



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Tuesday, June 22, 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 May 25, 2010
- B. Oral Report by the Commissioners on Meetings and Events attended

2. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

None

3. DISCUSSION ITEMS

- A. Approval and Direction to Staff for Assembly Bill 2743, Declawing and devocalization of Pets

Direct staff to prepare letters of support for Assembly Bill 2743 (AB 2743). AB 2743 would make it illegal for a landlord to require de-clawing or devocalization of pets as a condition of tenancy between a landlord and a tenant, and establish a civil fine of \$2,500 for each instance of de-clawing or devocalization as a result of a landlord-tenant agreement.

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., July 13, 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 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.

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

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.

MEETING SUMMARY



BOARD OF ANIMAL SERVICES COMMISSIONERS CITY OF LOS ANGELES

Tuesday, May 25, 2010
10:00 AM



**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

mp3 Minutes are available at www.laanimalservices.com

Commissioners Ramsayer, Secunda, and Riordan were in attendance. Commissioners Khero and Ponce were absent.

The meeting started at 10:33am

1. COMMISSION BUSINESS

A. Approval of the Commission Meeting Minutes for May 11, 2010

Commissioner Ramsayer made a motion to approve the minutes with the changes that Commissioner Riordan requested. Commissioner Secunda seconded the motion and the motion passed 3-0.

B. Oral Report by the Commissioners on Meetings and Events attended

Commissioners Riordan and Secunda had nothing to report.

Commissioner Ramsayer attended Peace Day at the Westwood Recreation Center where LAAS had a mobile adoption on 5/15.

C. Oral Report on Status of the General Manager Recruitment

Jim Bickhart from the Mayor's Office provided an update on the status of the General Manager recruitment.

The matter is now in the hands of the Mayor. He interviewed five finalists and they expect that there will be an announcement within the next 2 weeks.

2. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

None

3. DISCUSSION ITEMS

A. Fund Raising (Continued from the February 9th, February 23rd, March 23rd, April 27th, and May 11, 2010, Commission Meetings)

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.

Interim GM Davis gave an update about the status of the Kennel Sponsorship Program. As of 5/24, we have exceeded \$90,000 in donations.

Commissioner Riordan requested a summary of the Animal Welfare Trust Fund detailing what we have and what the money has been spent on in the last year so that they can see what are the trends.

Commissioner Ramsayer would like to look into the cost of reordering the "Adopt Me" vests and bandanas and how many are needed per care center. Commissioner Secunda suggested that a company would pay for the vests if they could include their logo on the items.

Commissioner Ramsayer requested a report from the Volunteer Coordinator regarding how he is using volunteers to help with fundraising.

AGM Barth presented a report in Naming Opportunities Research to the Commission. The report underscored that it will take time to develop a definitive program.

Public Comment

Phyllis Daugherty – LA County is having a barn raising and bridle registry for the Lancaster Shelter. The Duck Derby at Lake Havasu is a fun fundraising idea to consider.

B. Proposed Budget for 2010-2011. (Continued from the April 27th, and May 11, 2010 Meeting)

Summary of the Mayor's proposed budget for 2010-2011 and assessment of impacts on the Department's Operations.

4. ORAL REPORT OF THE GENERAL MANAGER

Following is a brief summary of activities conducted:

- Staff, volunteers and pets were active participants at the Best Friends Big Adoption Event Sunday. We adopted a total of 78 pets. The Mayor, Jim Bickhart, Councilman Rosendahl, and actor Harry Hamlin attended the event.

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

- Donations continue to pour in. Since the launch of our Love Plaques Program on March 17th through May 24, 2010, we've collected just over \$90,000.
- We now have volunteers doing videos of our pets at five of our Centers. EV has now joined NC, WLA, Harbor and SLA. The videos work magic with getting those fortunate featured pets adopted.
- On May 15, 2010, Pits and Pals returned to SLA. Our donor, Mrs. Joan Kelly, visited the event and was excited to see 110 dogs receive sterilization surgery.
- 13 Chihuahuas got their wings and flew to their new home in Maine. Within a day, 8 of the 13 had been adopted. This is the pilot for a new way to do transports. The largest costs for transports are the carriers and the air fare. Maine sent us the carriers and a donor paid for the initial cost of airfare. The receiving shelter has pledged to reserve a portion of their adoption fee to fund the cost of the next flight, creating the perpetual pet program. Since the first of the year, we completed transports sending 485 pets to other shelters.
- We had another interesting case that further supports the value of microchips. We seized 2 dogs and one cat from an address in San Pedro. The dogs had hair loss, oozing sores, scaly skin, fleas, and appeared to be underweight. The cat appeared healthy, however, was also infested with fleas. The dwelling was choked with clutter, debris, moldy food, and overrun by rats. When we brought the pets back to our Center, we discovered a microchip in one of the dogs that trailed back to a neighbor of this location. They were ecstatic to get our call and quickly came to redeem the animal once evidence had been collected sufficient for charges that will be filed against the occupant of the house. The dog, "Storm", had been missing almost a year.

