



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Monday June 22, 2009
10:00 A.M.
LOS ANGELES CITY HALL
200 N. Spring St.
Room 1060
Los Angeles, CA 90012

Tariq Khero, President
Kathleen Riordan, Vice-President
Irene Ponce
Archie J. Quincey, Jr.
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 traducción, favor de notificar la oficina con 24 horas por anticipado.

COMMISSION MEETING

1. ORAL REPORT OF THE GENERAL MANAGER

2. COMMISSION BUSINESS

- A. Approval of the Commission Meeting Minutes for March 9, March 23, April 14, and April 27, 2009
- B. Oral Report by the Commission on Meetings and Events attended.

3. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

- A. None

4. DISCUSSION ITEMS

- A. Oral Report from the City Attorney on status of Case: Jeffrey Peter De La Rosa v. Animal Control Board of the City of Los Angeles, et al.; Los Angeles Superior Court Case # BS104836; Court of Appeal, Case # B202071.

CLOSED SESSION: The Board of Animal Services Commissioners may meet in closed session with the City Attorney as its legal counsel pursuant to Government Code section 54956.9(a).

- B. Notification of Suspension or Termination of New Hope Partners

Review of the notice procedures in place for suspension or termination of New Hope Partners.

- C. Implementation of Administrative Citation Program

Outline of the steps required to implement an Administrative Citation Program.

- D. Status of Monetary Donations for Fiscal 2008-2009

Department report on monetary donations during the current Fiscal Year.

- E. Oral report on the Orange Bone/The Puppy Store Collaboration (Held from May 23, 2009).

- F. Oral update on Budget for Fiscal Year 2009-10.

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., June 8, 2009, 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) Monday 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, as well as electronic copies of approved minutes on the Department's World Wide Web Home Page site at [Hhttp://www.laanimalservices.com/CommissionAgendas.htm](http://www.laanimalservices.com/CommissionAgendas.htm)

Three (3) members of the Board constitute a quorum for the transaction of business. The Board may consider an item not listed on the Board Agenda only if it is determined by a two-thirds (2/3) vote that the need for action arose after the posting of an Agenda. 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.



CITY OF LOS ANGELES
L A ANIMAL SERVICES



Date: June 22, 2009

To: Board of Animal Services Commissioners

From: Edward A. Boks, General Manager

Subject: Notification of Suspension or Termination of New Hope Partners

Background:

Prior to becoming a New Hope Partner, we provide candidates with a copy of the policies and procedures that outline our program for their review. They are required to sign an agreement promising to abide by the policies and procedures. The New Hope Program Agreement states on page 3 of 3 (attached), "We understand that any violation of the terms of this Agreement may result in suspension or termination from the New Hope Partner Program..."

Process:

Should allegations be received that a New Hope Partner or a New Hope Associate (member of a group) has violated any terms of the agreement, an investigation is initiated. (The attached New Hope Complaint Form, which may be found on our Web Site, may be used to register the complaint about a New Hope Partner or Associate.) The investigation includes gathering facts, inspections, if warranted, and interviewing witnesses, including the New Hope Partner or Associate. The procedure for the investigation is structured based upon the nature of the allegations.

If the initial facts received are sufficient to question whether the New Hope Partner or Associate has violated a policy, the New Hope Partner or Associate will be placed on suspension pending the outcome of the investigation. The New Hope Partner or Associate is immediately notified via email or phone, with follow-up regular mail of the suspension. If the allegations pertain to a New Hope Partner, then all Associates are also notified of the suspension in the same manner (email or phone and regular mail). All New Hope privileges are suspended for the group until the investigation is concluded and an outcome is determined.

Should the allegations only involve an Associate of a New Hope Partner, then the Associate (only) is placed on suspension pending the outcome of the investigation. The Associate is notified via email or phone, with follow-up regular mail of the suspension. At the same time, the New Hope Partner (through the key representative designated on the New Hope application) is notified of the suspension of their Associate in the same

Notification of Suspension or Termination of New Hope Partners
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manner (email or phone and regular mail). The New Hope Partner is not placed on suspension nor is any other Associate of the group.

