

**MINUTES
(No Tape Back-up)**



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Monday, February 9, 2009
6:00 pm
East Valley Animal Care Center
14409 Vanowen St.
Van Nuys, CA 91405



Vacant, President
Kathleen Riordan, Vice-President
Tariq Khero
Irene Ponce
Archie J. Quincey, Jr.

ADMINISTRATIVE APPEAL HEARING 6:00 P.M.

The meeting was called to order at 6:25 pm. In attendance were Commissioners Riordan, Quincey, Khero, and Ponce.

Commissioner Riordan recused herself from the appeal hearings stating she had not received and reviewed the appeal hearing documentation.

1. Barking Dog Revocation Case - BD 08356WL

Appellant: Georgette Skolnick

Complaining Witness: Ms. Barbara Reuben

Field Operations Supervisor, West Los Angeles Shelter, Jesse Castillo

Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst

Public Comment:

Jeffrey de LaRosa- Stated he felt that this appeal should not be before the Commission.

Commissioner Ponce made a motion to uphold the General Manager's decision with the following Terms and Conditions given to the Appellant by the Commission: (1) dog must wear a bark collar, (2) dog must attend training to stop barking, (3) dog must be maintained inside the home between the hours of 7 am – 9 am, and (4) front gate must be altered to conceal dog's view of the street and sidewalk areas in front of the Appellant's home. Commissioner Quincey seconded the motion. The motion passed 3-0.

Determination: General Manager's Upheld with Terms and Conditions.

2. Barking Dog Revocation - BR 083105 WV

Appellant: Philip Minton

Complaining Witness: Najib Saadeh

Field Operations Supervisor, West Valley Shelter, Val Angeles

Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst

Public Comment:

Jeffrey de LaRosa- Questioned the absence of the Commission VP at this appeal hearing.

Fran Einberg- Stated that an 11-year old dog sleeps all day.

Commissioner Quincey made a motion to uphold the General Manager's decision.
Commissioner Khoro seconded the motion. The motion failed with a vote of 2-1.

Commissioner Ponce made a motion to uphold the General Manager's decision with the addition of the Terms and Conditions that the Appellant relocate his back gate and move his dog run to the other side of the house. Motion failed for a second.

Appeal held over until March 9, 2009

COMMISSION MEETING

1. ORAL REPORT OF THE GENERAL MANAGER

AGM Barth presented the following report:

Statistics

January 2009 brought some relief to our Intake Rate. In Calendar Year 2008 the Department averaged a 20% increase over 2007. However, in January 2009 our Intake Rate (3,321) was only 1.7% above January 2008 (3,265) - but that is still a 21% increase over 2006 (2,744). This may suggest a leveling off. We will of course continue to watch our Intake Rate to see if the worst is behind us or if this is just a momentary reprieve from the influx of animals unequaled since 2002 (3,365).

The Department's Adoption Rate for January 2009 (1,747) is up 18% compared to January 2008 (1,472). This is the highest January Adoption Rate in the Department's history.

January 2009 New Hope Placements (332) is down 13% compared to January 2008 (385).

The January 2009 Euthanasia Rate (680) is down 17% compared to January 2008 (820); this is the lowest January Euthanasia Rate in the Department's history.

Enforcement Activities

Field calls generated by ACOs decreased 3.3% for January 2009 as compared to January 2008 (2,318 vs. 2,396). However, Unable to Make (UTMs) were down 37% from 4,087 in January 2008 to 2,574 in January 2009.

Beverly Hills The contract with Beverly Hills went into effect on February 1, 2009. To date, the transition has been smooth.

Marketing

The LA Times is considering running the following ad whenever they have available space:

The City of Los Angeles enacted a new law that requires all cats and dogs to be spayed or neutered, with some exemptions allowed. Spay/Neuter is a humane life affirming means to end

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

pet euthanasia. For more information please contact LA Animal Services or visit www.laanimalservices.com.

This ad ran yesterday and today and we are monitoring to see if the Department experiences an increase in the number of inquiries coming into our Call Center and Care Centers. We are doing our best to make sure all our employees are well equipped to respond to ANY spay/neuter questions they encounter. We are also offering training to any employee who does not feel completely comfortable explaining the City's spay/neuter law.