Upcoming Events:

- There are 13 mobile adoption events planned for the month of June.
- Councilmember Cardenas will be holding the annual Pet Care Fair on June 12 at Woodley Park
- We are also working in partnership with The Found Animal Foundation on June 19 during our discount adoption week, entitled Better with a Buddy. FAF will be picking up the cost of the second pet adopted on that day.
- On June 8, 2010, we are the hosts for a press conference at WLA to announce the California S/N License Plate Program. Guests include Bob Barker, Pierce Brosnan and representatives from the California Veterinary Medical Association. The Program will fund s/n surgeries through a portion of the fees. All are welcome to attend.

Public Comment

Phyllis Daugherty – She expressed her thanks to Interim GM Davis and AGM Barth for all of their work. She also suggested that at the 2-for-1 event that people be allowed to receive a certificate to choose a second animal at a later date.

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.)

Phyllis Daugherty – There is a noted cockfighter in court and the District Attorney is taking the charges very seriously. She stated that we need to go after breeding for fighting as a separate category– that is where the money is.

6. FUTURE AGENDA ITEMS

Commissioner Riordan requested a:

- Report and/or discussion item on S/N activities at the clinics including what is being charged and the number of surgeries performed and the surgeries performed through the voucher program.
- Report on the cruelty field service calls per shelter per district including how many calls, how many have the officers gone out on, how many have resulted in citations and the follow-up.

Commissioner Secunda requested a:

- Report on latest from Santee Alley
- Report from Volunteer Coordinator regarding the status of fundraising and volunteers.

7. ADJOURNMENT

Commissioner Riordan made a motion to adjourn and Commissioner Ramsayer seconded the motion. The motion passed 3-0.

The meeting concluded at 12:12pm

Next Commission Meeting is scheduled for 10:00 A.M., June 8, 2010, Los Angeles City Hall, Room 1060, 200 North Spring Street, Los Angeles, California 90012.



CITY OF LOS ANGELES
L A ANIMAL SERVICES



Date: June 22, 2010

To: Board of Animal Services Commissioners

From: Kathleen J. Davis, Interim General Manager

Subject: Assembly Bill 2743 – Declawing or Devocalization

Assembly Member Pedro Nava (D-Monterey Park) introduced a bill which would make it illegal for a landlord to require declawing or devocalization of pets as a condition of tenancy between a landlord and a tenant, and establish a civil fine of \$2,500 for each instance of declawing or devocalization as a result of a landlord-tenant agreement.

“Devocalization” (also known as debarking, bark softening, ventriculocordectomy and vocal cordectomy) is a surgical procedure applied to dogs and cats, where tissue is removed from the animal’s vocal cords in order to permanently reduce the volume of their vocalizations. “Declawing” or onychectomy, is an operation to surgically remove an animal’s claws by means of amputating of all or part of the distal phalanx, or end bones, of the animal’s toes. Both procedures have been termed mutilation and inhumane. Performing declawing is illegal in the City of Los Angeles (LAMC 53.72).

Proponents note that pet owners and landlords have alternative that accommodate the pets of tenants while minimizing or eliminating damage and disturbances. For example:

- Humane alternatives to cat declawing include nail trimming, scratch posts, sticky paws (double-sided sticky tape), and soft paws.
- Landlords may include language in contracts making tenants liable for pet-related damage; and/or require an additional refundable security deposit or “pet deposit.
- Landlords may require that tenants supply their cats with scratching posts or training for their dogs.