During the investigation, the New Hope Partner or Associate is provided an opportunity to respond to the allegations through a statement or personal interview or provision of other evidence. Once all facts and statements have been collected, staff will make a determination as to the future status of the New Hope Partner or Associate. The Partner or Associate may be released from the suspension, suspended for a period of time or terminated. The status is communicated to the New Hope Partner or Associate by email or phone and a follow-up regular mail of the outcome in the same manner as outlined above.



Los Angeles Animal Services (LAAS) New Hope Program Agreement

Date:			
Organization President or Authorized Member:			
Organization Name:			
Address:			
Phone:	Email Address:	Fax:	
I Request New Hope Lists For (Check Each List Requested):	Dogs:	Cats:	Rabbits:

Please read each of the following statements and initial next to each one to indicate that you and your organization agree to abide by them.

_____The organization named above requests to become an Adoption Partner in the New Hope Program. We have read and understand the "New Hope Program Purpose, Policy, Procedure, and Partnership" document.

_____We agree to provide proper care including adequate food, water, shelter, safe containment, appropriate veterinary care, adequate exercise and humane treatment for the animal(s) at all times.

_____We agree that dogs and cats will be microchipped (optionally rabbits may be microchipped) before removal from LAAS Animal Care Centers, unless microchipping is deemed unsafe by the LAAS medical team.

_____Before completing the adoption transaction, the New Hope Partner must fully complete and submit to LAAS each adopted animals' microchip registration. Until adopted from the organization by a private party, the New Hope Partner must register as either the animal's primary or the animal's secondary registered name on the microchip.

_____New Hope Partners shall add the name of the animal's adopter to the animal's microchip registration within 30 days of a legal adoption by a new owner from the New Hope Partner organization. The Department requires that both the adopter and New Hope Partner be listed as registrants on the microchip and prefers that the adopter be listed as the primary registrant and the New Hope Partner as the secondary registrant, but will not require it.

_____We agree that all animals released from LAAS will be sterilized and vaccinated. Only LAAS veterinarians and Veterinary Technicians may exempt a dog, cat, or rabbit from sterilization and/or from vaccinations and only for extraordinary medical reasons.

_____We agree that all unaltered animals released from LAAS into our organization must be sterilized prior to placement in a permanent home. The cost of the sterilization will be the expense and responsibility of our organization, unless otherwise provided by LAAS under the New Hope Program.



Los Angeles Animal Services (LAAS) New Hope Program Agreement

_____ We agree that, for every dog or cat of any age released unsterilized from LAAS into our organization, we shall provide LAAS proof of the animal's sterilization within 30 days from the date of adoption from LAAS, or provide a statement of further spay/neuter deferral from a licensed California veterinarian every 30 days, or until proof of the animal's sterilization is provided, or until a licensed California veterinarian recommends permanent spay/neuter deferral, or until the animal is deceased. Under no circumstances will any animal adopted from LAAS by a New Hope Partner be allowed to breed.

_____ We understand all dogs must be licensed unless the dog is removed from the City of Los Angeles within 24 hours. The Adoption Partner will encourage new dog owners to license their animal in the jurisdiction in which they reside and will report to LAAS the name and address of transferee organizations and adopters of dogs for licensing follow-up purposes if the adopter lives in the City of Los Angeles and the name and zip code of dog and cat adopters that reside outside of the City.

_____ We agree that our organization will pay all applicable costs required by LAAS under the New Hope policy.

_____ We agree to provide and maintain a contact email and contact telephone number to adopters and LAAS that will be reviewed and responded to within 24 hours.

