



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES



MINUTES

TUESDAY, April 12, 2016 at 10:00 AM

LOS ANGELES CITY HALL, ROOM 1060
200 NORTH SPRING STREET
LOS ANGELES, CALIFORNIA 90012

Audio MP-3 Recording is available at www.laanimalservices.com

David Zaft, President
Larry Gross, Vice-President
Olivia E. García
Roger Wolfson
Alana Yañez

Meeting called to order at 10:06 a.m. Commissioners present were Zaft, Gross, García, Wolfson and Yañez. Also present from Los Angeles Animal Services (LAAS) Board Secretary Rita Moreno, General Manager (GM) Brenda Barnette and Assistant General Manager (AGM) Dana Brown; and Assistant City Attorney (ACA) Dov Lesel.

Commissioner Zaft opened the meeting and provided an overview of the meeting agenda.

I. ADMINISTRATIVE APPEALS *(Taken out of order after item II.4)*

Commissioner Gross discussed the appeal hearing process and conducted the hearings. **Commissioner Zaft** clarified that the appeal was submitted only by Roxanna Flores.

1. Dangerous Animal Case: DA 152110 EV

Respondent: Anabel Garcia and Roxanna Flores

Complaining Witness: Gloria Quijas and Maria Barba

East Valley Animal Care and Control: Captain Karen Knipscheer-Cox

AGM Brown provided an overview of the case and the basis for the General Manager's determination, and responded to Commissioner's questions. The Respondent, Roxanna Flores, testified that the evidence did not support the General Manager's determination since her dog, Star, was not involved in the incident, and responded to questions from Commissioners. Neither of the Complaining Witnesses was present. **Commissioner Zaft** asked ACA Lesel whether, when one person's dog bites or attacks someone or another animal and loses the license, it is proper for other people in the household to lose their dog license as well. **ACA Lesel** responded that only if the other person's dog is found to be involved, or if both dogs are owned by the same person losing the license. **Commissioner Gross** asked about chronic leash law and defecation law violations. **Commissioner Zaft** responded that that was not the basis for the determination. **ACA Lesel** added that if conclusion is that both dogs were involved, but only one did the biting, revocation may be on fact that both dogs get loose. The Commissioners discussed the merits of the appeal and the evidence provided to the Hearing Examiner.

Commissioner Yañez found that the evidence did not support the General Manager's determination in regards to Star; moved to modify the General Manager's revocation of the dog license for **Star (L15-472075; A1079645)**, and reissued the dog license with the basic Terms and Conditions, and 120 days to fix the fence. The motion was seconded by **Commissioner Wolfson** and was approved by a vote of 5 - 0.

2. Dangerous Animal Case: DA 152128 WV

Respondent: Khosro Reghabi and Michael Havaei

Complaining Witness: Gladys Kissell

West Valley Animal Care and Control: Captain Karen Knipscheer-Cox

AGM Brown provided an overview of the case and the basis for the General Manager's determination. The Respondent, Khosro Reghabi, was present and stated that he is acting as legal counsel to Michael Havaei, and that the General Manager's determination with the Terms and Conditions were never received, and that the dog **Brew** had not attacked anyone and that there has not been any violation of the terms and conditions; and responded to Commissioners' questions. **Commissioner Gross** asked ACA Lesel whether the department had met its legal obligation. **ACA Lesel** responded that someone can be represented by legal counsel at an administrative hearing, but the notices are sent to the dog owner, who can forward to their attorney. The Complaining Witness Gladys Kissell was not present. The Commissioners discussed the merits of the appeal and the evidence provided to the Hearing Examiner, and asked for status of dog license.

Commissioner Gross made a motion to uphold the General Manager's determination, which failed for lack of a second. **Commissioner Wolfson** made a motion to modify the General Manager's determination and reissued the dog license for **Brew (L14-367571; A1255357)** with terms and conditions already stipulated to, and ensure **Brew** is sterilized and licensed within 30 days. The motion was seconded by **Commissioner Zaft** and was approved by a vote of 5 - 0.