On-Line Licensing T

The Department met with the City Controller, IT Dept, and the City Attorney to develop a plan to overcome the challenges to on-line licensing. The initial meeting was very productive and I will keep the Commission posted as this initiative moves forward. We have set a target date to have this service on-line by July 1st.

Kitty Cam

Following our success in promoting the Puppy Mill Survivors through the use of an on-line Puppy Cam, we recently completed 3 weeks of promoting a litter of kittens on a web cam streaming live on our website. This was made possible through the generosity of The Found Animal Foundation. The kittens will be up for adoption on February 9 at the West LA Animal Care Center. We are hoping for a crowd of potential adopters based on the volume of traffic visiting the web cam (800,000).

East Valley

Cats: The new awnings have been installed over the windows for the Community Cat Rooms at East Valley. The awnings are meant to reduce the heat in the rooms. The air conditioning units will be installed shortly to complete the requested work.

Rabbits: We moved the rabbits to a more prominent area in the kennels. New cages have been ordered to complete the renovation.

SMART (Small Animal Rescue Team)

The Department formalized The Small Animal Rescue Team and we are in the process of finalizing a written policy and procedure protocol supported by a training regimen. This Team will be activated when the Department is called upon to rescue animals in trees, in the LA River, wash basins, under buildings, man made lakes, storm drains, sewer systems, animals stranded on a beach jetty, beached marine mammals and birds, animals stranded on rooftops, animals fallen over cliffs or ravines, animals trapped in walls. This Team is receiving specialized training and equipment and will have the expertise to safely and successfully rescue animals from these precarious situations. Last week this team was activated to extract a cat trapped atop a 30 foot tree. The rescue was covered by the media. This Team will soon have a presence on our website alongside the Department's Air Rescue Team (DART Team), which is our large animal rescue team that partners with the Fire Department to use their helicopter when necessary and has been so successful over the years rescuing hundreds of horses from canyon fires and other predicaments.

ACTF (Animal Cruelty Task Force)

A reminder that the ACTF has not been disbanded, it has been decentralized. We now have an ACTF Officer in each Center ready to respond to any cruelty or neglect complaint that comes into their respective Centers. We are still partnering with LAPD and the City Attorney's Office on this Task Force and, in fact, we are very close to formalizing the partnership with LAPD

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through an interdepartmental MOU. The MOU reinforces both Departments' commitment to the Task Force and it is designed to clarify each Department's roles on the Task Force, something that has been missing until now.

Legal Training

The Department formalized a training partnership with both the County's District Attorney's Office and the City Attorney's Office. Attorneys from both offices will circulate through all our Centers on a weekly basis providing specific training on animal control ordinances and enforcement as well as offering our employees advice and answering ordinance and enforcement questions. Training begins this week and the key topics will be tethering and how to deal with abandonments resulting from the foreclosure crisis. In fact, we are finalizing a policy and procedure statement on this issue this week.

Western University Update

Dr. Prupas met with Second Year students at Western University to discuss finalizing the terms of a formal relationship. Items discussed included a possible fourth year rotation at LAAS, recruitment of 100 volunteers to foster neonates and spay/neuter opportunities.

In House S/N Update

Three Centers are now performing in-house spay/neuters (West LA, West Valley and Northeast). Next month, we hope to begin doing some spay/neuters at Harbor and North Central.

Special Enforcement Actions

These are scheduled every Thursday and are rotated through each of our Centers. During the past three weeks, an ACO from each Center has joined forces to review problematic areas in the City to pick up and rescue stray animals and issue notices for violations found at large. North Central hosted the first event and picked up 7 dogs. South LA hosted the second event and picked up 11 stray dogs. East Valley picked up 14 dogs; seven were returned to their owners with citations issued (7).

Furry Valentine Adopt-a-thon

LA Animal Services, in partnership with the Found Animals Foundation and the Pet Care Foundation, is announcing the *My Furry Valentine* adoption event at all six Animal Care Centers on Saturday/Sunday, February 14/15. Animals will be available for adoption at a special low price of \$43 for a dog, \$28 for a cat (second cat is free!) and \$25 for a rabbit. This is a 60% to 80% savings off regular adoption fees. These low adoption fees include spay/neuter surgery, microchip, vaccinations and in the case of dogs a license.

