



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Tuesday, August 14, 2012
10:00 A.M.

**Los Angeles City Hall
200 North Spring Street
Room 1060
Los Angeles, California 90012**

LISA McCURDY
President

KATHLEEN RIORDAN
Vice-President

JIM JENSVOLD
TARIQ A. KHERO
ALANA YAÑEZ

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 requiere servicios de traduccion, favor de notificar la oficina con 24 horas por anticipado.

COMMISSION MEETING

1. 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.)

Public Comments: The Brown Act prohibits the Board and staff from responding to the speakers' comments. Some of the matters raised in public comment may appear on a future agenda.

2. COMMISSION BUSINESS

- A. Approval of the Minutes for the Meetings and July 24, 2012 meetings

3. DISCUSSION ITEMS

None

4. BOARD REPORTS

- A. Authorization to use \$52,000 from the Animal Welfare Trust Fund to pay for the preparation of an environmental clearance regarding the LA Animal Services' Proposed "Cat Program"

That the Board approve a request from the General Manager to authorize the use of \$52,000 from the Animal Welfare Trust Fund to pay for preparation, circulation and finalization of California Environmental Quality Act documentation in support of a proposed "Cat Program" allowing the resumption of the Department's involvement in funding the spay/neuter of feral and stray cats, allowing cats to be maintained in outdoor colonies within the City limits under certain limitations, a set of Code amendments supporting these actions, and other actions relating to the overall welfare of cats in Los Angeles.

- B. Recommendation to City Council That SB 1480 Be Added to City's Legislative Program

That the Board recommend that the Mayor and the City Council formally endorse California Senate Bill 1480 (Corbett) to strengthen protections for wildlife and consumers against inhumane animal trapping practices and methodologies; and instruct staff to expedite transmittal of this recommendation to the Mayor and Council due to the urgent need to respond to the legislative schedule in the State Capitol.

- C. Revised Calendar for Remainder of Meetings to be held in 2012

That the Board approves the attached revised meeting schedule for remaining calendar year 2012.

- D. The Hiring of a Veterinarian to Review and Monitor Circus Elephants

That the Board approves using \$5,692 from the Animal Welfare Trust Fund (Fund 859) to pay Dr. Phillip K. Ensley, DVM, for services associated with the inspection of elephants that were part of the Ringling Brothers and Barnum & Bailey Circus (Circus).

- E. Approval for the Release of An RFP for Animal Welfare Software

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Approval of the Board to release a Request for Proposal (RFP) for Animal Welfare Software.

5. ORAL REPORT OF THE GENERAL MANAGER

Next Commission Meeting is scheduled for 10:00 A.M, September 11, 2012, at Los Angeles City Hall, Room 1060, 200 North Spring Street, Los Angeles, California 90012

AGENDAS - The Board of Animal Services Commissioners (Board) meets regularly every second (2nd) and fourth (4th) Tuesday 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, 5th Floor, Los Angeles, CA 90012. Board Agendas may also be viewed on the 2nd 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, MP-3 audio files of meetings 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. 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 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)

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minute of speaking time for each agenda item except in public comment which is limited to three (3) minutes. 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
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221 North Figueroa Street
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BRENDA F. BARNETTE
GENERAL MANAGER

Report to the Board of Animal Services Commissioners

Brenda F. Barnette, General Manager

COMMISSION MEETING DATE: August 6, 2012

PREPARED BY: Ross Pool, Management Analyst II

DISCUSSION DATE: August 14, 2012

SUBJECT: REVISED: CALENDAR YEAR 2012 MEETING SCHEDULE

RECOMMENDATION

That the Board approves the attached revised meeting schedule for remaining calendar year 2012.

BACKGROUND

On January 10, 2012, the Commission approved the meeting schedule for calendar year 2012. Based on past practices, the meeting schedule was prepared for the second and fourth TuesdayS of each month, with a meeting time of 10:00 a.m. in City Hall. In addition, 7:00 p.m. evening meetings were scheduled for various parts of the City.

At the July 24, 2012 Board meeting, the following schedule-related matters were discussed:

1. Due to the absences of three Commissioners on August 28, 2012, that Board meeting would be canceled.
2. The item to change the regular meeting time from 10:00 a.m. to 9:00 a.m. was withdrawn. Two Commissioners expressed reservations in attending an earlier meeting time, so the 10:00 a.m. start time remains.