II. REGULAR COMMISSION MEETING *(Taken out of order before item I.1)*

1. PUBLIC COMMENT

None

2. COMMISSION BUSINESS

A. Approval of Minutes for March 1, 2016. *(tabled to next meeting)*

Public Comment

None

B. Approval of Minutes for March 8, 2016.

Public Comment

None

Commissioner Gross moved to approve the minutes for March 8, 2016 and **Commissioner Yañez** seconded. The motion passed 5 - 0.

3. ORAL REPORT OF THE GENERAL MANAGER *(Taken out of order after item I.2)*

GM Barnette discussed the following:

- Landscaping company changed ownership; contractor will resume work at shelters in two weeks

- March 23 National Puppy Day; North Central Shelter participated in Puppy Palooza event with ABC7 – very successful – very few puppies remained in less than an hour.
- March 31 Boehringer Company Vet visited RVTs at North Central Shelter to provide lunch and present new medical products.
- April 1 South L.A. Shelter participated in talk with students at Bright Elementary School's Fair Day.
- March 25 discussion with GSD about various ongoing issues at North Central Shelter (misting system, bird netting, awnings, and repurposing or reestablishing existing fountains).
- Continuing to work with Mayor's Office, City Attorney, BOE, City Council on TNR injunction; rescue partners efforts to increase live save rate for cats and kittens:
 - Best Friends funding two new nurseries: Kitten Rescue (500 kittens this year and up to 1,000 by 2018) and SNP LA (450 kittens) at \$500,000 and for next three years; should be self-sustaining by 2019; Kitten Rescue focusing on North Central and SNP LA on Harbor and East Valley.
 - Best Friends funding Heaven on Earth open Perry's Place as public adoption center for cats; will increase cats pulled by 350 for 2016 and, eventually, 850 cats annually; \$250,00 first year to be self-funded by 2019; will pull adoptable age and weaned kittens from East Valley.
 - Working Cats Kitty Bungalow to pull 150 from South L.A. and hoping for additional 500 from all shelters.
 - Safe at Home has person working at South L.A. to have kittens cared for at home.
 - Best Friends hopes for same practice at Northeast Valley; all kittens to be microchipped at shelter; Stray Cat Alliance to provide medical support and placement.
 - Stray Cat Alliance center in South L.A. provides vaccines, wellness appointments for fosters and will work with ASPCA for spay neuter; will have hotline with assistance from Best Friends, to provide help and support; hope to reduce intake by 200 kittens.

(Commissioner Yañez left the meeting at 11:20 a.m.)

- Best Friends employees working on client services at North Central, South L.A. and East Valley to increase cat and dog adoptions.
- Best Friends enhancing LAAS foster care program; goal to take 750 more kittens for a total of 2,950.
- Found Animals will pull from Best Friends' nursery to help them pull another 250-500 from LAAS.
- April 6 second stakeholder meeting on strategic planning took place in CD 15; next meeting April 13 in CD7 at Pacoima City Hall; thanked Phyllis for help getting the word out.
- April 6 PAW Committee voted unanimously to support self-identification to verify income eligibility for free spay/neuter vouchers; meets one of the Citywide Homeless Strategy goals; will go to City Council for final approval.
- April 5 staff meeting with PetCo regional store in Porter Ranch to display adoptable cats in store by May 1, 2016; MOU being reviewed; West Valley will train PetCo staff on processing adoptions.
- Honda Corporation sending donations to shelters in conjunction with Helpful

Honda event held in March, to include training pads, cat and dog treats, heating pads and milk replacement formula.