On Saturday, Feb. 14th at the West LA the Found Animals Foundation and at the East Valley Care Center the Pet Care Foundation will host the *My Furry Valentine* event and will provide face painting, valentine-making and volunteer "Pet Matchmakers" to help adopters find the perfect pet.

Low Cost Vaccination Clinic

Will be held at West LA February 19 – – this will be our new provider's first clinic (Southern California Veterinary Vaccine Clinic).

Spay Day II

The Department, partnering with Clinico, Sam Simon, and Council Members Alarcon and Cardenas, is hosting another Spay Day event on Saturday, February 28th at the Mission Animal

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Care Center.

Press Conference

With the Mayor, Last Chance for Animals, and the guest of honor, Clark Duval the owner of the Orange Bone Pet Store. The purpose of the Press Conference is to announce and celebrate Mr. Duval's decision to stop selling puppy mill dogs and instead partner with LA Animal Services to help place shelter dogs. It is our hope that Mr. Duval will become a role model for other pet stores in the City. The Press Conference is scheduled for this Friday at 9:45 AM at THE ORANGE BONE PET STORE at 7574 MELROSE AVE, LOS ANGELES, CA 90046

Changeover to Wachovia Bank

The changeover for all our banking and lock box activities continues to be a major focus of our Administration, Accounting, Licensing, and Systems groups. We are optimistic that many of the changes required by Wachovia's 100% on-line reporting will lead to efficiencies in the coming year. But that will be because of significant efforts on our end. Early April is the targeted changeover completion date.

Budget

Meetings with the Mayor and City Administrative Officer will be held later this month to discuss potential cuts for 2009-2010. We continue to argue that because of cuts taken in the current fiscal year, including the on-going partial use of Northeast Center and the existing 8% vacancy that cuts next year should be less extreme. With the State's fiscal crisis looming over us all, however, the CAO projections are not optimistic.

Spay/Neuter Vouchers

Despite a \$100,000 cut so far this fiscal year to spay/neuter funding, demand for both the low income Free spay/neuter and the \$30 discount coupons continues to rise. This is probably the results of both the economic downtown and the new spay/neuter law. We receive funding each month from the City's General Fund for coupons and the spay/neuter vans. The increase in demand is forcing us to more effectively control monthly coupon distribution. Our animal care centers are running out of coupons before the month ends on a regular basis. For that reason, we are limiting the number of \$30 coupon books distributed to the public through our rescue partners, so we can increase the number available at our own animal care centers to make it to the end of the month. We are instituting procedures for distribution of the Free Spay/Neuter Coupons (value \$70) to ensure that they are going to seniors, disabled, and other residents whose income is under the HUD very low income ceiling of \$30,300, by requiring DWP Lifeline and Low Income bills to be presented.

Controller Audit

On December 4, 2008, the Controller released an audit of the Prop F Animal Facilities Bond Program. Most of the 17 recommendations were directed at the Bureau of Engineering, with only six directed to Animal Services. The joint response of our two Departments to the audit was submitted to the Controller on February 5th. In large measure the audit, which was performed by outside experts, lauded the Program. In particular, they made recommendations to assist BOE with being more on target with cost estimating. For Animal Services, the audit recommended better communication between staff assigned to the Program and the Department Management (including the Board) and community stakeholders. Often, value engineering decisions necessary to keep the projects on budget were not discussed or even reported to the Board or stakeholders, creating a gap between expectations and the final product. They also recommended more and better training for staff moving into the new facilities.

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The new South LA project

A meeting was held with the staff of the current South LA animal care center to accept feedback on the new center design elements from employees who have worked in the local area. A number of suggestions and design tweaks came out of that discussion, such as re-assigning some office locations and improving the flow of the receiving area with a few targeted changes.

Most of the recommended modifications can be integrated without a significant increase in cost or a slowdown in the schedule, according to BOE. Please remember that the new South LA facility will be ADDITIONAL to that area, not a replacement of the current animal care center.

Public Comment

Phyllis Daugherty- Concerned that the terminology, “no-kill” leads to an influx of animals in the shelters. Asked to bring back the terminology of “life affirming” shelters.

Commissioner Riordan asked questions about the Beverly Hills contract and whether mobile adoptions in Beverly Hills have increased.

