



BOARD OF ANIMAL SERVICES COMMISSIONERS  
CITY OF LOS ANGELES  
Tuesday, April 12, 2011  
10:00 A.M.

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

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Melanie Ramsayer, President  
Ruthanne Secunda, Vice-President  
Tariq Khero  
Terri Macellaro  
Kathleen Riordan

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. 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. DISCUSSION ITEMS**

- A. Discussion regarding Posting of informational signs throughout the Shelters and other public areas.

### **3. COMMISSION BUSINESS**

- A. Approval of the Commission Meeting Minutes for March 8, 2011
- B. Oral Report by the Commissioners on Meetings and Events attended

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

- A. Assembly Bill 564—Personal Income Tax Deduction for Municipal Shelter Spay-Neuter Fund (Continued from the meeting of March 8, 2011)

That the Board recommend to the Mayor and City Council that the City support Assembly Bill (AB) 564, which if approved would allow a check off box on the California Income Tax Form voluntary contributions to continue for two years that will allow tax payers to donate to a Spay and Neuter Fund and allow for electronic submittal of animal certificates.

### **5. ORAL REPORT OF THE GENERAL MANAGER**

### **6. FUTURE AGENDA ITEMS**

### **7. ADJOURNMENT**

Next Commission Meeting is scheduled for 10:00 A.M April 26, 2011, 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 (2<sup>nd</sup>) and fourth (4<sup>th</sup>) 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, 5<sup>th</sup> Floor, Los Angeles, CA 90012. Board Agendas may also be viewed on the 2<sup>nd</sup> floor Public Bulletin Board in City Hall East, 200 North Main Street, Los Angeles, CA 90012. Internet users may also access copies of present and prior agenda items, copies of the Board Calendar, 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.

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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

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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.



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**1. ADMINISTRATIVE APPEAL HEARING**

- A. Barking Dog Revocation Case Number: BR 10391 EV  
Appellant: Juan Pena  
Complaining Witness: Ms. Melodie Knight  
Field Operations Supervisor, East Valley Animal Care Center, Lt. Troy Boswell  
Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst II

**BOARD OF  
ANIMAL SERVICES  
COMMISSIONERS**

MELANIE RAMSAYER  
PRESIDENT

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VICE PRESIDENT

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**City of Los Angeles**  
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**ANTONIO R. VILLARAIGOSA**  
MAYOR

DEPARTMENT OF  
**ANIMAL SERVICES**  
221 North Figueroa Street  
5<sup>th</sup> Floor  
Los Angeles, CA 90012  
(888) 452-7381  
FAX (213) 482-9511

**BRENDA F. BARNETTE**  
General Manager

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

**BRENDA F. BARNETTE, General Manager**

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**COMMISSION MEETING DATE:** April 12, 2011    **PREPARED BY:** Brenda Barnette

**REPORT DATE:** March 3, 2011

**TITLE:** General Manager

**SUBJECT:** Assembly Bill (AB) 564

**BOARD ACTION RECOMMENDED:**

That the Board:

Recommend to the Mayor and City Council that the City support Assembly Bill (AB) 564, along with an amendment, which if approved would allow a check off box on the California Income Tax Form voluntary contributions to continue for two years that will allow tax payers to donate to a Spay and Neuter Fund.

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**SUMMARY:**

Assembly Bill (AB) 564 was introduced by Assembly Member Smyth. The existing Personal Income Tax Law allows individual taxpayers to contribute amounts in excess of their tax liability for the support of specified funds.

This bill would also allow a taxpayer to designate on a tax return that a specified amount in excess of their tax liability be transferred to the Municipal Shelter Spay-Neuter Fund, which would be created by this bill.

This bill would provide that all money contributed to the fund pursuant to these provisions, upon appropriation by the Legislature, be allocated to the Franchise Tax Board and the Controller for reimbursement of costs, as provided, and to the Department of Food and Agriculture for distribution of grants to eligible municipal shelters on a first-come-first-served basis, as specified, for the purposes of providing low cost or free spay-neuter services and for administrative costs. This bill would require eligible municipal shelters, as defined, in order to receive a grant, to file an application with the Department of Food and Agriculture, as specified.

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This bill would provide that these voluntary contribution provisions are repealed on either January 1 of the 5th taxable year following the taxable year the fund first appears on the personal income tax return, or on January 1 of an earlier calendar year, if the Franchise Tax Board estimates that the annual contribution amount will be less than \$250,000, or an adjusted amount for subsequent taxable years.

At its March 8, 2011 meeting, the Commission voted to request that Mayor and City Council support AB 564. In support of AB 564, the Commission also requested that the authors amend the bill. The change that is recommended is to the California Food and Agriculture Code, Section 30525. The amendment to AB 564 would allow for the electronic proof of spay and neuter of animals to be provided to local agencies for licensing purposes.

The recommended amendment to be added is as follows:

*“The responsible city, county or counties may specify the means by which the dog owner shall provide proof of his or her dogs spay or neuter surgery including but not limited to electronic transmission or facsimile.”*

**FISCAL IMPACT:**

There could be additional funding for low cost spay and neuter services.

Approved:

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**Brenda F. Barnette, General Manager**

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**BOARD ACTION:**

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