- Best Friends donated 25,000 flyers each for South L.A., Chesterfield Square, East Valley and North Central shelters to inform community about shelters; distributed April 11 within two-mile radius in residential area.
- 6 part-time Admin Clerks were hired and started on March 30.
- Chief Vet will meet with Yates X-ray Company on installation of replacement x-ray machine at South L.A.
- March 29 North Central conducted auction of four puppies in foster care.
- March 12 North Central participated in “Nuestra Avenida” a “Great Streets” initiative; two out of five dogs adopted; handed out information on licensing, volunteering, fostering, adoption and donations; Home Dog L.A. team also participated and assisted.
- March 15 all LAAS Vets attended training with City Attorney on animal cruelty and neglect.
- First cat adopted out of Feline-ality program at Chesterfield Square over the weekend.
- Upcoming:
 - April 23 and 24 “Spring ‘Em” event sponsored by The Pet Care Foundation; discount of \$25 off all dog and cat adoption fees.
- Field Operations
 - March 7 two ACOs assisted LAPD with three aggressive pit bulls on probation check.
 - March 9 ACO responded to senior citizen owner surrender of dog that attacked another dog.
 - March 10 three ACOs responded to deceased owner’s daughter surrender of two pit bulls.
 - March 11 ACO Perea responded to cat stuck in tree for 48 hours.
 - March 12 LAPD responded to neighbor dispute and found evidence of possible abuse of victim’s cat; Animal Cruelty Task Force took report and filing for criminal prosecution.
 - March 2 Wildlife Division caught people feeding wildlife at LAX field gate; two ACE citations issued.
 - March 2 SMART responded to owner’s cat stranded 35 feet up tree for two days.
 - March 4 SMART responded to injured cormorant in man-made lake; used new inflatable boat and specialized net launcher to rescue bird and took it to CA Wildlife Center for treatment.
 - March 6 North Central hosted Read to Dogs event with Metro Gateway Child Development Center to introduce children to animal rescue and adoption.
 - March 20 LAPD took two property snakes to East Valley used by owner to threaten public; story picked up by KCAL 9.
 - March 15 ACO Peregrina responded to three different injured dog calls.
 - March 13 two ACOs responded to check on tethered dog; found roosters on property; follow-up on March 17 found one dead rooster; two live roosters impounded; criminal charges may be filed.
- LAAS Vets are doing extra work: performed dental cleaning on geriatric stray with severe dental disease and loose and infected teeth; emergency enucleation to remove eye of owner surrender dog with left eye popped out of socket and

bleeding; enucleation to remove severely damaged left eye protruding from socket of dog and neutered him; all three dogs were adopted.

Public Comment

Phyllis Daugherty: Stated that lighting at North Central is inexcusable - parking lot completely dark; suggested motion sensor lights and to direct light to front at people; stated that all ACOs are trained to take cats out of trees – no special training needed.

4. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS *(Taken out of order after item II.2.B)*

Commissioner Wolfson: Discussed items he would like to see on future agendas: doubling the number of night meetings in the field; request animal adopters list “godparent” or emergency contact on adoption forms and microchip forms; requested status on report regarding pilot program to change hours in one shelter.

Commissioner García: Passed.

Commissioner Yañez: Discussed April 2nd event – the 12th outreach event with over 400 animals in attendance – over half were unaltered, all were vaccinated and 89 signed up for spay/neuter.

Commissioner Gross: Passed.

Commissioner Zaft: Reminded the public of the department’s strategic planning meetings being held in each of the City Council Districts; tomorrow night in Pacoima and next three meetings all in the Valley; all information on department website (**Commissioner Gross** reminded that input can be submitted online).

Public Comment

None

5. DISCUSSION ITEMS *(Taken out of order after item II.3)*

A. Proposal by Commissioner Wolfson to Consider the Use of Managed Admissions as a Means to Reduce Euthanasia

Commissioner Wolfson discussed his several different ways to reach our goal of No-Kill through managed admissions. There are many different forms of managed admissions, such as: require appointment to drop off animal, wait list, green and red days for drop off, require conversation with interventionist before drop off, having staff ask a series of questions before taking in an animal, euthanasia only when all beds are full and animal is dropped off; keep dog in home until space available at shelter; He is aware that managed admissions opponents don’t want pressure taken off department to reduce births, not admissions, through spay neuter, and consider this a quick fix or artificial reduction in numbers. But he feels that managed admissions can be complimentary and supplement long-term solutions; managed admissions increases public engagement in the care of animals; accepting animals any time sends message to community they are not responsible for animals; would like pilot program and department input. **Commissioner Zaft** asked Commissioner Wolfson for particular approaches and which admissions would be managed. **Commissioner Wolfson** responded