Commissioner Riordan stated she thought the Department would benefit from having a heat-seeking monitor to find animals that could be stuck in drainage pipes or structures that might be sealed shut. She asked the Department to price them out and if not too expensive she might donate one to the SMART team, similar to what is used by the Fire Department.

2. COMMISSION BUSINESS

A. Approval of the Commission Meeting Minutes for January 12, 2009

Held over until February 23, 2009

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

Commissioner Ponce held meetings with staff.

Commissioner Riordan discussed the tethering law, pets left behind on foreclosed properties and the abandonment law with employees. She also discussed the pets left behind on foreclosed properties with some bankers.

Commissioners Khoro and Quincey had nothing to report.

3. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

A. None

4. DISCUSSION ITEMS

A. Proposed Agreement with PSC., Inc. to Obtain Hazardous Materials Disposal Services

AGM Barth reminded the Commission that they had asked to be informed of contracts over \$5,000. The Commission agreed that no further discussion was necessary.

B. Pets in City Subsidized Housing Units

AGM Barth gave a recap of the original motion presented by Commissioner Ponce. She then presented the Department's research on the feasibility of the motion. She concluded with the Department's recommendation that the proposal that pets be permitted in new subsidized housing units as a prerequisite to receive public funds may alternatively be explored in the meantime by the Commissioners advocating with peers in the City departments that deal with housing and housing legislation, and with support from the Office of the Mayor.

A discussion of the motion ensued.

Public Comment

Phyllis Daugherty-Commented that HUD does not allow animals in rentals due to fighting. Concerned about liability issues.

C. Oral Report on Spay and Neuter Ordinance

AGM Barth stated that she did not have a formal report and would be ready to present one by the meeting on February 23rd or March 9, 2009.

Commissioner Riordan gave a list of questions she would like the formal report to address:

1. How many permits and \$100 licenses have been issued since the ordinance was enacted?
2. Can the Canvassers issue breeder's permits?

Commissioner Riordan asked the Chair of the S/N Advisory Committee to inject her questions to be included:

1. What is the RFP?
2. Where was the RFP issued?
3. What was the text of the RFP?
4. How long was the RFP process?
5. What was the coverage? Did vets have to be on a LAAS list to receive notice?
6. Why were so few bids received?
7. What are the S/N clinics charging to s/n public animals and shelter animals? What are the "out the door" charges?

Public Comment

Jeff de LaRosa- Stated that there is a problem with the S/N ordinance because it can not be enforced and anti-price gouging should be included in the law.

Commissioner Riordan discussed compliance issues with the S/N law.

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 – Mentioned a recent LA Times article about an animal cruelty conviction in cock-fighting. Commented on pets in housing. Suggested that "water cops" also license dogs.

Jeff de LaRosa – Commented on Maeve's on-going case. Stated that he wants the Commission to re-hear the case.

Kim Carnochen – Read a letter from Marie Atake regarding Stu.

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6. FUTURE AGENDA ITEMS

Commissioner Ponce would like to revisit the pet in housing motion in one month.

Commissioner Riordan would like to:

1. Discuss the S/N Clinic RFP and the possibility of re-issuing the RFP. How was the RFP was advertised and the number of bidders - due at next meeting.
2. A Board report on the receipts for s/n of the public's animals from the S/N clinics located at our shelters. Copies of the actual receipts with personal information redacted.
3. Discuss the Vaccination Clinics at our shelters and those in City parks. How are the vets chosen? Do we need an RFP process?
4. Commissioner Riordan asked if the Board has rendered a decision on an appeal, and then discovers errors, what actions can be taken to correct the errors? If, after the city loses a writ, is the department legally required to file a case again?

AGM Barth suggested a closed session. Commissioner Riordan stated the questions were in general, but is not opposed to a closed session to determine if the board can settle the Stu/Maeve cases. Commissioner Khero and Quincey agreed.

5. Meet with AGM Barth to discuss what Board items can come off of the list and present those items at a future Board meeting for approval.

7. ADJOURNMENT

Commissioner Quincey made a motion to adjourn. The motion was seconded by Commissioner Ponce and passed 4-0. Meeting ended at 9:00 pm.

Next Commission Meeting is scheduled for 10:00 A.M, February 23, 2009, Los Angeles, City Hall, Room 1060, 200 North Spring Street, Los Angeles, CA 90012