



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

Tuesday, February 23, 2010
10:00 A.M.

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

Melanie Ramsayer, President
Irene Ponce, Vice-President
Tariq Khero
Kathleen Riordan
Ruthanne Secunda

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

COMMISSION MEETING

1. COMMISSION BUSINESS

- A Approval of the Commission Meeting Minutes for January 26, and February 9, 2010
- B. Oral Report by the Commissioners on Meetings and Events attended
- C. Oral Report on Status of the General Manager Recruitment

2. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

- A. Amending the Los Angeles Municipal Code to Expand the Ban on Sales of Animals to Include Banning Purchase

That the Board request that the Mayor, and subsequently the City Council, direct the City Attorney to amend the Los Angeles Municipal Code (LAMC) Section 53.42 to augment as necessary and appropriate all current prohibitions on the sale or giving away of animals on public streets and/or sidewalks with a prohibition on purchasing, or receiving without cost, animals under the same circumstances currently enumerated in Section 53.42

- B. Flexibility in Donation Amount and Acknowledgement Period for the Program of Animal Care Center Sponsorship for Individuals

That the Board approve flexibility in setting donation levels and acknowledgment periods for the program of solicitation and acknowledgement, as described below.

3. DISCUSSION ITEMS

- A. **(Continued from the February 9, 2010 Commission Meeting)** Discussion and input from the public on effective and efficient ideas for raising money to supplement funding for Department core responsibilities of greatest financial need, and direction to staff relative to ideas presented.

4. ORAL REPORT OF THE GENERAL MANAGER

5. 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.

6. FUTURE AGENDA ITEMS

Requests from Commissioners for future Agenda Items.

7. ADJOURNMENT

Next Commission Meeting is scheduled for 10:00 A.M., March 9, 2010 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

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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) 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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COMMISSIONERS**

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PRESIDENT

IRENE G. PONCE
VICE PRESIDENT

TARIQ A. KHERO

KATHLEEN RIORDAN

RUTHANNE SECUDA

City of Los Angeles
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ANTONIO R. VILLARAIGOSA
MAYOR

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KATHLEEN J. DAVIS
Interim General Manager

Report to the Board of Animal Services Commissioners

KATHLEEN J. DAVIS, Interim General Manager

COMMISSION MEETING DATE: February 23, 2010 **PREPARED BY:** Linda Barth

REPORT DATE: February 19, 2010

TITLE: Assistant General
Manager

SUBJECT: Flexibility in Donation Amount and Acknowledgement Period for the
Program of Animal Care Center Sponsorship for Individuals

BOARD ACTION RECOMMENDED:

That the Board approve flexibility in setting donation levels and acknowledgment periods for the program of solicitation and acknowledgement, as described below.

SUMMARY:

At the meeting of April 28, 2008, the Board approved a program of solicitation and acknowledgement for donations, to be tested at the Harbor Animal Care Center. The set donation amount was \$500 donation for one-year's acknowledgement. This program has not enjoyed significant participation, likely due in part to the economic climate which has reduced charitable giving generally. As part of a renewed effort to promote this program, staff would like to lower the one-year donation level to \$300 dollars and have flexibility within the maximum of one-year for \$500 for modifications such as six months for \$150.

The concept behind the program is to offer interested individuals creative opportunities to provide support to the Department. The daily operations and special programs of the Department often inspire people to want to help, and the public is aware that caring for animals and getting pets into new homes costs money. To meet that interest, the Department proposed a pilot program for individual sponsorship donations at the Harbor Animal Care Center.

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For his or her sponsorship donation, originally set at \$500 (about the average cost to care for two dogs, or for a cat and a rabbit), the sponsor/donor receives an engraved laminated plaque with his or her name, listed as a Proud Sponsor, and placed over a dog kennel or cat cage of choice, for one year. The sponsor/donor is also listed on the Department website as a Proud Sponsor of that animal care center, for the year.

Proud Sponsor plaques may be inscribed with the name of the sponsor/donor, in honor of another person, organization, or pet, or as a memorial to a pet, at the discretion of the sponsor/donor. Plaques acknowledging the sponsorship/donation are installed within about 30 days of receipt, and remain posted for twelve months after installation.

This program offers the public and local businesses the opportunity to contribute to the Department and to show other members of the community how much the sponsor/donor values the efforts of the animal care staff and animal control officers in their local neighborhoods. Becoming a sponsor/donor also broadcasts concern for the lost pets in one's community. Participating in the program will be a way to show leadership in support for animals. Alternatively, it can be a way to honor or celebrate a family member or friend, or a way to remember a pet that is no longer here. All donations are tax deductible under Internal Revenue Service Code 170(c)(1).

This program was launched at the Harbor Animal Care Center in conjunction with the grand opening activities in June 2008. However, after the initial grand opening period the program did not engender much enthusiasm. Only three organizations have participated, and no individuals. Staff envisioned that learning from the pilot at Harbor would inform modifications and improvements to the program and allow it to be spread to other animal care centers, and that it would also serve as part of the preliminary research for formulating a longer term sponsorship program, such as is typical in both public and private facilities that extend acknowledgement longer than three years, and at much higher financial levels (i.e. Donor Wall, Walk of [Donor] Fame, or naming opportunities).