AB 2743 has been approved by the Assembly and is pending in the Senate. On May 25, 2010, City Council approved a resolution supporting AB 2743, and the Mayor approved the resolution on June 4, 2010 (Council File 10-0002-S47). Board members may wish to send letters of support to the legislature as well. A full copy of the bill and the City’s resolution are attached.

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BILL NUMBER: AB 2743 AMENDED

BILL TEXT

AMENDED IN SENATE JUNE 7, 2010
AMENDED IN ASSEMBLY MAY 11, 2010
AMENDED IN ASSEMBLY APRIL 28, 2010
AMENDED IN ASSEMBLY APRIL 8, 2010

INTRODUCED BY Assembly Member Nava

FEBRUARY 19, 2010

An act to add Section 1942.7 to the Civil Code, relating to rental property.

LEGISLATIVE COUNSEL'S DIGEST

AB 2743, as amended, Nava. Real property: rentals: animals.

Existing law regulates the terms and conditions of residential tenancies and governs the obligations of tenants and landlords under a lease or tenancy.

This bill would prohibit a landlord, that allows a tenant to have an animal on the premises, from advertising or establishing rental policies in a manner that requires a tenant or a potential tenant with an animal to have that animal declawed or devocalized, for nontherapeutic purposes, as a condition of occupancy. This bill would impose a civil penalty, not to exceed \$1,000, for each violation that does not result in the declawing or devocalization of an animal. This bill would also impose a civil penalty, not to exceed \$2,500, for each animal that is declawed or devocalized in violation of this prohibition, to be paid to the owner or owners of an animal that is declawed or devocalized in violation of these prohibitions. *This bill would specifically authorize a person to seek declaratory or injunctive relief for a violation of this prohibition.*

This bill would additionally authorize specified charitable organizations to enforce these prohibitions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares:

(a) Declawing and devocalizing are veterinary surgical procedures that have irreversible effects on the animals that undergo these procedures.

(b) Declawing and devocalizing ~~may have the unintended consequence of creating~~ *have been associated with unintended behavioral consequences that could lead to* potential public health and safety concerns; for example, *increased aggression and litter box avoidance by declawed cats and the possible safety risk to law enforcement officers posed by a devocalized* ~~attack~~ dog present on property that law enforcement officers have legal cause to enter ~~to investigate illegal activity~~ .

(c) The permanence of these surgical procedures contrasts with the temporary nature of the occupancy of real property owned by another, which generally lasts only for a fixed term and may be terminated upon notice by one of the parties.

(d) Therefore, it is the intent of the Legislature to restrict the

ability of a person or corporation to impose conditions on occupancy of property that are based on declawing or devocalizing an animal that is allowed on the premises.

SEC. 2. Section 1942.7 is added to the Civil Code, to read:

1942.7. (a) No person or corporation that occupies, owns, manages, or provides services in connection with any real property, including the individual's or corporation's agents or successors-in-interest, and that allows an animal on the premises, may do any of the following:

(1) Advertise, through any means, the availability of real property for occupancy in a manner designed to discourage application for occupancy of that real property because the applicant's animal has not been declawed or devocalized.

(2) Refuse to allow the occupancy of any real property, refuse to negotiate the occupancy of any real property, or to otherwise make unavailable or deny to any other person the occupancy of any real property because of that person's refusal to declaw or devocalize any animal.

(3) Require any tenant or occupant of real property to declaw or devocalize any animal allowed on the premises.

(4) Give preferential treatment in the terms of the right of occupancy or the provision of services to another person because that person owns an animal that has been declawed or devocalized.

(5) Discriminate in the terms of occupancy or the provision of services against another person because that person owns an animal that has not been declawed or devocalized.

(b) Nothing in this section shall prevent the inclusion, in an occupancy agreement, of a provision that a present or potential occupant may not declaw or devocalize any animal that will be allowed on the premises.

(c) For purposes of this section, the following definitions apply:

(1) "Animal" means any mammal, bird, reptile, or amphibian.

(2) "Application for occupancy" means all phases of the process of applying for the right to occupy real property, including, but not limited to, filling out applications, interviewing, and submitting references.

(3) "Claw" means a hardened keratinized modification of the epidermis, or a hardened keratinized growth, that extends from the end of the digits of certain mammals, birds, reptiles, and amphibians, often commonly referred to as a "claw," "talon," or "nail."