Subject: Revised Meeting Schedule

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3. There was interest on the part of the Board to change the locations of future off-site night meetings, though the 7:00 p.m. would remain the same because that time was conducive to more public participation.

The Board directed staff to develop a new schedule; it is attached for the Board's review and approval. Changes from the schedule approved in January 2012 are reflected using strikeout and underline formatting.

Approved:

Brenda F. Barnette, General Manager

Subject: Revised Meeting Schedule

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Date: August 14, 2011

To: Board of Animal Services Commissioners

From: Ross Pool, Commission Secretary

Subject: **REVISED 2012 SCHEDULED COMMISSION MEETING DATES**

To effectively plan for forthcoming Board of Animal Service Commissioner events, a schedule of remaining calendar year meeting dates is submitted for your approval. Please review the prospective meeting dates and indicate any changes that may be required.

MONTH	SCHEDULED MEETING DATE	MEETING LOCATION	ACTUAL MEETING DATE
January	10	City Hall	Same
	24	City Hall	Same
February	14	City Hall	Same
	28	West Valley	Same
March	13	City Hall	Same
	27	City Hall	Same
April	10	City Hall	Same
	24	South LA	Same
May	8	City Hall	Same
	22	City Hall	Same
June	12	City Hall	Same
	26	West LA	Same
July	10	City Hall	Same
	24	City Hall	Same
August	14	City Hall	Same
	28	City Hall Cancel	Same
September	11	City Hall	Same
	25	Harbor West Valley	Same
October	9	City Hall	Same
	23	North Central Harbor	Same
November	13	City Hall	Same
	27	Cancel	Holiday
December	11	City Hall	Same
	25	Cancel	Holidays

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BRENDA F. BARNETTE
General Manager

JOHN CHAVEZ
Assistant General Manager

Report to the Board of Animal Services Commissioners
Brenda Barnette, General Manager

COMMISSION MEETING DATE: August 14, 2012 **PREPARED BY:** Brenda Barnette

REPORT DATE: August 9, 2012 **TITLE:** General Manager

SUBJECT: AUTHORIZATION TO USE \$52,000 FROM THE ANIMAL WELFARE TRUST FUND TO PAY FOR THE PREPARATION OF AN ENVIRONMENTAL CLEARANCE REGARDING LA ANIMAL SERVICES' PROPOSED "CAT PROGRAM"

BOARD ACTION RECOMMENDED:

That the Board approve a request from the General Manager to authorize the use of \$52,000 from the Animal Welfare Trust Fund to pay for preparation, circulation and finalization of California Environmental Quality Act documentation in support of a proposed "Cat Program" allowing the resumption of the Department's involvement in funding the spay/neuter of feral and stray cats, allowing cats to be maintained in outdoor colonies within the City limits under certain limitations, a set of Code amendments supporting these actions, and other actions relating to the overall welfare of cats in Los Angeles.

1. SUMMARY:

a. History

As far back as 1971, with the support of the Los Angeles City Council ("City Council"), the Los Angeles Department of Animal Services undertook the direct subsidy of sterilization for dogs and cats in Los Angeles. At that time the program focused on spay/neuter clinics operated at its animal shelters. These clinics provided surgeries to

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Subject: Authority to use \$52,000 to Fund “Cat Program” CEQA Study

adopted shelter animals and animals brought in by the public. In 1991, to make the program more cost-effective and geographically flexible, the City Council authorized the Department to instead distribute discount coupons to residents to sterilize privately-owned cats and dogs. These coupons were worth \$20 per cat and \$30 per dog.

In 1999, the City adjusted the spay/neuter discount voucher program for residents to make it more manageable and effective. The discount coupons and free certificates provided a \$30 discount to be used by any resident of the City as a subsidy for spay/neuter services for either cats or dogs, and a \$70 voucher which was for low-income City residents to be accepted by a veterinarian in full payment for a spay/neuter surgery for either cats or dogs. The City Council also authorized LAAS to begin operating or contracting with mobile spay/neuter clinics to which dog and cat owners could bring their animals for sterilization.