that he needs more information before coming up with a starting point, but makes sense to start with cats and pilot program in one shelter where staff does not take cat if no shelter space that day; can provide food and referrals until space is available; would like to hear from department if can start with scheduled admissions, which has worked in Oregon with has lead to greater revenue; some cities say cats do okay in street and don't take in strays. **GM Barnette** experience in private sector always had managed admissions, except in cases of emergency; L.A. will be alarmed and will need for community education; if implemented, pilot in one shelter. **Commissioner Zaft** asked whether scheduled admissions would be for all the animals, owner surrender, one species or another. **GM Barnette** suggested starting with owner surrenders because they can become strays; private sectors works with strays and tries to convert person into foster, but that's difficult. **Commissioner Zaft** stated he reviewed administrative code and municipal code, and the TNR injunction to ensure any policy would comply because department required to take in strays and impound certain animals. **ACA Lesel** responded that any proposal needs to be reviewed by the City Attorney and along with those mentioned, State law also has to be considered; can't comment until there is an actual program; if limited to owner surrender, different from across the board program. **Commissioner Gross** thanked Commissioner Wolfson for bringing proposal for discussion; concern with department's responsibility under the municipal code to take in animals; asked about a comparable agency doing this; would like input and adequate discussion; concern that people will dump animals if can't give animals to department. **Commissioner Wolfson** responded that San Antonio (7th largest shelter system in country) and Jacksonville have managed admissions; other cities are doing this and many had expected a larger backlash from public than they got; managed admissions have made an impact on their numbers; but for him, it's not about numbers – it's about saving the life of an animal; he believes in keeping open admissions, just a delay; finding out if people are willing to keep animal for a few days, and we can give them some food or litter; maybe we could start with a pilot program in active community and even just start by asking a series of questions of the people dropping animals off. **Commissioner Zaft** noted this is already being done with Intervention Program. **GM Barnette** suggested inviting intervention groups to come talk about issue; they don't work seven days a week; if they can take the number of days they work and the number of animals they are able to keep in the homes, we can get a sense of how many animals we are talking about; pilot at shelter without intervention program or step up support for intervention groups to do more days a week; we can figure the day of the week with highest intake. **Commissioner Garcia** stated she has heard statistics from intervention programs for the shelters that work independently and numbers are astounding; their presentation would help with proposal. **Commissioner Zaft** stated there are different approaches; San Antonio stopped going out and collecting strays to help bring intake down; San Antonio has large area but does not have L.A.s population and has different profile as to how animals come in; we don't go out and collect animals; would like to know our needs; five out of six shelters at 90% live save rate for dogs consistently; need is in South L.A. with large dog intake; other challenge is with feral cats and kittens, but hands tied with injunction; would like specific proposals to apply at specific shelters with specific populations to relieve overcrowding - tailor strategies to specific shelter and address community concerns. **Commissioner Wolfson** intervention program is geared to people keeping animals for good, not for a limited time; his proposal is for "triage" to simply delay intake at

shelters, possibly just for a day or two at a time. **Commissioner Zaft** clarified that if target is kittens from ferals, owner surrender will not address problem; owner surrender at five of the shelters will not help that much; need to find out where we will get the most benefit.