With various staffing changes and a growing capacity among Harbor volunteer groups to raise funds, staff recommends granting improved flexibility in order to rejuvenate this program concept for future expansion.

FISCAL IMPACT:

There is no impact on the general fund, but donations assist the Department in enhancing our operations with more adoption events, outreach, printed materials, toys for the animals, and the like.

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Program of Animal Care Center Sponsorship for Individuals

Approved:

Kathleen J. Davis, Interim General Manager

BOARD ACTION:

_____ Passed

Disapproved _____

_____ Passed with noted modifications

Continued _____

_____ Tabled

New Date _____

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Report to the Board of Animal Services Commissioners

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COMMISSION MEETING DATE: February 23, 2010 **PREPARED BY:** Linda Barth

REPORT DATE: February 19, 2010

TITLE: Assistant General
Manager

SUBJECT: Amending the Los Angeles Municipal Code to Expand the Ban on Sales of
Animals to Include Banning Purchase

BOARD ACTION RECOMMENDED:

That the Board request that the Mayor, and subsequently the City Council, direct the City Attorney to amend the Los Angeles Municipal Code (LAMC) Section 53.42 to augment as necessary and appropriate all current prohibitions on the sale or giving away of animals on public streets and/or sidewalks with a prohibition on purchasing, or receiving without cost, animals under the same circumstances currently enumerated in Section 53.42

SUMMARY:

The sale of animals, either as a business or a method for dispersing litters of puppies or kittens born to household pets, is all too commonplace in Los Angeles (as it is in many communities). It also can contribute to the proliferation of homeless or unwanted animals ending up in public animal shelters. Additionally, the dogs, cats, rabbits, turtles, lizards, birds, and other types of animals peddled in these contexts sometimes are subjected to substandard care, lack of food and/or water, and exposure to harsh weather conditions.

Such sales currently are prohibited in various outdoor locations (LAMC 53.42) and in commercial outlets (pet shops) without certain permits (LAMC 53.15.2(e)(2) and 53.50). Additionally there are specific state and federal regulations prohibiting sale of animals less than four months of age and young turtles; others protect both animal and human

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health and safety (U.S. Code of Federal Regulations, Chap. 1, Sec. 1240.62; California Code of Regulations Sec. 2612.1). These animal sellers rarely comply with any existing permit requirements or tax laws.

At the February 9, 2010, Board meeting, Commissioner Kathy Riordan introduced a motion to add a prohibition on buying animals in the same outdoor locations where sales are currently prohibited under Section 53.42, thereby enhancing the enforcement by specifically rendering both sale and purchase illegal.

This recommendation is one outcome of continuing efforts in Los Angeles to eliminate such sales. On October 9, 2007, representatives of the Department, the Los Angeles Police Department and the office of the City Attorney discussed the issues associated with ongoing efforts to enforce City laws pertaining to animal sales with the Board. Subsequently, a multi-agency Illegal Animal Sales Task Force was formed comprised of LAPD, the City Attorney, the District Attorney, the County Department of Public Health, the Downtown Fashion District Business Improvement District, Council Districts 1 and 9 and the Mayor's office.

On August 24, 2009, the Board devoted its entire meeting agenda to a discussion of the illegal animal sales issue and concluded with a unanimously supported recommendation that LA Animal Services, LAPD, the City Attorney and the District Attorney continue to pursue remedies to address the difficult problems associated with enforcement against such sales.

Since then LAPD, the City Attorney, the District Attorney, the Animal Cruelty Task Force, and the Mayor's office have been regular participants in an ongoing effort to step up enforcement at both Santee Alley and Ocean Front Walk in Venice. Arrests have been made at both locations since the Board's last hearing on the topic.

One early recommendation of the Illegal Animal Sales Task Force – to develop and post signs in targeted locations alerting the public about laws regulating animal sales – was memorialized in a motion (CF 09-0632) introduced by Councilwoman Jan Perry on March 24, 2009, calling for the posting of such signs in Santee Alley. Action on this motion is still pending due to jurisdictional concerns and budget constraints. However, opportunities recently have arisen to get such signs manufactured and posted with outside assistance.

The Task Force considered the educational potential for such signs for alerting the public to the applicable laws and enhancing opportunities for law enforcement officials to act. It was determined that the existing ban on outdoor sales was insufficient to discourage unaware members of the public from continuing to be unwitting accomplices in supporting illegal sales. A ban on purchasing animals in the same outdoor public locations cited in LAMC 53.42's ban on sales was deemed a necessary complement. Such information could then be disseminated to the public on signage and by other

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means so that the City could improve its effort to discourage the market for illegally sold animals.

FISCAL IMPACT:

Participation to date in the strategies noted above has been handled as a component of daily enforcement responsibilities. For the foreseeable future, this work will continue to be handled in balance with other crucial enforcement activity. However, success in reducing illegal animal sales will likely produce some savings to the Department over time, as we would see fewer impoundments of animals in general and lessening of dog and cat overpopulation with reductions in pets sold outside official processes remaining unsterilized.

Amending Section 53.42 to ban the purchase of animals in various public locations will enhance enforcement activities without substantively impacting Department expenditures. The posting of signage to alert the public to the subject Codes is a separate matter whose costs will be considered in another context.

Approved:

Kathleen J. Davis, Interim General Manager

BOARD ACTION:

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