_____ We agree that ownership of every animal adopted/rescued by our organization from LAAS will transfer to our organization, and that our organization will remain as owner of the animal(s) until the legal adoption of the animal(s) to a new owner. We further agree that our organization shall be fully liable for all costs for the care and/or recuperation of, or damage done by the animal(s), during the time our organization is owner of the animal(s).

_____ We agree that each person authorized to adopt animals through the New Hope Program in the name of our organization are bona fide members of our organization. Anyone adopting an animal for our organization will present their valid California Driver's License or California Identification to verify their identification upon request.

_____ We agree that if an animal adopted by our organization cannot be rehabilitated or otherwise cannot be kept or adopted out, then the animal may be returned to LAAS and no refunds will be given.

_____ We agree that a monthly New Hope Partner Report will be submitted electronically to the New Hope Coordinator, **within 10 days of the end of each month**, and shall include (1) spay/neuter report for all unsterilized animals released from LAAS, (2) status report on all animals adopted from LAAS under the New Hope Program, including third-party adoption status, and (3) the name and address of transferee organizations, or in the case of dogs only, for licensing follow-up purposes, the name and mailing address of the adopter if he or she resides in the City of Los Angeles; otherwise, for dogs whose owners do not reside in the City of Los Angeles, and for cats adopters, just the zip code of the adopter's residence. LAAS may provide a list of New Hope adoptions by the organization and a form for providing this information.

_____ We understand that New Hope Partners who fail to submit their completed monthly reports by the date requested two months in a row will be suspended until their reporting is brought up to date.

_____ We agree that LAAS may ask to see receipts for medical and/or boarding costs incurred, and/or proof of third-party adoption records at any time for reasonable cause, for animals received by the organization through LAAS' New Hope Program.

_____ We agree that New Hope Partners are not exempt in any way from, and that our organization will comply with, any and all applicable laws, ordinances or LAAS rules and regulations regarding animals and animal care. We agree that New Hope Partners are not exempt in any way from any applicable rights and obligations of LAAS or law enforcement agency to inspect property and premises.



Los Angeles Animal Services (LAAS) New Hope Program Agreement

_____If LAAS is notified there are any problems complying with the conditions of this Program (such as housing, food availability, personal crisis, etc.), then LAAS reserves the right to determine what action, if any, may be taken upon notification of non-compliance, including possible impoundment of the animal(s).

_____We agree that all dogs owned by persons invested with responsibility to pull or foster animals for our organization will be licensed within the jurisdiction where they reside.

_____We have reviewed and will adhere to the LAAS Value Statement in our dealings with LAAS and other New Hope Partners.

_____We agree that any changes or updates to the New Hope Adoption Partner Information or organization structure and operation must be made in writing, on letterhead, by the Group President or Director, and submitted with an original signature to the New Hope Coordinator.

_____We will ensure that we speak directly to the New Hope Coordinator, Animal Care Technician Supervisor, Center Manager, New Hope Program Manager, Director of Shelter Operations, Assistant General Manager, and/or General Manager or the General Manager's designee, following the prescribed chain of command, if an issue of concern arises, rather than complaining to staff, volunteers, the public, or media.

_____We understand that any violation of the terms of this Agreement may result in suspension or termination from the New Hope Partner Program. In the event a New Hope Partner does not comply with any of the above, the Director of Shelter Operations, following an investigation of the incident, may suspend or terminate all New Hope privileges. Any appeal for suspension or termination of New Hope Partner privileges must be addressed to the General Manager within 15 days of the suspension or termination. A committee comprised of the General Manager or the General Manager's designee, one member of the Animal Services Commission and two representatives from the animal rescue community shall have the final discretion on whether to reinstate New Hope Partner privileges.