Public Comment

(Commissioner Zaft changed time limit to two minutes)

Lisa Lange: PETA opposed to proposal; can't make it harder for people to bring animals to shelters; don't know if person bringing in animal has home suitable for animal; people will not be able to carve out time out of their schedules to come back in two days; experience shows that people will put animal out or dump them; make it a no birth city before no kill city. **Andrea Adelman:** Shared example of animal found in street because owners didn't want it because it was deaf. **Sheila Kouhkan:** Best Friends in favor; have open admission policy; make shelters more of a resource rather than the last resort; can be complimentary to intervention program; can assist with looking at best practices and putting a pilot together (**Commissioner Zaft** asked how Best Friends defines managed admissions; **Ms Kouhkan** responded they would look at places of need - cat situation, but focus on owner surrender). **Commissioner Zaft** added that he would like to know the number of owner surrendered cats versus stray cats. **GM Barnette** responded that the department can run the numbers. **Susan Taylor:** Actors and Others for Animals opposed to proposal; takes calls every day from people with unwanted animals, mostly cats; animals will be put out and killed on the streets – L.A. will not be "No Kill.". **Phyllis Daugherty:** Shared experience observing people dumping cats and dogs when not accepted by shelters; people in L.A. are paying \$44 million a year for unwanted animals to be sheltered, and \$154 million in bonds for shelters; State law requires that strays get picked-up; we need to license and develop spay neuter program for cats; teach people that if not responsible with animal, it will die. **Dianne Prado:** agrees with proposal; need for different ideas to reach No Kill; intervention program works – as housing rights attorney, gets calls from clients being evicted for their pets, on days program not at shelter – staff should be trained on intervention.

Commissioner Zaft thanked Commissioner Wolfson; would like to know where the kittens are coming from; very little education about spay neuter for cats; suggested Commissioner Wolfson work with staff on options and develop recommendations; should not turn animals away for numbers. **Commissioner Gross** noted good arguments on both sides; concern with denying people to leave animal at shelter; need more input to move issue forward. **Commissioner Wolfson** will take on issue; most information on people dumping animals is anecdotal – disproved by research in cities implementing this; will hear from and reach out to others to put together proposal; not about the numbers, shelters sometimes not safe if euthanized for space. **Commissioner Garcia** stated that proposal is complimentary; suggested starting in areas where community is open to this.

6. BOARD REPORTS

- A. Staff Report Requesting Approval to Use Animal Welfare Trust Fund Monies to Purchase a Replacement Digital Radiograph Machine for the South Los Angeles Animal Shelter *(taken out of order after item 6.D)*

Commissioner Gross returned to the meeting after item 6.D.

AGM Brown provided an overview of the staff report.

Commissioner Garcia moved to approve the use of AWTF monies to purchase a replacement digital radiograph machine for the South L.A. Animal Shelter. **Commissioner Wolfson** seconded and the motion passed 4-0.

- B. Staff Report Requesting Authority and Approval to Extend the Current Agreement (C-117333) with SNP LA to Operate the East Valley Spay and Neuter Clinic

Sr. MAll Forland and **MAll Mikouski** provided an overview of the staff report.

Commissioner Gross moved to approve the extension of the current agreement with SNP LA (C-117333) to operate the East Valley spay and neuter clinic. **Commissioner Garcia** seconded and the motion passed 4-0.

- C. Staff Report Requesting Authority and Approval to Issue a Request for Qualifications (RFQ) for Wild and Exotic Animal Veterinary Services

AGM Brown provided an overview of the staff report.

Commissioner Gross asked about the problems finding vets in the past. **AGM Brown** responded that she has experience with exotic animal vets and will be able to do greater outreach.

Commissioner Wolfson moved to approve the issuance of an RFQ for wild and exotic animal veterinary services. **Commissioner Gross** seconded and the motion passed 4-0.

- D. Board Report Requesting Approval of Recommendation to City Council to Oppose AB 2760 (Mathias) and Include its Opposition to the Bill in its 2016 Legislative Platform (*taken out of order after item 5.A*)

Commissioner Gross recused himself and left the room.

Commissioner Zaft circulated text of the bill and discussed the recommendation – amends the Civil Code to add a new section that would define support animals, and provide guidance on when tenants can maintain support animals, and when landlords can either terminate a tenancy or deny accommodations for having a support animal; amends Food and Agricultural Code 30851 to add support animals to section, which deals with assistance dogs; no impact on rights of people who depend on guide dogs and other types of assistance animals. **GM Barnette** added that the amendment is very specific as to how a dog gets to be a service dog. **Commissioner Zaft** read excerpts from the bill and noted that a real estate group is behind the bill.