On June 27, 2005, the Los Angeles Board of Animal Services Commissioners (“Commission”) approved a resolution adopting Trap-Neuter-Release (“TNR,” a technique involving the maintenance of colonies of sterilized stray or feral cats in outdoor areas that by then had gained support in various locales around the United States and in other countries) as the official policy of the Department, directing the Department to take such steps necessary to implement the policy, including the initiation of several Municipal Code amendments.

Subsequently, several meetings were held between LAAS staff and members of the humane community to discuss program concepts and details. Members of local environmental organizations also contributed their thoughts on the subject. On June 12, 2006, the Board voted to instruct LAAS to conduct a CEQA review of any substantive proposal prior to moving forward with final approval.

While contemplating how to proceed on TNR, Department management sought to reduce the cat euthanasia rate by various means. Reimbursements were provided to individual veterinarians and cat sterilization programs to conduct surgeries on cats brought in by individuals and rescue groups. The Municipal Code was amended by the City Council at the Department’s request in 2007 to allow the Department to waive trap rental fees to nonprofit groups involved in TNR.

LAAS also sought to reduce the number of animals brought in to the animal shelters in other ways. Several methods were used to achieve this purpose from 2006 to 2009. One of these was a short-lived attempt to reduce the hours that the shelters would accept animal “owner turn-ins.” Another was to reduce the number of stray or feral cats being brought in to the shelters by discouraging the intake of feral cats from members of the public.

In 2006 the Department determined that reinstating on-site spay/neuter clinics at City animal shelters that would be open to the public could make an important contribution to the effort. A Request For Proposals (RFP) was released to identify prospective

Subject: Authority to use \$52,000 to Fund “Cat Program” CEQA Study

veterinary service providers for the South Los Angeles shelter, and Dr. Eric Jones opened the clinic there in May 2007. In subsequent years, additional RFPs were circulated leading to the opening of spay/neuter clinics at the Harbor, West Los Angeles and East Valley shelters as well.

Most significant was the 2008 passage of an ordinance mandating sterilization of all dogs and cats living within the City limits, with several specified exceptions. A key element of this ordinance is its prohibition of any cat over the age of four months being allowed to be in a public place unsupervised unless the cat is spayed or neutered. The overall intention of the ordinance was to reduce dog and cat overpopulation that contributes to animals entering the City’s shelters.

After environmental and bird enthusiast groups objected to the implementation of any aspects of TNR without a California Environmental Quality Act (“CEQA”) clearance, the Department ended the espousal of TNR as a policy in 2007. Nonetheless, a lawsuit was filed over this issue on June 26, 2008. The court subsequently agreed with the plaintiffs that the City had been conducting a TNR program without an environmental clearance. With the issuance of a modified court injunction in March 2009, subsidy of feral cat sterilization and the support of any TNR and TNR-related activities on the part of the City were prohibited, including any previously-initiated TNR-facilitating activities or adopted Codes.

Through the City’s Bureau of Engineering, the Department subsequently engaged Envi-Craft, an environmental consulting firm, to advise it on how best to proceed with a CEQA clearance process. A survey of stakeholders was conducted, preliminary environmental analysis undertaken, and report delivered in November 2011.

Subsequently, a “project description” for a Cat Program (see below for an outline) intended to address the issues raised in the 2008 litigation has been developed. This project description is intended to be the focal point of the CEQA study required by the court in deciding the litigation.

b. CEQA and the Cat Program Approval Process

The CEQA process involves notifying the public, interested parties and agencies of the City’s intention to create an environmental document authorizing implementation of the Cat Program, taking public and agency comments on the potential environmental impacts of the proposed program, and finalizing an environmental clearance. This clearance document – a Categorical Exemption, a Negative Declaration, a Mitigated Negative Declaration or an Environmental Impact Report – then must accompany any proposed discretionary actions regarding the Cat Program through the City’s approval process.

Subject: Authority to use \$52,000 to Fund “Cat Program” CEQA Study

Since the Cat Program involves policies, implementation measures and proposed Code amendments, it is anticipated that its approval process will include both the Board of Animal Services Commissioners and the City Council.

2. PROPOSED CAT PROGRAM DRAFT PROJECT DESCRIPTION:

In order to proceed with a CEQA study, it has been necessary for the Department to prepare a “project description” encompassing the “proposed project” to be studied for the environmental clearance document. The following draft project description is intended to include all the elements deemed necessary to allow the Department to participate in funding, administrative and educational activities pertinent to the well being and outdoor maintenance of cats – including feral and stray cats – within the City limits. To put it another way, the Cat Program is intended to legalize TNR and the Department’s measured support for it without the Department embarking on a major TNR program of its own.

