



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

Tuesday October 9, 2007  
10:00 P.M.  
CITY HALL  
200 N. Spring St.  
Room 1070  
Los Angeles, CA 90012

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Commissioners:	Tariq Khero, President Kathleen Riordan, Vice-President Glenn Brown Irene Ponce Archie Quincey, Jr.
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**ADMINISTRATIVE APPEAL HEARING**

Commission Vice President Riordan called the Administrative Appeal Hearing to order at 10:15 A.M. Present were Commissioners Riordan, Ponce, and Quincey. Commission President Khero and Commissioner Brown were absent.

**1. Appeal of the General Manager's Decision in License Revocation Case – DA 06574WL**

Appellant: Mr. Michael Dekhtyar

Complaining Witness: Ms. Nadine Berman

District Manager, West Los Angeles Animal Care Center, Jesse Castillo, Captain

Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst II

The Appeal Hearing for License Revocation Case – DA 06574WL will be continued to Tuesday, November 13, 2007.

## COMMISSION MEETING

Commission Vice President Riordan called the Commission Meeting to order at 10:50 A.M. Present were Commissioners Riordan, Brown, Ponce, and Quincey. Commission President Khoro was absent.

### 4. **DISCUSSION ITEMS** (Taken out of order.)

#### A. Santee Alley

Commander Andrew Smith and Captain Jodi Wakefield of the Los Angeles Police Department came before the Commission to discuss illegal commercial activities in and around Santee Alley. Commander Smith commented on the difficulty with enforcement in this area. Undercover surveillance and patrol is often necessary to catch the culprits in the act of the illegal selling of animals, and those who are caught and arrested are often let off with only a \$25 fine. In addition to these traders, local business owners are also involved, as this operation is being done in full sight with their approval. Both groups profit from the sales, as it is a common practice by these business owners to rent out the sidewalk space in front of their stores to illegal traders. Commander Smith highly recommended increasing the penalty of \$25 to deter individuals engaging in such trade. He also emphasized the importance of having a strong education program to increase awareness among the public. The General Manager added that there might be a possibility that the business owners could be held responsible if they knowingly allow illegal sales.

#### Public Comments

Phyllis Daugherty: Mainly undocumented people engaging in illegal sales. Need to start enforcing cruelty laws such as 597 and the County Health laws to build up enforcement efforts. Agreed with the General Manager that the storeowners need to be held responsible.

Jim Bickhart: Advised the Commission that the Mayor's Office and Council Member Jan Perry's Office was working to address piracy and illegal sales of counterfeit and contraband merchandise in Santee Alley. Suggested that the Commission first give the City Attorney, the Mayor's Office, and LAPD the opportunity to work with the Department on formulating a cohesive proposal that is not at odds with what the Anti-Piracy Task Force is doing.

### 1. **ORAL REPORT OF THE GENERAL MANAGER – EDWARD BOKS** (Taken out of order.)

- **Statistics for 2007 Calendar Year to Date:** Dog and cat euthanasia has decreased 25% compared to 2006, with dogs down 17% and cats down 30%. Adoptions increased 7.6%, with dogs up 10% and cats up 4%. Euthanasia for neonate kittens has decreased 63%, while euthanasia for pit bulls has decreased 30%.
- The Department has had conversations with the producers of the television show "Animal Precinct," about putting together a five-show pilot featuring Los Angeles Animal Services.
- Online Licensing has been made available on the Department's website. Currently, the new feature can only be used to license dogs. Equine licensing would be available in the near future.
- The Department is working with PetCo to sell licenses to the community.

