



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Tuesday, July 23, 2013
10:00 A.M.

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

LISA McCURDY
President

JIM JENSVOLD
Vice-President

TARIQ A. KHERO
MAGGIE NEILSON
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 of June 25, 2013.

3. DISCUSSION ITEMS

- A. Discussion on the Status Regarding Bringing back New Hope and volunteer coordinators
- B. An update on what procedures are being used to screen transport recipients and to follow-up with them.

4. BOARD REPORTS

A. CONSIDER A CHANGE IN THE LATE-TERM SPAY POLICY AND THE ASSOCIATED PROGRAM TO ESTABLISH A PROGRAM FOR THE SPAY OF PREGNANT DOGS IN THE THIRD TRIMESTER

THAT THE BOARD consider a change in the late-term spay policy and the associated program to make pregnant dogs in their third trimester available to New Hope partners as fosters or to Department foster volunteers, and reopen discussion of the item to elicit additional public testimony and provide for Board member input, and;

THAT THE BOARD, review the attached draft Department Procedure to make pregnant dogs available for fostering in their third-trimester.

5. ORAL REPORT OF THE GENERAL MANAGER

6. BOARD AVAILABILITY FOR THE MEETING OF August 13, 2013

7. ADJOURNMENT

Next Commission Meeting is scheduled for 10:00 A.M. August 13, 2013, Los Angeles City Hall, Room 1060, 200 North Spring Street, Los Angeles, CA 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.

Please join us at our website: www.LAAnimalServices.com

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) 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
ANIMAL SERVICES
COMMISSIONERS**

LISA McCURDY
PRESIDENT

JIM JENSVOLD
PRESIDENT

TARIQ A. KHERO

MAGGIE NEILSON

ALANA YANEZ

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
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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: July 23, 2013

PREPARED BY: Brenda Barnette
General Manager

REPORT DATE: July 15, 2013

**SUBJECT: CONSIDER A CHANGE IN THE LATE-TERM SPAY POLICY AND THE
ASSOCIATED PROGRAM TO ESTABLISH A PROGRAM FOR THE
SPAY OF PREGNANT DOGS IN THE THIRD TRIMESTER**

BOARD ACTIONS FOR CONSIDERATION:

THAT THE BOARD, consider a change in the late-term spay policy and the associated program to make pregnant dogs in their third trimester available to New Hope partners as fosters or to Department foster volunteers, and reopen discussion of the item to elicit additional public testimony and provide for Board member input, and;

THAT THE BOARD, review the attached draft Department Procedure to make pregnant dogs available for fostering in their third-trimester.

BACKGROUND:

The Department of Animal Services spays pregnant dogs regardless of where they are in the pregnancy. This practice seemed to develop from a belief that it is better to prevent any animal births at all to reduce the number of dogs in Los Angeles.

DISCUSSION:

The spaying of late term pregnant dogs results in puppies being born by the equivalent of a C-section. They are able to survive on their own.

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SPAYS OF PREGNANT DOGS IN THIRD TRIMESTER

June 25, 2013

Some agencies restrict spaying pregnant dogs to those who have not reached the third trimester¹. Sterilization of pregnant dogs during the third trimester can create additional surgical risks for the dog. Some organizations do not believe it is humane to put puppies that are capable of surviving to death rather than allowing them to live.

The Department has a growing foster volunteer program. Some of our New Hope partners have requested pregnant dogs and have been turned down until after the dog is spayed. The City of Los Angeles has an ordinance preventing pet stores from buying and re-selling mill-bred animals. The pet stores are expected to get their dog and cat “inventory” from shelters and rescues. The Department has been asked to develop a business friendly relationship with local pet shops so they can obtain good pets from City shelters for their customers.

RECOMMENDATION:

To balance the need to spay all dogs in late term gestation, while humanely addressing the live puppies that result from late-term spaying and safeguarding the mother dogs’ health, the Department recommends:

1. Prohibit third trimester spaying if a foster is available². Dogs in late term gestation would be allowed to give birth in the shelter and/or placed in a foster home to give birth if an experienced foster is available. The mother dog would be returned to the shelter when the pups are weaned six weeks old and her litter would be returned to the shelter at eight weeks for spay/neuter surgeries. These puppies will not be available to New Hope partners and rescues. These puppies could provide dogs for pet stores or they could be adopted from one of our six City shelters.
2. New Hope partners could also serve as foster volunteers for the Department for the pregnant mother, and subsequent litter. The dog and the puppies will be owned by the Department. If the New Hope partner chooses, they can return them to the shelter for spay/neuter surgery and then adopt them for the regular fees. The New Hope partner can have the dog and the puppies altered and after the Department receives proof that all have been spayed and neutered, they can be transferred to the New Hope Partner at no additional charge.

FISCAL IMPACT:

For fostering puppies until they are eight weeks old, and returning them to Animal Services to be adopted out, any additional revenue would likely be offset by costs. However at this time, it is too early to determine what this potential revenue could be.

¹ A dog's gestation cycle lasts from 60 to 64 days. The third trimester begins around week seven.