_____Except for the active negligence or willful misconduct of the City of Los Angeles, or any of its Boards, Officers, Agents, Employees, Assigns and Successors in Interest (CITY), we undertake and agree to defend, indemnify and hold harmless CITY and any of its Boards, Officers, Agents, Employees, Assigns, and Successors in Interest from and against all suits and causes of action, claims, losses, demands and expenses, including, but not limited to, attorney's fees and cost of litigation, damage or liability of any nature whatsoever, for death or injury to any person, including our employees and agents, or damage or destruction of any property of either party hereto or of third parties, arising in any manner by reason of the negligent acts, errors, omissions or willful misconduct incident to the our performance under this New Hope Agreement. The provisions of this paragraph survive expiration or termination of this New Hope Agreement.

_____I have fully read and fully understand these conditions and agree to the conditions on behalf of the organization. The information contained in the New Hope Program Application is true and correct.

Group/Organization Name:	
Printed Name of President or Authorized Member:	
Date:	
Signature:	Title:
*Signature:	Title:

*Only one signature is required if the Board of the New Hope Partner Organization authorizes one person to sign for the organization.

NEW HOPE COMPLAINT FORM**LAAS**

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How was the information regarding the allegation(s) obtained?**If the incident(s) took place in another City or County, list the Animal Enforcement Agency servicing the area where the incident took place and the contact information for the Agency, including the name of the Agency Representative.****Describe all animals involved in the allegation(s):****List any collaborating evidence (documents/photographs, etc.) that support the allegation(s). Please indicate if any of these items have been attached to this document:****Additional comments/remarks not previously listed:**

FOR OFFICE USE ONLY

INVESTIGATE

INSUFFICIENT
INFO

ABATE

TERMINATE

SUSPEND

CONTACT
COMPLAINANT

EMPLOYEE: _____ # _____

DATE: _____

PLEASE PRINT



CITY OF LOS ANGELES
LA ANIMAL SERVICES



Date: June 22, 2009

To: Board of Animal Services Commissioners

From: Edward A. Boks, General Manager

Subject: Implementation of Administrative Citation Program

A number of jurisdictions nationally and in California use Administrative Citations to assist in effective enforcement of public ordinances, including animal-related laws. Based on suggestions made by the public at several recent Board and City Council meetings, Department staff has initiated a review of the use of such an Administrative Citation program for LA Animal Services. Our preliminary conclusion is that the program would be an excellent method for reinforcing the seriousness of complying with laws relating to humane treatment of animals and human-animal safety. It would provide our Animal Control Officers with a vigorous tool to motivate changes in behavior and afford the Department a mechanism by which the persons drawing on the resources of the Department to respond to violations are the same persons underwriting the cost of the enforcement through payment of administrative penalties. An Administrative Citation program should be comprehensively researched and a program developed in the City for consideration of the Mayor and City Council.

On June 16, 2009, we hosted a small group meeting that included management from Los Angeles County Animal Care and Control, which is also interested in developing and implementing an Administrative Citation Program. We discussed the principal phases or steps to research, develop, and implement such a program and hope to work collaboratively in the coming year so as to share the development workload. The major phases ahead are:

<i>Phase</i>	<i>Includes</i>	<i>Notes</i>
Research and Study of Precedents	Compiling statistical, staffing, and cost/revenue information from other jurisdictions along with assessments of the programs and details of enabling ordinances.	City, County, and interested constituents can contribute to this phase.
Survey for City Participation	Provide summary of potential program, based on other jurisdictions, to other City departments that notice violations, such as Bldg and Safety and Planning, to solicit their participation in a City-wide effort.	County may also do an internal process to determine participating departments.

