



**BOARD OF ANIMAL SERVICES COMMISSIONERS  
CITY OF LOS ANGELES  
Tuesday, May 29, 2007  
10:00 A.M.  
LOS ANGELES CITY HALL  
200 N. Spring St.  
Room 1060  
Los Angeles, CA 90012**

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

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For information please call (213) 482-9501.

Si require servicios de traducción, favor de notificar la oficina con 24 horas por anticipado.

**COMMISSION MEETING**

**1. ORAL REPORT OF THE GENERAL MANAGER**

**2. EMPLOYEE COMMENDATIONS**

- A. Animal Care Technician Mario Ochoa, North Central Animal Care Center
- B. Animal Care Technician Kristi Navarro, Harbor Animal Care Center
- C. Sr. Animal Control Officer Gil Moreno, North Central Animal Care Center

**3. COMMISSION BUSINESS**

- A. Approval of the Commission Meeting Minutes of March 27, April 9, and May 14, 2007.

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

C. Appointment of Appeals Commissioner.

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

A. Temporary Right of Entry to Provide Spay/Neuter Services at the North Central Animal Care Center

That the Board direct Staff to issue a temporary Right-of-Entry for the North Central Spay/Neuter Clinic, with FixNation, Inc., to immediately begin provision of services which are imperative to preserving the health and welfare of cats in the area of the North Central Animal Care Center.

**5. DISCUSSION ITEMS**

None

**6. PUBLIC COMMENT PERIOD** - (Comments from the public on items of public interest within the Board's subject matter jurisdiction and on items not on the Agenda.)

**7. FUTURE AGENDA ITEMS**

Requests from Commissioners for future Agenda Items.

**8. ADJOURNMENT:**

Next Commission Meeting is scheduled for June 11, 2007, in Room 1060, Los Angeles City Hall

**AGENDAS** - The Board of Animal Services Commissioners (Board) meets regularly every second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Monday of each month at 10:00 A.M. Regular Meetings are held at City Hall, 200 North Spring Street, Room 1060, in Los Angeles, CA 90012. The agendas for Board meetings contain a brief general description of those items to be considered at the meetings. Board Agendas are available at the Department of Animal Services (Department), Administrative Division, 221 North Figueroa Street, 5<sup>th</sup> Floor, Los Angeles, CA 90012. Board Agendas may also be viewed on the 2<sup>nd</sup> floor Public Bulletin Board in City Hall East, 200 North Main Street, Los Angeles, CA 90012. Internet users may also access copies of present and prior agenda items, copies of the Board Calendar, as well as electronic copies of approved minutes on the Department's World Wide Web Home Page site at <http://www.laanimalservices.com/CommissionAgendas.htm>

Three (3) members of the Board constitute a quorum for the transaction of business. The Board may consider an item not listed on the Board Agenda only if it is determined by a two-thirds (2/3) vote that the need for action arose after the posting of an Agenda. Some items on the Agenda may be approved without any discussion.

The Board Secretary will announce the items to be considered by the Board. The Board will hear the

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presentation on the topic and gather additional information from Department Staff. Once presentations have finished, the Board President will ask if any Board Member or member of the public wishes to speak on one or more of these items. Each speaker called before the Commission will have one (1) minute to express their comments and concerns on matters placed on the agenda.

**PUBLIC INPUT AT BOARD MEETINGS** – **Public Participation on Agenda Items.** Members of the public will have an opportunity to address the Board on agenda items after the item is called and before the Board takes action on the item, unless the opportunity for public participation on the item was previously provided to all interested members of the public at a public meeting of a Committee of the Board and the item has not substantially changed since the Committee heard the item. When speaking to an agenda item other than during Public Comment (see Public Comment below), the speaker shall limit his or her comments to the specific item under consideration. California Government Code Section 54954.3.

**Public Comment.** The Board will provide an opportunity for public comment at every regular meeting of the Board. Members of the public may address the Board on any items within the subject matter jurisdiction of the Board as part of Public Comment.

**Speaker Cards.** Members of the public wishing to speak are to fill out one speaker card for each agenda item on which they wish to speak and present it to the Board secretary before the item is called.