Public Comment

Courtney Fern: HSUS opposed; one in five Americans lives with a disability and two-thirds of American households include at least one dog and one cat; demand for rental housing increasing faster than supply; problems in housing lead to

relinquishment of pets; bill will give landlords unprecedented authority to deny accommodation for people with supportive animals and will increase homeless animals; research on health benefits of companion animals on people, especially support animals; known as assistance animals under federal law and different legal classification from pets; the Rehabilitation Act of 1973, the Fair Housing Amendment Act of 1988, and Americans With Disabilities Act of 1990 offer important protections for people through housing policies; AB 2760 endangers those protections for Californians by allowing landlords to determine which disabilities are more valid. **Sheila Kouhkan:** Best Friends opposed to bill. **Phyllis Daugherty:** Speaking with permission of AAGLA (Apartment Association of Greater L.A.); support animals don't have anything to do with physical disability; no paperwork for support animals; bill is asking that they be licensed, not harm anyone on the property, owner get insurance to cover them, they be house-broken, be good neighbors; should let bill go through process as it will likely be amended (*Commissioner Zaft asked whether landlords have to allow support animals; Ms Daugherty responded only if they meet the criteria and are certified by professional; Commissioner Zaft asked whether a landlord can say "no pets;" Ms Daugherty responded accommodation is required, but support animals are restricted from public areas*). **Chancela Al-Mansour:** Housing Rights Center opposed to bill; concerned that in order for the Department of Fair Employment and Housing to receive federal funds for housing under HUD, it must be deemed to be substantially equivalent to federal law – if the bill is passed, State law would not be substantially equivalent to federal law and jeopardize federal funding for CA; support animals are covered under the Fair Employment and Housing Act and under federal Fair Housing law – good opinion written by Department of Justice on reasonable accommodation and reasonable modifications; support animals don't have the same rights in some businesses under the Unruh Act in the Civil Code of CA, but given same protections as service animals under housing laws. **Dianne Prado:** Inner City Law Center opposed to bill; noted Mayor's efforts to end homelessness and prevent homelessness – bill would negate work due to evictions; landlords will be able to evict a tenant based on their designation of the animal as a pet; already process for accommodation; requirement for CA licensed healthcare professional will impact low-income and undocumented.

Commissioner Zaft asked if there is a requirement that a person requesting accommodation make some showing for accommodation; **Ms Al-Mansour** responded they have to show some type of documentation from a medical provided, but it doesn't have to be a CA medical professional and it doesn't have to be certified; law protects the privacy of person so does not have to disclose the disability. **Commissioner Zaft** asked about process for owner if animal has become problem; **Ms Al-Mansour** responded property owner has to showing animal is a nuisance and go through normal eviction process; bill shifts the burden to the tenant by requiring consent of landlord before tenant can get animal. **Commissioner Wolfson** stated that voting for this proposal is an opportunity to speak for voices that need to be heard. And he is wary of special interests who are trying to roll back hard-won protections. **Commissioner Garcia** agreed with Commissioner Wolfson and stated there is a need to address underserved communities. **Commissioner Zaft** stated that not all landlords are large corporations and provide a service; people who need accommodation should be protected; asked if bill passes, would it not be preempted by federal law. **Ms Al-Mansour** responded affirmatively. **Commissioner Zaft** added that if trying to

balance the rights of the landlord to protect and control their property and the tenant rights to have support services they require, bill language is too vague and allows landlord to interpret.

Commissioner Wolfson moved to approve the recommendation to City Council to oppose AB 2760 (Mathias) and include its opposition to the bill in its 2016 legislative platform. **Commissioner Garcia** seconded and the motion passed 3-0.

7. ADJOURNMENT *(taken out of order after item 6.C.)*

Commissioner Wolfson made a motion to adjourn in honor of Alex Garcia, and **Commissioner Zaft** seconded. Motion passed 4 - 0.

Meeting ended at 1:56 p.m.