- The Department is working with the authorities of the Port of Los Angeles to establish a feral cat pilot program to help manage the feral cat colonies in the surrounding areas. The Port of Los Angeles has also been dealing with an increasing number of raccoons coming to feed on leftover cat food.
- September 15: The Department hosted the Grand Opening of the new East Valley Animal Care Center.
- September 17: The General Manager held the quarterly All-Hands Meeting. Mayor Villaraigosa made an appearance to congratulate and recognize staff for their exceptional efforts in increasing adoptions and decreasing euthanasia throughout the City.
- The General Manager recently met with Council Member Wendy Greuel to discuss use of the old East Valley facility and the cost of bringing the facility back up to code. The Department is ready to move forward with the RFP process.
- The Department is working with the producers of the television show “30 Days” to film an episode in which they expose the show’s star to animal rights issues and the Department shelters.
- October 4: The Community Room at the East Valley Center was used by the Humane Society United States to gather signatures from members of the community to launch an initiative to modify the law in California with respect to farming.
- The Daily News recently featured an article on the Animal Cruelty Task Force. Copies of the article and other news releases about the Department were presented to the Commissioners.

#### Public Comments

Phyllis Daugherty: Questioned what code sections allowed for the use of Center Community Rooms for political reasons. Wanted to clarify whom the producers of “Animal Precinct” would be working with and what aspects of the Department would be featured on the show. Suggested an introduction be provided for the new Animal Services Commissioner.

## 2. COMMISSION BUSINESS

### A. Approval of the Commission Meeting Minutes of July 9, July 23, August 13, and August 27, 2007

Commissioner Brown motioned to approve the minutes for the July 9, 2007 Commission Meeting, subject to the changes requested by Commissioner Riordan. The motion was seconded by Commissioner Quincey and passed on a vote of 3-0. Commissioner Ponce abstained.

Commissioner Brown motioned to approve the minutes of the July 23, 2007 Commission Meeting. The motion was seconded by Commissioner Quincey and passed on a vote of 3-0. Commissioner Ponce abstained.

Commissioner Brown motioned to approve the minutes of the August 13, 2007 Commission Meeting. The motion was seconded by Commissioner Quincey and passed on a vote of 3-0. Commissioner Ponce abstained.

The Commissioners requested that the approval of the minutes for the August 27, 2007 Commission Meeting be held over to the next Commission Meeting on October 22, 2007.

**Action Item: The approval of the Commission Meeting Minutes for August 27, 2007 to return as an**

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**agenda item for the October 22, 2007 Commission Meeting.**

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

Commissioner Quincey attended the East Valley Center Grand Opening on September 17. Commissioner Riordan attended the Elephant Trust Fundraiser with researcher Joyce Poole on September 27. Commissioner Brown had recent discussions with a Congressman regarding the use of animals for homeland security issues. Commissioner Ponce attended the American Institute of Architecture Awards Banquet September 27. At the banquet, the Department received an award for their design of the North Central Animal Care Center.

Commissioner Irene Ponce gave a brief introduction on her experience and background in working with the Department and Humane Community.

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

**A. Establish a Department Policy to Guide the Handling of Permit Applications That Include Elephant Walks and Similar Events for the Public**

As in past years, Ringling Brothers and Barnum & Bailey Circus applied for a circus permit for their recent engagement at Staples Center from July 18 through July 22, 2007. The circus permit paperwork also notified the Department of a traditional Elephant Walk on public streets to bring the animals from the railroad tracks to the site of the Circus engagement. For the 2007 Elephant Walk, which brought elephants to Staples on July 17, 2007, and back to the railroad cars on Sunday night, July 22, 2007. Department staff engaged with other City agencies and Departments, particularly the Los Angeles Police Department, to analyze the plans for the Walk, including the time and route, in the event that fresh review would reveal any potential problems or suggest modifications to improve safety.

Although there were no incidents, historically and in other locations there have been Elephant Walks, which have resulted in an elephant rampage. Therefore, the Department seeks a Policy Statement to guide staff for future event approval review and planning. Such a statement could indicate whether the activity is endorsed or discouraged, and establish parameters such as day, time of day, number of animals, minimum staff requirements, and so forth. Having a Policy Guideline will ensure consistency in handling permits and events in the future.