**Time Limit for Speakers.** Speakers addressing the Board will be limited to one (1) minute of speaking time for each agenda item. The Chairperson, with the approval of a majority of the Board, may for good cause extend any speaker's time by increments of up to one (1) minute. Total speaker time on any agenda item will be limited to ten (10) minutes per item and fifteen (15) minutes for Public Comment, unless extended as above.

**Brown Act.** These rules shall be interpreted in a manner that is consistent with the Ralph M. Brown Act, California Government Code Section § 54950 et seq.

**STANDARDS OF CONDUCT.** Speakers are expected to behave in an orderly manner and to refrain from personal attacks or use of profanity or language that may incite violence.

All persons present at Board meetings are expected to behave in an orderly manner and to refrain from disrupting the meeting, interfering with the rights of others to address the Board and/or interfering with the conduct of business by the Board.

In the event that any speaker does not comply with the foregoing requirements, or if a speaker does not address the specific item under consideration, the speaker may be ruled out of order, their speaking time forfeited and the Chairperson may call upon the next speaker.

The Board, by majority vote, may order the removal from the meeting of any speaker or audience member continuing to behave in a disruptive manner after being warned by the Chairperson regarding their behavior. Section 403 of the California Penal Code states as follows: "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor".

**VOTING AND DISPOSITION OF ITEMS** – Most items require a majority vote of the entire membership of the Board (3 members). When debate on an item is completed, the Board President will instruct the Secretary to "call the roll". Every member present must vote for or against each item; abstentions are not permitted unless there is a Conflict of Interest for which the Board member is obliged to abstain from voting. The Secretary will announce the votes on each item. Any member of the Board may move to "reconsider" any vote on any item on the agenda, except to adjourn, suspend the Rules, or where an intervening event has deprived the Board of jurisdiction, providing that said member originally voted on the prevailing side of the item. The motion to "reconsider" shall only be in order once during the

meeting, and once during the next regular meeting. The member requesting reconsideration shall identify for all members present the Agenda number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of three members of the Board.

When the Board has failed by sufficient votes to approve or reject an item, and has not lost jurisdiction over the matter, or has not caused it to be continued beyond the next regular meeting, the issue is again placed on the next agenda for the following meeting for the purpose of allowing the Board to again vote on the matter.

**BOARD OF  
ANIMAL SERVICES  
COMMISSIONERS**

TARIQ A. KHERO  
PRESIDENT

KATHLEEN RIORDAN  
VICE PRESIDENT

MARIE ATAKE

GLENN S. BROWN

ARCHIE J. QUINCEY, JR.

**City of Los Angeles**  
CALIFORNIA



**ANTONIO R. VILLARAIGOSA**  
MAYOR

DEPARTMENT OF  
**ANIMAL SERVICES**  
221 North Figueroa Street  
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Los Angeles, CA 90012  
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**EDWARD A. BOKS**  
General Manager

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## **Report to the Board of Animal Services Commissioners**

**Edward A. Boks, General Manager**

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**COMMISSION MEETING DATE:** May 29, 2007

**PREPARED BY:** Anthony Sanchez

**REPORT DATE:** May 23, 2007

**TITLE:** Management Analyst II

**SUBJECT: Temporary Right of Entry to Provide Spay/Neuter Services at the North Central Animal Care Center**

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### **BOARD ACTION RECOMMENDED:**

That the Board direct Staff to issue a temporary Right-of-Entry for the North Central Spay/ Neuter Clinic, with FixNation, Inc., substantially in the form as on file, to immediately begin provision of services which are imperative to preserving the health and welfare of cats in the area of the North Central Animal Care Center.