Working in conjunction with the City Attorney, the Mayor’s office, the office of Councilmember Paul Koretz, the Bureau of Engineering’s Environmental Management Group and outside experts on issues relating to cats, trap-neuter-release and related topics, the Department has prepared the following draft project description. This draft is subject to change as the CEQA and approval processes go forward, but it is fully indicative of the Department’s intention to meet the court’s requirements for conducting the Cat Program in a manner that addresses environmental concerns and promotes the welfare of cats in general.

The Cat Program and CEQA documentation will be brought to the Board for formal approval and transmittal to the City Council at a later date following completion of the latter.

Draft Project Description:

The proposed project is the establishment of a “Cat Program” involving the citywide coordination of actions and activities that will accomplish increased spay/neuter of cats, generally reduce the euthanasia of cats in City of Los Angeles (“City”) animal shelters, accommodate the maintenance and improved management of cats in outdoor locations in a manner that minimizes their impacts on environmentally sensitive habitats, support members of the public with an interest in addressing nuisance issues relating to cats, and facilitate public and community education on cat-related issues.

In addition, the proposed program includes a minor amendment to Section 5.201 of the Los Angeles Administrative Code regarding the scope of use of the Animal Spay and Neuter Trust Fund and amendments to Section 53.00 of the Los Angeles Municipal Code regarding the definition of a “cat kennel” involving how many cats may be kept in a given location without having to obtain a permit for a cat kennel, regarding the

Subject: Authority to use \$52,000 to Fund “Cat Program” CEQA Study

definition of a “colony,” regarding the feeding of sterilized outdoor stray or feral cats, and regarding the exemption of colonies from requirements for obtaining a cat kennel permit.

The component parts of the Cat Program are as follows:

- (a) Use Animal Spay and Neuter Trust Fund monies to subsidize spay/neuter of cats, including shelter cats, adopted cats, owned cats, and stray or feral cats living in outdoor colonies or settings. This will be accomplished by making discount spay/neuter coupons available to cat owners or guardians, directly subsidizing veterinarians to perform spay/neuter surgeries, contributing to the funding of approved and/or geographically and/or income targeted operations of stationary or mobile spay/neuter clinics within the city, and other means to be determined, all in a manner compliant with standard City procedures. To the extent feasible, maintain records on the origin and destination of outdoor cats affected by such surgeries;
- (b) Establish and promote departmental relationships – including referral and contractual arrangements compliant with standard City procedures - with veterinarians or organizations who will offer free or discount spay/neuter services for shelter cats, adopted cats, owned cats, and stray or feral cats living in outdoor colonies or settings;
- (c) Rent or lend traps to any member of the public who complies with trapping permit requirements and seeks to remove cats, including stray or feral cats, for nuisance abatement purposes, to facilitate their sterilization, or for other purposes that may prove necessary;
- (d) Release cats to U.S. Internal Revenue Code (“IRC”) section 501(c)(3) animal rescue and adoption organizations that request those cats prior to the cats’ euthanasia (per state law);
- (e) Return cats whose owners claim them (per state law);

- (f) Make Los Angeles Animal Services (“Department” or “LAAS”) facility community rooms available for use by community groups, animal welfare organizations, wildlife organizations and the Department itself to discuss cat-related issues, regardless of the issues or their viewpoint on those issues;
- (g) Provide links on the LAAS website to various animal protection organizations, including cat advocates, Trap-Neuter-Release (“TNR”) groups, bird protection groups, other wildlife protection groups and any other community or issues-based organization discussing issues and problems relating to cats. Also provide links to sources of information on the control or repelling of nuisance cats, including such technologies that may be applicable to the topic;

Subject: Authority to use \$52,000 to Fund “Cat Program” CEQA Study

- (h) Allow various animal protection organizations, including cat advocates, TNR groups, bird protection groups, other wildlife protection groups and any other community or issues-based organization discussing issues and problems relating to cats, to distribute printed literature at City animal shelters and events;
- (i) Amend Section 5.201 of the Los Angeles Administrative Code (“Administrative Code”) pertaining to the establishment of the “Animal Spay and Neuter Trust Fund” as follows:

“The Fund must be used to provide ~~pet~~ animal sterilization services to City residents who meet eligibility requirements established by the GM for DAS and approved by the City Council;

“The Fund must be administered and expenditures from the Fund must be authorized by the City Council in accordance with established City practices; and

“The Fund must be limited to providing ~~pet~~ animal sterilization services to residents of the City of Los Angeles.”