Commissioner Riordan briefly shared her experience of involvement with specific animal cruelty cases regarding unsafe barriers. She mentioned that the USDA does have guidelines in place to protect the safety of the public, and ultimately the safety of the animals. However, the USDA is short-staffed to enforce those guidelines consistently. Commissioner Riordan emphasized the importance of the Department to have the ability and freedom to enforce similar guidelines. She suggested that such guidelines also include other animals that are routinely walked in parades or other public events.

Ms. Catherine Doyle, Founder of the Los Angeles Alliance For Elephants, commented that the USDA's guidelines for annual testing of tuberculosis in elephants are not reliable. Elephants must be shedding at the time of testing in order to get a good reading on the virus, and only after death with the performance of an autopsy and analysis of the lungs, can it be determined if an elephant was cured of tuberculosis from treatment. Researchers are learning new things about elephants everyday. Ms. Doyle reminded the Commission that elephants are wild animals, difficult to domesticate, and advised that public exposure to

elephants can have serious repercussions.

#### Public Comments

Phyllis Daugherty: Opposed to exposing any animal in a circus. Indicated that the elephants are walked early in the morning to avoid protestors and high volume traffic in the City. Commented that elephants are TB tested by a trunk wash and must be certified within the past year by a veterinary technical laboratory. Certificates must be verified by a public health official. The walk is a form of exercise for the elephants, which brings in a large amount of money for the City. Agreed that something progressive could be done to better help the animals.

Commissioner Quincey motioned to direct the Department to draft a policy statement regarding Elephant Walks or similar parades of animals by a circus or exhibition, to guide the permit processing responsibilities of Department staff. The motion was seconded by Commissioner Ponce and passed on a vote of 3-0. Commissioner Brown abstained.

#### B. Request for Proposals for the Operation of the Department's Spay/Neuter Clinics

Each of the newly constructed Animal Care Centers, built as part of the City's Fire and Animal Facilities Bond (Proposition F), include a spay/ neuter clinic within the facility, each designed with animal preparation rooms, surgery rooms, recovery rooms, reception and office areas. Having a fully-functioning spay/ neuter clinic at each Care Center will reduce the City's transportation and staffing costs, reduce administrative costs of processing payments, will allow adopters to pick up their pets from the same Care Centers from which the animals are adopted, and will help promote responsible pet ownership by making it easier to spay and neuter animals.

The Department currently has many of the positions needed to staff these clinics (both veterinarians and veterinary technicians) vacant. As the Department fills these vacancies and retains veterinary staff over time, moderately short-term three-year contracts with private veterinarians to occupy our Clinics will ensure that Los Angeles residents are provided with the necessary veterinary services for their companion animals. The Request for Proposals (RFP) would be released to contract services for all locations except for the South Los Angeles Animal Care Center.

Commissioner Brown expressed his concern about the shortage of veterinarians employed by the Department, and about the Department's strategy and ability to recruit staff from within. Ms. Barth responded that one of the reasons the City continues to experience a difficulty in hiring veterinarians is due to the stringent City requirements and reporting that City veterinarians must continue to meet, and often accompanied with large amounts of paperwork to be completed.

Commissioner Quincey motioned to direct Staff to release a Request for Proposals (RFP), substantially in the form as on file, for the operation of the Spay/Neuter Clinics at the West Valley, Northeast Valley, East Valley, North Central, West Los Angeles, and Harbor Animal Care Centers, subject to approval of the City Attorney as to form. The motion was seconded by Commissioner Ponce and passed on a vote of 3-0. Commissioner Brown abstained.

## 4. DISCUSSION ITEMS

### A. South Los Angeles Spay and Neuter Clinic Program Report

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Dr. Eric D. Jones began operations at the South Los Angeles Clinic on May 3, 2007, under a Temporary Right of Entry in order to allow him to immediately begin providing veterinary medical services for animals brought into the South Los Angeles Animal Care Center. Dr. Jones has been providing regular reports on the number of surgeries performed, to the Department's Accounting Section by the second week of the following month, along with his invoices. This has allowed the Department to keep available data for the number of surgeries performed by Dr. Jones for the months of May and June 2007. Since Dr. Jones began, he and his team have successfully sterilized approximately 621 adopted animals at the South Los Angeles Clinic.

