higher than any other municipal program in the country.
- **For April to Date:** The number of dogs and cats rescued by the Department increased (5.3%). Euthanasia decreased (22.7%), the lowest figure ever recorded for the month of April. Although adoptions decreased (5%), New Hope Placements increased (9.4%).
- Continuing the trend towards “No Kill”, the Department will implement several strategies: (1) Healthy animals in good disposition will be held for a minimum of 45 days, after which they would be placed on the Red Alert List. (2) The Department will continue to promote adoptions and maximize the resources of New Hope partners. (3) With the opening of the new East Valley and West Los Angeles facilities, the Department will work with Councilmember Wendy Gruel’s office on coordinating with various organizations to maintain the old East Valley facility.
- The Department held its “Be Kind to Animals Adopt-a-thon” on May 10 and 11.
- To address the move to the new East Valley facility, the Department is partnering with Mr. Bobby Dorasher, founder of New Leash On Life, to promote adoptions and empty the old facility.
- **The expected opening dates of the new shelter facilities:** West Valley – within two weeks, West Los Angeles – June, Northeast Valley – July, and Harbor – August or September.
- **The expected opening dates of the new spay/neuter clinics:** South Los Angeles – now open, North Central – June, West Valley – September, East Valley – December, Northeast Valley – March 2008, West Los Angeles – March 2008, and Harbor – March 2008.
- The General Manager joined the Fire Department in honoring Ms. Deresa Teller in the passing of her dog Bella “the Wonder Dog.”
- The Mayor’s Budget was recently published. All the Department’s requested positions were funded. However, the Department was asked to take a 5% reduction, representing close to one million dollars. The Hearing Program and License Canvassing Programs were the programs that under focus.

Public Comments

Phyllis Daugherty: Asked why the licensing numbers have not increased with the Department’s efforts. The numbers should be progressive with the number of animals that are spayed and neutered or leaving the shelters. Suggested that the Department implement an automated licensing system.

(The General Manager responded that the committee that had developed the New Hope Program had decided that the program would not require New Hope partners to license their animals. The General Manager also mentioned that the Department was working with HLP to provide software for online license renewals.)

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2. EMPLOYEE COMMENDATION FOR ANIMAL CARE TECHNICIAN MARIO OCHOA, NORTH CENTRAL ANIMAL CARE CENTER

Due to the availability of Mr. Ochoa, the Commission agreed to reschedule the commendation to the next Commission Meeting on May 29, 2007.

Action Item: Employee Commendation for Animal Care Technician Mario Ochoa to return as an agenda item for the Commission Meeting on 05/29/07.

3. COMMISSION BUSINESS

A. Approval of the Commission Meeting Minutes of March 27 and April 9, 2007

Commissioner Atake requested that several changes be made to the minutes of the March 27, 2007 Commission Meeting. Commissioner Riordan requested to receive a copy of the tapes to review comments that she had made during the meeting.

Commissioner Riordan requested to review the April 9, 2007 Commission Meeting tapes, and verify comments made during the discussion on the Mandatory Collection of One-Time \$5.00 Cat Registration Fee for New Adoptions and Owner Redemptions.

Action Item: Approval of the Minutes for March 27 and April 9, 2007 to return as an agenda item for the Commission Meeting on 05/29/07.

B. Oral Report by the Commission on Meetings and Events Attended

Commissioner Atake attended the April 17 City Council Meeting at which they unanimously voted to support Assembly Bill 1634. On April 18, she attended a meeting on the Department's Volunteer Program. "On April 18, she attended the meeting concerning Dept.'s volunteer program per the Councilmember's request."

She also held dog adoption events on April 14, April 21, April 28, May 5, and May 12. Commissioner Riordan reported that she is currently working several attorneys from across the county on drafting federal legislation. She also reported that filming for her spay/neuter commercial had started on May 10. The commercial will air nationally during primetime. Commissioners Khero and Quincey had nothing to report.

C. Proposed: Change of Meeting Day and Time

Mr. Ross Pool, Management Analyst II, contacted the General Services Department about moving the Commission Meetings to Tuesday at 11:00 A.M. GSD confirmed that no meeting rooms would be available as Tuesday is one of the City Council meeting days. Mr. Pool advised the Board to revisit the item after July when City Council's Committee Meeting times and locations are determined to see what options would be available. The Board requested that Department look into the possibilities of moving the Commission Meeting time to 11:00 A.M or 12:00 P.M on Mondays, and moving the location to the Department's Administration Office on Figueroa Street.

4. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

A. Revised Commission Appeals Policy

Assistant General Manager Linda Barth reported that the Department has, in conjunction with the Office of the City Attorney, revised various sections of the "Appeals Commissioner Policy (Policy)" to ensure that it meets all current state and local codes. The Policy detailed the responsibilities of the Commission, the Department staff, and appellants in the filing and processing of Barking Dog and Dangerous Animal Appeals. One of the most notable changes in the Policy was that the President of the Board would annually appoint a Commissioner to serve as the Appeals Commissioner rather than the simply having Vice President of the Board automatically serve in that role. In regards to that Commissioner, the Department removed the requirement that the Appeals Commissioner ask the participant to submit any written statements prior to the oral presentation. The Department also removed the authority of the Appeals Commissioner to pre-review and turn down appeals without a hearing. The City Attorney advised that if the appeal met the legal qualifications, it had to come before the full Commission to consider and discuss. Another change was to remove the section that denoted what admonitions should appear in the General Manager's letter since that was a precursor to the appeals process.

The implementation of the revised Policy is designed to simplify and streamline the time it takes for the Board to hear an appeal and render a decision. It also serves to emphasize key aspects of the appeal process relative to requirements for valid appeals and the basis on which the Board can sustain an appeal.

Public Comments

Phyllis Daugherty: Commended the staff for their efforts in working to resolve the issues for the Barking Dog and Dangerous Animal complaints. Hoped to see officers dispatched in the future to follow-up on barking dog complaints in the field and check for humane issues. Expressed concern with the qualifications of the appointed Appeals Commissioner in making decisions and directing staff.

(Ms. Barth responded that the Department is attempting to formalize the process. Staff would still remain responsible for reviewing the cases and presenting them to the Commissioners. The Appeals Commissioner would have the authority to decide when to schedule the appeals to be heard.)

Commissioner Riordan motioned to approve and direct staff to implement the updated and revised Appeals Policy. The motion was seconded by Commissioner Atake and passed on a vote of 4-0.

Commissioner Riordan motioned to give authority to the Commission President to appoint an Appeals Commissioner to serve the remainder of the current one-year term and the succeeding full term, ending June 30, 2008. The motion was seconded by Commissioner Quincey and passed on a vote of 3-1. Commissioner Atake opposed.

B. Ordinance Requiring Mandatory Microchipping of Redeemed Dogs and Cats

During the Mayor's Fiscal Year 07-08 Budget Hearing, it was recommended that the Commission support the implementation of a mandatory collection of the existing \$5.00 cat registration fee, to be payable at the time a cat is adopted or returned to its owner only. The purpose of the regulation would be to increase the potential for reunifying cats with their owners when lost, and for generating modest revenue. At the April 9, 2007 Commission Meeting, the Board rejected this recommendation. However, the Board did support the cat owner reunification through increased microchipping efforts. All animals adopted through the Department, or transferred to rescue partners through the New Hope Program, are microchipped if they did not already have one. The suggestion of the Board was to extend this program so that any redeemed animal

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would also be microchipped prior to being returned to the owner.

Commissioner Quincey commented that an advantage of microchipping the cats would be that the microchips serve as an identification tag and make the owners completely responsible for the cats.

Commissioner Riordan expressed her concern over the current fee schedule for owner redemptions. Ms. Barth responded that the first occurrence of a dog redemption resulted in a \$25 fee, with a \$35 fee for the second time. The Department would be adding a \$15 additional fee for the microchip, presuming the City Council approved the ordinance. Ms. Barth indicated that there were separate fines for dogs redeemed unaltered. Unaltered dogs redeemed for the first occurrence resulted in a \$35 fee, with a \$50 fee for the second time and a \$100 fee for the third time.

Commissioners Riordan and Atake commented that the Avid Microchip Company supplying the Department had microchips not universally able to be scanned by other companies. They indicated that other companies had to purchase the rights to read the Avid microchips.

Commissioner Riordan motioned to approve the staff recommendation to require the mandatory microchipping of cats and dogs redeemed by their owners. The motion was seconded by Commissioner Atake and passed on a vote of 4-0.

C. Appeal Process for Volunteer Suspension or Termination

The General Manager reported that in the Board and others, including staff of Councilmember Bill Rosendahl, suggested development of a formal Appeal Process for volunteers who undergo disciplinary action. The Department surveyed policies of other notable volunteer programs in Southern California at animal care agencies, hospitals, and museums. The Department also reviewed City employee discipline appeal practices and the volunteer discipline practices of other City departments. Very few volunteer programs offered a formal, written Appeal Process. Most volunteer programs handled a challenge to a suspension or termination matter on a case-by-case basis, as the Department has done up to this point. While further discussion on the Appeals process could continue, and refinements or modifications might be recommended in the future, staff strongly endorsed approval of the proposed Appeal Process, to formally offer an avenue of appeal to those few volunteers that have been suspended in the recent months.

Commissioner Atake expressed concern about a volunteer's access and to his/hers folder and its contents. Ms. Barth responded that the only documents that would be placed in a volunteer's folder would be the results of documented investigations. Unsubstantiated, uninvestigated complaints would not be placed in the folder. Commissioners Riordan and Atake felt that volunteers in the Appeal Process should be able to face their accusers. The General Manager explained that the entire process would be a mediation effort to get people to work together. In the rare instances when all else fails in resolving the continuing issues, a recommendation may come down to suspend or terminate a volunteer. If staff has made a mistake in this regard, two levels of appeal would be available to protect the volunteer. The first level of appeal would be to the Director of Volunteer Programs. The second level of appeal would be to the Director of Shelter Operations, who would convene an Appeal Panel, consisting of the AGM for Operations, an appointed member of the Commission, and a designee from the New Hope Steering Committee or other representative of the animal rescue/humane community.