- (i) Per Los Angeles City Council (“City Council”) File 10-0982, amend Section 53.00 (Definitions) of the Los Angeles Municipal Code (“Municipal Code”) pertaining to “Cat Kennels” as follows:

“Cat Kennel” shall mean any lot, building, structure, enclosure, or premises, where ~~four~~ six or more cats are kept or maintained for any purpose. (Previously amended by Ord. No. 162,538, Eff. 8/27/87.)

- (k) Amend Section 53.00 (Definitions) of the Los Angeles Municipal Code as follows:

For the purposes of this section, “Colony” shall mean a geographic location not in or adjacent to a public park or Significant Ecological Area where stray or feral cats typically live and/or where they forage or hunt for food, or are fed and generally cared for by individuals volunteering as “Caregivers,” also commonly referred to as “Caretakers.”

- (l) Amend Section 53.06.5 (b) (Feeding of Non-Domesticated Mammalian Predators Prohibited) as follows:

Add: “This section shall not apply to any person who provides food or water to any stray or feral cat living in a colony provided the cat is sterilized.”

- (m) Amend Section 53.50 (a) (Permit Required) of the Los Angeles Municipal Code by adding language as follows:

“For these purposes, ‘cat kennel’ shall not include any outdoor location

Subject: Authority to use \$52,000 to Fund “Cat Program” CEQA Study

*Where feral or stray cats are living in, and are maintained as, a colony.
Additionally, no cat kennel shall be permitted in or adjacent to a public
park or Significant Ecological Area.”*

FISCAL IMPACT:

The use of the Animal Welfare Trust Fund for this purpose has no impact on the Department’s General Fund budget.

Approved:

Brenda Barnette, General Manager

BOARD ACTION:

_____ Passed	Disapproved _____
_____ Passed with noted modifications	Continued _____
_____ Tabled	New Date _____

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BRENDA F. BARNETTE
GENERAL MANAGER

JOHN CHAVEZ
ASSISTANT GENERAL MANAGER

Report to the Board of Animal Services Commissioners

Brenda F. Barnette, General Manager

COMMISSION MEETING DATE: August 14, 2012 **PREPARED BY:** Ross Pool

REPORT DATE: August 8, 2012 **TITLE:** Management Analyst II

SUBJECT: Supplementary Report re: THE HIRING OF A VETERINARIAN TO
REVIEW AND MONITOR CIRCUS ELEPHANTS.

RECOMMENDED:

That your Board approves using \$5,692 from the Animal Welfare Trust Fund (Fund 859) to pay Dr. Phillip K. Ensley, DVM, for services associated with the inspection of elephants that were part of the Ringling Brothers and Barnum & Bailey Circus (Circus). The General Manager is authorized to spend up to \$5,000 from the Animal Welfare Trust Fund to support any program that involves the health and welfare of animals. As the final invoices submitted by Dr. Ensley exceed the \$5,000 threshold, Board approval is required.

BACKGROUND:

On July 10, 2012, in an informational report to the Board, Commissioners were informed that a veterinarian would be hired, utilizing \$3,700 from the Animal Welfare Trust Fund. Expenditure of funds, under an Authorization for Expenditures (AFE) signed by the City Attorney, would be used to inspect the elephants that are part of the Circus.

On July 19, 2012, the Department received invoices from Dr. Ensley totaling \$5,692. Expenses include \$1,117 for travel and lodging. In addition, an invoice for \$4,575 was submitted for observation of elephants, review of elephant medical records, and preparation of a final report on his findings. The final report submitted by Dr. Ensley has been received by the Department and is being reviewed by both the medical and administrative staff.

Subject: HIRING OF A VETERINARIAN TO MONITOR CIRCUS ELEPHANTS Page 2

Because Dr. Ensley's total costs exceed \$5000, Board approval is required.