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### **SUMMARY:**

As part of its ongoing efforts to become the largest City in the United States with a successful "No-Kill" policy, the Department is examining multiple strategies for increasing the availability of low-cost spay/ neuter services. Among the alternatives is establishing long-term agreements with qualified veterinarians to occupy spay/neuter clinics at each of the Department's Animal Care Centers. On October 23, 2006, the Board approved the release of a Request for Proposals (RFP) for the operation of the spay/neuter veterinary clinics at the Department's South Los Angeles and North Central Animal Care Centers; in response to that RFP, the Department received one proposal for the operation of the clinic at the South Los Angeles location only. The Board awarded that proposer an agreement at its meeting of January 22, 2007. The agreement is pending Council approval; in the meantime, the contractor has begun operations under a temporary right of entry to operate in the South Los Angeles Spay/ Neuter clinic so that services may be provided to that community. No proposals were received for the operation of the clinic at the North Central clinic.

However, it remains imperative for the health and safety of animals in the area of the North Central Animal Care Center and throughout the City that spay and neuter services be provided as soon as possible on a temporary basis, while a new RFP can be released and a long-term

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agreement can be executed. Therefore, the Department has negotiated with FixNation Inc., a Southern California non-profit organization, to temporarily occupy the clinic at the North Central Animal Care Center and provide services needed to sterilize the Center's adopted cats, other City of Los Angeles Animal Care Center cats, and feral cats brought to the Center for such surgeries. Services will include spay/neuter surgeries as well as testing cats for the presence of Feline Immunodeficiency Virus (FIV) and Feline Leukemia Virus (FeLV). A temporary Right of Entry has been drafted and will be executed subject to Board approval, and approval of the City Attorney as to form. This temporary Right of Entry will include the significant terms and conditions listed herein. Care of animals in custody of FixNation shall be in conformance with all federal, state, and local humane laws and statutes.

#### SIGNIFICANT TERMS AND CONDITIONS:

##### Term

The term of the Right of Entry shall be for one (1) year, and shall be cancelable by either party upon 30 days' written notice.

##### Standard Provisions for City Contracts

The Contractor will be required to comply with all provisions of the City's Standard Provisions for City Contracts (revised October 2003).

##### Permits and Licenses

The Contractor will be required to obtain, at their sole expense, all necessary insurance, permits, and licenses to operate the clinic.

##### Days and Hours of Operation

The Contractor shall provide spay and neuter services, at minimum, five days per week.

##### Prices of Services

Charges for spay/ neuter services may not exceed fees approved by the Board of Animal Services Commissioners. Prices to be charged the Department reflect Board-approved pricing less a 5% discount, to compensate for the use of the facility.

##### Equipment

The Department will not provide any equipment to the Contractor; the Contractor will be required to purchase and maintain all equipment and medical supplies necessary to provide services.

##### Cost of Operations

The cost of staffing, maintaining, and performing related services under the Right of Entry shall be the sole responsibility of the Contractor. No charges shall be paid by the Department beyond those stated in the Right of Entry for spay/neuter services.

##### Quality Assurance

The Department will evaluate the Contractor's performance utilizing such procedures as may be necessary to ascertain compliance with the Right of Entry including, but not limited to, onsite inspections and written reports. The Contractor shall be required to immediately correct all deficiencies found by the Department.

**Report to the Board of Animal Services Commissioners**

**General Manager**

**Subject:** Temporary Right of Entry to Provide Spay/Neuter Services at the North Central Animal Care Center

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Utilities

The City shall provide electricity, water, heating and air conditioning, and maintain the delivery systems thereof. The Contractor will be responsible for all additional utilities, including telephone service and data.

Improvements

No improvements to the premises shall be made without prior written approval of the Department.

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**FISCAL IMPACT:**

There is no impact to the General Fund. Funds will be used from Fund 543, Spay and Neuter Trust Fund; Fund 842, Animal Sterilization Trust Fund; and Fund 841, Veterinary Medical Trust Fund, in accordance with trust fund limitations and as they would be paid to an outside veterinarian providing sterilization on adopted animals or animals qualifying for coupons. Due to savings of 5% on sterilizations, funds will be available to accomplish more surgeries.

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**Approved:**

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**Edward A. Boks, General Manager**

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**BOARD ACTION:**

\_\_\_\_\_ Passed

Disapproved \_\_\_\_\_

\_\_\_\_\_ Passed with noted modifications

Continued \_\_\_\_\_

\_\_\_\_\_ Tabled

New Date \_\_\_\_\_