Public Comments

Phyllis Daugherty: Expressed concern in allowing a panel to decide if a volunteer could come back or not.

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There is a risk issue involved that the City just cannot take. Questioned the qualifications of the appointed persons on the panel, especially those with strong existing feelings on how volunteers are treated. No person would have a fair share.

Jane Garcia: Wanted to clarify that with her situation, she signed a statement saying that she may have switched the cage cards at the shelter.

Evelyn Walton: Requested that the Commission postpone their vote on the item until the volunteers could provide their input. Suggested that there be a provision stating that there would be no guarantee of anonymity of the complainants.

Dina Takouris: Agreed that the item should not be voted on until the volunteers could provide input. Commented that she had additional information on the pending cases that resulted in volunteer suspensions.

Commissioner Quincey motioned to adopt the Appeal Process for Volunteer Suspension or Termination. The motion was seconded by Commissioner Riordan and passed on a vote of 4-0. Commissioner Khoro appointed to Commissioner Atake to serve as the Commission representative on the Volunteer Appeals Panel.

5. DISCUSSION ITEMS

A. Customer Service Training

Ms. Knaan reported that the Department had conducted five Customer Training sessions at several of the shelters. Each two-hour session was made mandatory for all staff members. Role playing exercises focusing on public speaking, listening, and awareness were some of the key components of the training sessions. The sessions have explained the rationale that good customer service leads to a better experience for members of the public, a positive image for the Department, and an increase in animal adoptions at the shelters. The training sessions have been successful in cultivating a more friendly and courteous atmosphere.

Ms. Knaan announced that the Department would soon be starting their new Animal Control Technician class for the seven new ACTs recently hired to staff the East Valley Center. It was agreed upon that Customer Training would be an integral part of not only the Animal Control Technician class, but all classes. Ms. Knaan and her team would continue to conduct random spot checks to see if staff are implementing the training they have received.

B. Status of Form D-300, Companion Animal Health Awareness Report, Use and Follow-Up

The Commission agreed to hold the discussion item on the Status of Form D-300 and place it on the agenda for the May 29, 2007 Commission Meeting.

Action Item: Discussion Item on Status of Form D-300, Companion Animal Health Awareness Report, Use and Follow-Up to return as an agenda item for the Commission Meeting on 05/29/07.

6. PUBLIC COMMENT PERIOD

Susan Taylor: Requested that the Board Report on the Citywide spay/neuter ordinance also address the issue of breeder licenses. Commented that AB1634 had provisions to consider license fee differentials. The

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Statewide intact permit would be lowered as a result of lowering the fee at the City level. Suggested that the Department look into how many license were collected at the \$100 fee and how many licenses were collected at the \$15 fee. There needs to be a stronger effort to license animals.

Phyllis Daugherty: Questioned why the Department has not mandated that animals being adopted out of the shelters or animals sterilized at the clinics be licensed. Every officer should be collecting licenses. Mentioned that Captain Derek Brown would be leaving the Department to join the County. Suggested that after the approval of the City ordinance, the Department initiate an event like the Big Sunday Event, targeting the low-income areas the Council is most concerned about.

Evelyn Walton: Complimented the Department on the success of the Bottle Baby Program. Felt that the volunteers would be very helpful in going out to the community in trying to increase licenses. Commented that issues regarding volunteer suspensions and terminations had to be resolved at the actual hearing and not at the appeal.

Dina Takouris: Commented on a dog that had been declared dangerous. Felt that in many cases involving volunteers and employees, facts about volunteers were completely distorted. Not knowing the identity of accusers was unacceptable. No rescue groups would agree to subjecting themselves to background checks because it would give the Department the power to investigate rescue groups for the number of animals in their care.

7. FUTURE AGENDA ITEMS

Requests from Commissioners For Future Agenda Items

- Commissioner Riordan wanted a discussion on incentives for pet shops taking in shelter animals. She requested that the Department look into whether pet shops and veterinary offices be made into "independent contractors" to try and license pets in exchange for a commission (percentage of the license fee).
- Commissioner Riordan requested information on animal care during hot weather be posted on the Website for the community. She also requested information on pet grievance also be posted.
- Commissioners Riordan requested that a follow-up report be done to study the numbers that resulted from the discounted adoption weekend.
- Commissioner Riordan wanted a board report on introducing the Safer Test to the shelters.

8. ADJOURNMENT

Commissioner Atake motioned to adjourn. The motion was seconded by Commissioner Riordan and passed on a vote of 4-0. The Commission Meeting was adjourned at 1:55 P.M.