FISCAL IMPACT:

Currently the Animal Welfare Trust Fund balance is \$580,958.62. Your approval of this expenditure of \$5,692 to reimburse Dr. Ensley will leave a balance of \$575,266.62 in the account.

Approved:

Brenda F. Barnette, General Manager

BOARD ACTION:

_____ Passed	Disapproved _____
_____ Passed with noted modifications	Continued _____
_____ Tabled	New Date _____

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BRENDA F. BARNETTE
General Manager

JOHN CHAVEZ
Assistant General Manager

Report to the Board of Animal Services Commissioners
Brenda Barnette, General Manager

COMMISSION MEETING DATE: August 14, 2012 **PREPARED BY:** Brenda Barnette

REPORT DATE: August 09, 2012 **TITLE:** General Manager

**SUBJECT: RECOMMENDATION TO CITY COUNCIL THAT SB 1480 BE ADDED TO
CITY LEGISLATIVE PROGRAM**

BOARD ACTION RECOMMENDED:

1. That the Board recommend that the Mayor and the City Council formally endorse California Senate Bill 1480 (Corbett) to strengthen protections for wildlife and consumers against inhumane animal trapping practices and methodologies; and
 2. Instruct staff to expedite transmittal of this recommendation to the Mayor and Council due to the urgent need to respond to the legislative schedule in the State Capitol.
-

SUMMARY:

Commercial trapping of animals is regulated by the State Department of Fish and Game (DFG) and trappers are required to obtain permits from the California Fish and Game Commission. Current law makes no distinction between fur trappers and those who trap pest animals commercially.

A person or business may contract for commercial trapping services only to address damage to crops or other property. Commercial trapping services may not be engaged to address threats to human health and safety. Rather, state law requires such threats be addressed by DFG or local animal control officers of other authorized public agents. Policies adopted by this Commission and the City Council in the 1990s placed certain

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Subject: Support for SB 1480

limitations on the trapping of certain kinds of wildlife (specifically coyotes) within the city limits.

Currently, the State Fish and Game Code includes a number of provisions regarding trapping. They require the issuance of permits, regulate who may obtain permits, how permitted trappers conduct their activities and what kinds of traps may be used, and require daily inspections of the traps and the removal of trapped animals. Government agencies are authorized to trap mammals involved in dangerous human disease outbreaks.

SB 1480 proposes a number of amendments to these requirements, beginning with the creation of two classes of trapping licenses, the first a general trapping license and the second authorizing a trapper to offer services to the public for a profit. Additionally, the bill provides that:

- Trappers would be required to provide a written contract to consumers that includes a summary of the laws related to dealing with wildlife.
- Trappers would be required to take steps to avoid orphaning dependent offspring and leaving them to die.
- Drowning, chest crushing and injection with chemical solvents, such as nail polish remover, would be prohibited as means of killing wildlife.
- Special precautions would have to be taken when dealing with bats. (In California, 10 of 24 bat species are classified as "species of special concern," meaning urgent protection is needed to prevent them from becoming threatened or endangered species.)
- Additional restrictions would be placed on the use of kill-type traps to reduce the chances of family pets being inadvertently killed.

SB 1480 is supported by numerous animal welfare groups, who assert that consumers have little protection from unscrupulous commercial trappers who produce misleading promotional materials and use cruel, indiscriminate trapping methods.

These supporters contend that it is appropriate to license and regulate commercial trappers, consistent with licensing and regulation of many other commercial services. Among the supporters are the ASPCA, Bat Conservation International, the California Council for Wildlife Rehabilitation, the Humane Society of the United States, PawPac, SPCA-LA and the State Humane Association.

The bill is opposed by The California Farm Bureau Federation, certain hunting organizations and at least two commercial trapping services, who are concerned that fee and regulatory requirements are unnecessary and onerous.

Subject: Support for SB 1480

SB 1480 has been approved by the full State Senate and the Assembly Committee on Water, Parks and Wildlife. It currently is pending before the Assembly Committee on Appropriations.

FISCAL IMPACT:

There is no fiscal impact to the City associated with this legislation.

Approved:

Brenda F. Barnette, General Manager

BOARD ACTION:

_____ Passed	Disapproved _____
_____ Passed with noted modifications	Continued _____
_____ Tabled	New Date _____