Department staff met with Dr. Jones and his staff on June 6, 2007, to review his Clinic's operation during his first month and to make any necessary adjustments in the protocols by which sterilizations are coordinated with Care Center staff. Both his staff and Care Center staff had notified the Department that certain adjustments were needed. Among the issues discussed was the number of next-day surgeries. The clinic needs to know how many surgeries will be scheduled every following day so that they can properly staff the clinic accordingly, and also so they can figure out how many of the public's animals they can also admit. This will allow Dr. Jones to provide the maximum service to the Department, while also giving members of the South Los Angeles community the opportunity to benefit from Dr. Jones' services.

Regular meetings will continue to take place with Dr. Jones and his staff to discuss and analyze day-to-day challenges and issues, and to find specific ways to improve protocols and refine operational services.

#### Public Comments

Phyllis Daugherty: Commented that 25 surgeries per day is a low number and that Dr. Jones should be doing more of the public's animals if he is not doing many shelter animals. Suggested that Dr. Jones should be promoting licensing with spay/neuter surgeries.

### 5. PUBLIC COMMENT PERIOD

Kevin McCourt: Wanted to offer funding to donate to the Department in the form of a partnership to further humane education. Presented DVDs and a Power Point presentation to the Commission explaining his organization's programs.

Cathie Turner: Wanted to meet with the General Manager to discuss solutions to the City's euthanasia numbers. Mentioned that the American Kennel Club had new education materials to the Department on spay/neuter.

Phyllis Daugherty: Indicated that horses and other animals walked during parades should also be checked and verified. Protocols need to be established. Commented that SB353, the Domestic Violence Protective Order, passed in the State Legislature and was signed to now include pets to be included in the bill. Mentioned that the District Attorney Training was going well. Asked that there be a follow-up on the replacement of officer protective vests that were recalled.

### 6. FUTURE AGENDA ITEMS



Requests from Commissioners For Future Agenda Items:

- Commissioner Ponce wanted a report on the giardia outbreak at the South Los Angeles Center.
- Commissioner Brown requested an agenda item on ways to offer incentives and increase licensing at Department shelters.
- Commissioner Brown wanted to have more information on discussions regarding the Department's Pitt Bull Program.
- Commissioner Riordan requested an agenda item on employee safety and equipment training.
- Commissioner Riordan wanted a report on enforcement responses and dispatched field services.
- Commissioner Riordan wanted an update on the final report of the Erica Meadows Evaluation.
- Commissioner Riordan requested to present the following motion for consideration on a future agenda item:

Under the Charter Code of the City of Los Angeles, the Board of Animal Services Commissioners have had policy making and oversight responsibilities relative to the Department of Animal Services since July 1993. In this role, the Commission has adopted a number of policies that have a bearing on day-to-day functions of the Department. Additionally, the General Manager and his management team generate operational policies that are crucial to the efficient and effective functioning of the Department's shelter and field operations. From time to time, incidences occur that suggest that the Department staff and/or members of the public maybe unfamiliar with or unclear on relative policies emanating from either the Commission or the Department management. This has been known to lead to unfortunate circumstances that have harmed the Department's relations with the public. If a concise compendium of these policies were to be available on the Department's website, staff and public could have convenient access to them, and a certain amount of potential confusion and friction eliminated. Now, I therefore move that the Department of Animal Services staff be instructed to compile all policies adopted by the Board of Animal Services Commissioners or issued by Department management and to post them in an easily accessible place and manner on the Department's public website at its earliest opportunity.

**7. ADJOURNMENT**

Commissioner Quincey motioned to adjourn. The motion was seconded by Commissioner Brown and passed on a vote of 4-0. The Commission Meeting was adjourned at 1:31 P.M.