<i>Phase</i>	<i>Includes</i>	<i>Notes</i>
Establish Fee Schedule	Determine the process for setting the citation fees and establish a scale for LAAS and/or other departments.	State law and/or precedents from other jurisdictions may help expedite this phase.
Determine Operational Logistics	Lay out the details of how we would issue, track, and follow-up citations, and how we would communicate about the program to the public.	This phase will require review of other jurisdictions and participation and input by field staff and systems staff to establish a workable program.
Develop Adjudication Process	To protect the due-process rights of residents and property owners who may receive citations, we must develop an appeal, review, and hearing process, based on other jurisdictions and City's parking enforcement experience.	
Prepare Staffing Plan	To be based on the operational plan and adjudication process developed. A program should be possible that pays for operational expenses and helps fund the enforcement of animal-related laws.	Some additional staff resources will probably be required, but the number and level cannot be determined until operational and adjudication plans are in place, and we assess how technology will be used. Start-up funding will be needed until citation payments become steady.
Recommend LAMC Changes	Board to recommend to Mayor and Council Ordinance changes to allow administrative citation program.	Other departments may be participating and LAMC changes may be coming from multiple boards or departments.
Implement Program	Careful monitoring will be needed so that the program can be corrected if needed for optimum operations.	

This is a large undertaking and may take some time, but the ground floor participation of the Department is essential so that an Administrative Citation program as may be implemented in the future is workable for the Department and meets our needs and expectations.



CITY OF LOS ANGELES
L A ANIMAL SERVICES



Date: June 22, 2009

To: Board of Animal Services Commissioners

From: Edward A. Boks, General Manager

Subject: Status of Monetary Donations for Fiscal 2008-2009

The Board has requested a status report on monetary donations received by the Department, with attention to the points of collection of the donations, accounts into which Donations were deposited, and use of the funds. For this purpose, reports have been compiled for the 2008-2009 fiscal year, up to June 15, 2009.

In the current fiscal year, 5170 donation transactions totaling \$114,211.28 have been processed through Chameleon, and some definite patterns exist:

- Over one-third of all donations (1900 out of 5170, or 37%) are for \$5.00 or less. This likely includes many persons giving a little donation when paying for their licenses, or requesting that their change from adopting or redeeming an animal is kept as a donation.
- Almost all of the 5170 transactions are from individuals; only a few organizations or companies (such as Petco and Safeway Stores) gave monetary donations.
- The number of donations given anonymously is negligible and the number of donations of more than \$200 each is only about 1%.
- Most donations come in directly to the central administration and are deposited by the only cash handling unit (Licensing).

Donation Statistics BY SHELTER July 2008 through June 15, 2009

	EastVal		Harbor		NorthCen		SouthLA	
Donation Total	\$8,764.80	8%	\$5,197.55	5%	\$5,191.75	5%	\$3,965.50	3%
Number of Donations	201	4%	157	3%	230	4%	132	3%

WestLA		WestVal		Licensing*		Internet		TOTAL
\$17,052.21	15%	\$8,926.35	8%	\$59,534.12	52%	\$5,579.00	5%	\$114,211.28
212	4%	223	4%	3846	74%	169	3%	5170

* Processes all donations received at Admin and captures donations from Canvassing and license renewal forms

Donation Statistics BY FUND TYPE July 2008 through June 15, 2009

	Spay/Neuter		AWTF		STAR		Misc*		TOTAL
Donation Total	\$10,156.62	9%	\$93,368.31	82%	\$1,583.00	1%	\$9,103.35	8%	\$114,211.28
Number of Donations	680	13%	4245	82%	17	0%	228	4%	5,170

* Includes various sub-accounts in the Animal Welfare Trust Fund including Community Assistance and Licensing and New Hope.

Funds donated for Spay/Neuter are placed in the Spay/Neuter Trust Fund and used to help pay invoices for surgeries to the public through voucher or mobile clinic programs.

Expenditures in 2008-2009 of recent or accrued donations to Animal Welfare Trust Fund (including from subaccounts like STAR) total \$186,463 as of June 15th. That includes:

- \$65,736 to the General Services Department for work at South LA Animal Care Center and re-modeling to create an X-Ray room at the North Central Animal Care Center;
- \$91,302 on medical supplies and expenses (including foster program consumables);
- \$29,422 for follow-up work at the Prop F facilities such as moving awnings, and for miscellaneous purchases such as grooming supplies, foster program food, and cat room furnishings.

Available balance in the Account as of June 15th is \$150,651.