(4) "Declawing" means performing, procuring, or arranging for any nontherapeutic surgical procedure, such as an onychectomy, tendonectomy, or phalangectomy, to remove or to prevent the normal function of an animal's claw or claws.

(5) "Devocalizing" means performing, procuring, or arranging for any nontherapeutic surgical procedure such as a vocal cordectomy, to remove an animal's vocal cords or to prevent the normal function of an animal's vocal cords.

(6) "Nontherapeutic" refers to a surgical procedure that is performed without there being a medical necessity to address the medical condition of an animal, such as an existing or recurring illness, infection, disease, injury, or abnormal condition that compromises the animal's health. "Nontherapeutic" procedures include those procedures performed for cosmetic or aesthetic reasons, or reasons of perceived need or convenience in keeping or handling the animal.

(7) "Owner" means any person who has any right, title, or interest in real property.

(d) (1) In addition to any person harmed by a violation of this section, an organization, formed in compliance with Section 501(c)(3) of the Internal Revenue Code, that is dedicated to the protection of animals *or whose mission includes the protection of fair housing laws* has standing to enforce this section. A *person may sue for declaratory relief, injunctive relief, or for monetary relief as provided in paragraphs (2) and (3).*

(2) In addition to any other penalty allowed by law, a violation of this section that results in the declawing or devocalizing of an animal shall result in a civil penalty of not more than two thousand five hundred dollars (\$2,500), per animal, to be paid to the person whose animal was declawed or devocalized in violation of this section or to an organization, formed in compliance with Section 501(c)(3) of the Internal Revenue Code, that is authorized to bring an action under this section.

(3) In addition to any other penalty allowed by law, a violation of this section that does not result in the declawing or devocalizing of an animal shall result in a civil penalty of not more than one thousand dollars (\$1,000) to be paid to the plaintiff.

RESOLUTION

WHEREAS, some property owners and managers who allow pets on their rental property require that the cats and dogs of tenants be declawed or devocalized; and

WHEREAS, "devocalization" (also known as debarking, bark softening, ventriculocordectomy and vocal cordectomy) is a surgical procedure applied to dogs and cats, where tissue is removed from the animal's vocal cords in order to permanently reduce the volume of their vocalizations; and

WHEREAS, devocalizing animals, which is normally done for the convenience of owners to silence animals who are engaging in normal vocalization, is inhumane and unnecessary; and

WHEREAS, devocalizing is associated with the following physical symptoms: increased risk of aspiration pneumonia, breathing difficulties, chronic coughing or gagging, increased risk of threats to physical safety because of the inability to ward off threats by vocalizing; and

WHEREAS, the following psychological or behavioral problems are associated with devocalizing: decreased ability to communicate mood and intentions to other animals and people, increased level of frustration which can, in turn, lead to property destruction or aggression directed at people or other animals; and

WHEREAS, devocalizing dogs also poses safety risks for law enforcement officers, due to the possibility of a silenced attack dog being present on property when law enforcement officers have legal cause to enter; and

WHEREAS, devocalizing has been banned in New Jersey and Massachusetts; and

WHEREAS, in 2009, the City of Los Angeles enacted an ordinance banning the declawing cats and other animals within City limits because the practice is inhumane and unnecessary; and

WHEREAS, physical problems and surgical complications are associated with declawing, including anesthetic-related death, hemorrhage, infection, chronic pain, and lameness, and

WHEREAS, seven other cities in California have joined Los Angeles to ban the practice of declawing; and

WHEREAS, the negative outcomes of devocalizing and declawing do not support the intended purpose of protecting people and furnishings;

WHEREAS, the City of Los Angeles has been a leader in protecting the health, livelihood and well-being of animals; and

WHEREAS, support for Assembly Bill 2743 by Assemblymember Pedro Nava would help limit the suffering of animals, prevent potential life-long side effects and promote public health and safety concerns;

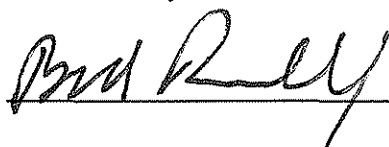
NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2010-2011 State Legislative Program SUPPORT for AB 2743 which would make it illegal for a landlord to require declawing or devocalization as a condition of tenancy in California.

Presented by:

MAY 11 2010

Seconded By:


Paul Koretz, Councilmember, Fifth District



ORIGINAL