² Third trimester or late term pregnancy would be determined through a physical examination or radiograph as determined by the veterinarian.

SPAYS OF PREGNANT DOGS IN THIRD TRIMESTER
June 25, 2013

Approved:

Brenda Barnette, General Manager

BOARD ACTION:

_____ Passed

Disapproved _____

_____ Passed with noted modifications

Continued _____

_____ Tabled

New Date _____



CITY OF LOS ANGELES
DEPARTMENT OF ANIMAL SERVICES
POLICIES and PROCEDURES



DOGS IN LATE TERM PREGNANCY

Date Issued: **July 23, 2013 - DRAFT**

Division Code: **MED** **XX**

POLICY

Allow the fostering of dogs in later term pregnancy (dogs in their third trimester) if the veterinarian finds the dog to be healthy and if a foster volunteer or New Hope partner foster is available.

RESPONSIBILITIES

RVTs are responsible for notifying the Shelter Veterinarian if they suspect that a dog entering the Shelter is in late term pregnancy. Any dog an RVT suspects may be in late term pregnancy must be brought to the Shelter Veterinarian's attention immediately.

Every staff member is responsible for notifying the medical department if they suspect that a dog already within the Shelter is in late term pregnancy or has given/ is giving birth. A memo shall be entered in chameleon by the staff member advising medical.

The Shelter Veterinarian is responsible for determining if the dog is in late term pregnancy either through physical examination and/or radiographs. If the veterinarian determines the dog is in late term pregnancy and the dog is healthy and without any noted behavioral memos, they shall immediately notify the ACT Supervisor to contact a foster volunteer or New Hope Partner foster. If a foster volunteer or New Hope Partner foster cannot be found, the Shelter Veterinarian shall determine if the dog should be spayed.

NOTE: Dogs in late term pregnancy will not be made available to the public for adoption, only for approved foster volunteers or New Hope foster volunteers

The ACT Supervisor shall be responsible for contacting an experienced foster volunteer or New Hope Partner foster to pick the dog up within 24 hours if the dog is currently available, or within 24 hours once the dog becomes available. The ACT Supervisor shall also be responsible for following up with the foster to make sure the puppies are returned in a timely manner and determine the adoptability of the puppies at one of our six shelters or to a Pet Shop Partner. Puppies returning from foster care will not be available for New Hope adoption unless the foster is a New Hope.

The foster will be advised they are responsible for the dogs care and comfort while the dog is in foster care, including whelping and care of the puppies until they are eight weeks. The Department will not be responsible for any expenses incurred by the foster, including food, supplies or veterinary bills. If the foster believes there is a medical problem or emergency, they must contact the Shelter Veterinarian or bring the dog back to the shelter. Once the puppies are eight weeks, the foster will return all of the puppies and mother to the Shelter, the foster may have First Rights on one puppy or the mother.

New Hope Partners may also serve as fosters for the Department for a dog in late term pregnancy, however both the mother and subsequent puppies will be owned by The Department. If the New Hope Partner chooses, they may, at eight weeks, return the puppies and mother to the Shelter for Spay/Neuter surgeries and New Hope adopt them at the regular fee or spay/Neuter the puppies and mother on their own and once proof of surgery is provided, adopt the puppies and mother at no additional charge. While the mother and puppies are in New Hope foster care, The Department will not be responsible for any cost or care incurred by the New Hope Partner.

PROCEDURE

- Every intact, female dog must be assessed for late term pregnancy during the intake evaluation by an RVT.
- Dogs that are already within the system should be evaluated by Animal Care Technicians (ACTs) at least weekly to assess for pregnancy. If an ACT suspects that a dog may be pregnant, is or has given birth, he/she must alert an RVT.
- If the RVT suspects that a dog is in late term pregnancy, the Shelter Veterinarian must be alerted by the RVT.
- The Shelter Veterinarian shall determine if a dog is in late term pregnancy by physical examination and/or radiographs and if the dog is in late term pregnancy the Shelter Veterinarian will:
 - Determine if the dogs is healthy enough to safely whelp
 - Determine if the dog has any behavioral memos which may prevent foster placement (New Hope may still be contacted)
 - Notify the ACT Supervisor to contact a foster
 - If a foster cannot be found within 24 hours of the dog's availability, determine if the dog should be spayed. Factors that should be considered are that there are no pending call/e-mails from foster volunteers or New Hope volunteers in which staff are waiting to hear from.
- Once the ACT Supervisor is notified by the Shelter Veterinarian there is a dog in late term pregnancy in need of foster, the ACT Supervisor shall:
 - Contact an experienced foster or New Hope Partner to pick up the dog within 24 hours or advise the foster when the dog will be available for pick up.
 - Follow the Chameleon procedures for fostering an animal with the OUTCOME TYPE = Foster and the SUBTYPE = Late Term (this is important for tracking purposes)
 - If no foster is available, advise the Shelter Veterinarian a foster is not available.
 - Follow up with the foster to assure the puppies and mothers are returned in a timely manner.
 - Upon return of the puppies, determine their adoptability and arrange for their adoption at one of our six shelters or through a Pet Shop Partner.